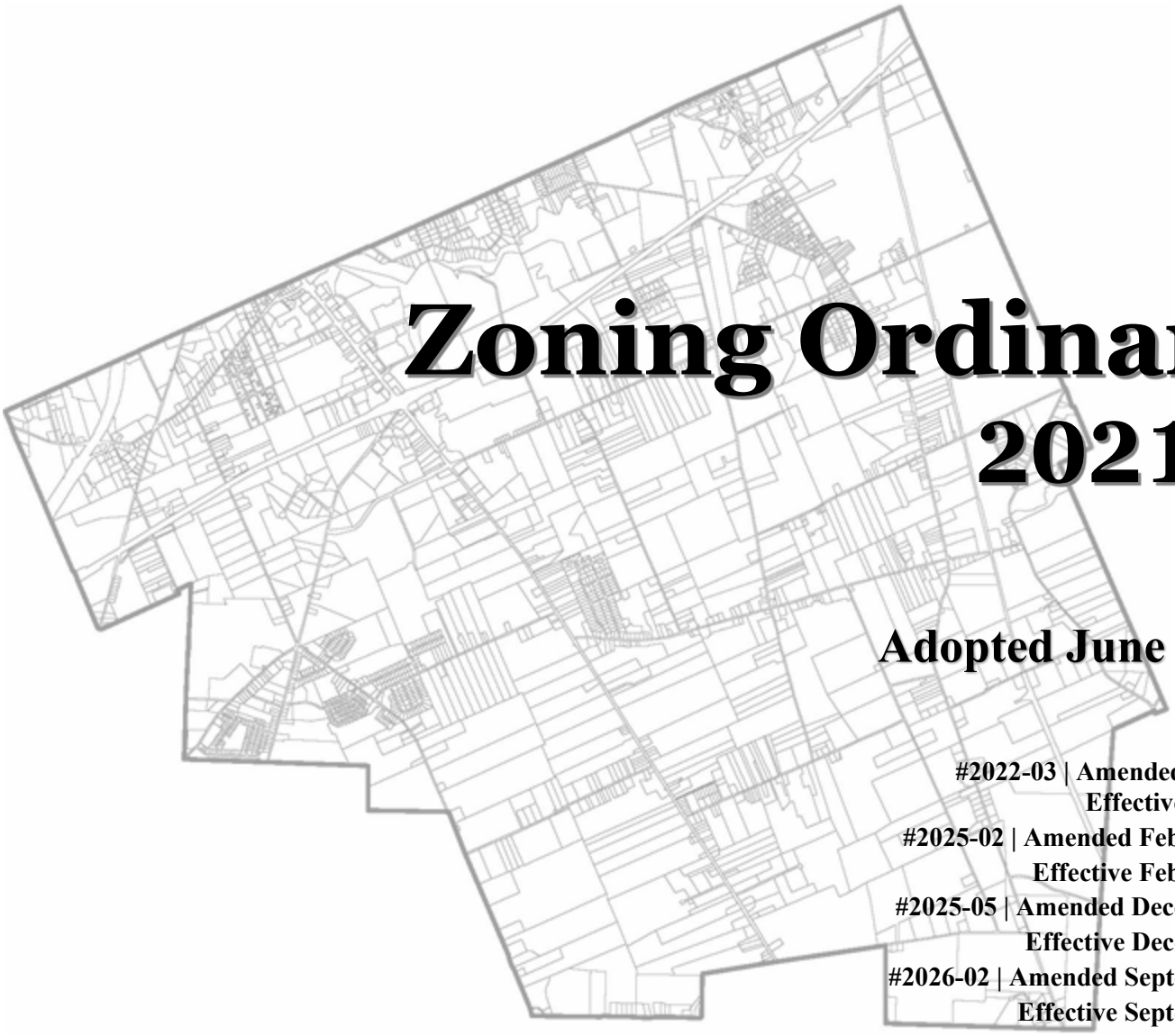

Zoning Ordinance 2021-02

Adopted June 21, 2021

#2022-03 | Amended June 20, 2022
Effective June 25, 2022
#2025-02 | Amended February 18, 2025
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Effective December 20, 2025
#2026-02 | Amended September 21, 2026
Effective September 26, 2026

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AMENDMENTS TO SUMMIT TOWNSHIP ZONING ORDINANCE 2021-02

Amended June 20, 2022| Effective June 25, 2022 | Ordinance No. 2022-03

Section 202 Amended definition of "Short Term Rental"

Section 311 Removed "Short Term Rental" from RR, RN, RLD, RMD and RMF Permitted Principal Uses

Amended February 18, 2025| Effective February 23, 2025| Ordinance No. 2025-02

Article 2 Definitions:

Amended term & definition of "AUTOMOBILE IMPOUND LOT" to "IMPOUND LOT"

Added "EVENT VENUE" term & definition

Amended term & definition "MINERAL EXTRACTION/OPEN PIT MINING" to "MINERAL EXTRACTION/SURFACE MINING"

Removed "NONCOMMERCIAL RECREATIONAL FACILITY FOR HOUSEHOLD USE OR FOR RESIDENTS OF A DEVELOPMENT" term & definition

Amended "RECREATIONAL VEHICLE" definition

Added "SPECIAL EVENT" term & definition

Amended "TEMPORARY STRUCTURE OR USE" to "TEMPORARY STRUCTURE" term & definition

Removed "TRAVEL TRAILER" term & definition

Article 3 Zoning Map Districts and Boundaries:

Amended Principal Use "Vehicle Impound Lots" to "Impound Lot" in MUR, MUN, CL, CC

Added Principal Use of "Impound Lot" to IND

Added Principal Use of "Mineral Extraction/Surface Mining" to IND & LF

Added Principal Use of "Event Venue" to RR & RMD

Added Principal Use of "Outdoor Entertainment Facility" to MUR

Added Principal Use of "Kennel" to MUR & CC

Section 604 Amended verbiage for "Temporary Storage Facilities"

Section 610.01 (A)(2) Amended regulation verbiage for "Fences in Residential Districts"

Section 617 Removed "Storage Trailers" & regulations

Section 626 Amended regulation verbiage for "Campground/Camp Park/Travel Trailer Park"

Section 630 Amended title "Recreational Vehicles and Recreational Equipment" to "Storage and Parking of Recreational Vehicles and Equipment" & amended regulations

Section 631 Amended regulations for "Temporary Uses"

Section 635 Added title & regulations for "Event Venue"

Section 804 Added R. in "Prohibited Signs in All Districts" regulations

Section 806 Renumbered "Signs in RR, RN, RLD, RMD, and RMF Districts" regulations

Section 810 Amended title "Portable Signs/Temporary Signs" to "Temporary and Portable Signs" & amended regulations

Section 910 Removed "Marginal Access Way" & regulations

Section 1007.01 (B)(1)(i) Amended "Zoning Permits" regulation

Amended December 15, 2025 | Effective December 20,2025 | Ordinance No. 2025-05

Table of Contents:

Amended title “SOLAR ENERGY FARM” to “SOLAR ENERGY SYSTEMS, PRINCIPAL”

Amended title “SOLAR ENERGY SYSTEMS” to “SOLAR ENERGY SYSTEMS, ACCESSORY”

Article 2 Definitions:

Removed “/COMMUNITY SCALE” from term

Removed “SOLAR ENERGY SYSTEM, SMALL” term & definition

Added “SOLAR ENERGY” term & definition

Added “SOLAR RELATED EQUIPMENT” term & definition

Added “SOLAR CELL” term & definition

Added “SOLAR MODULE” term & definition

Added "SOLAR ARRAY/PANEL” term & definition

Added "SOLAR ENERGY SYSTEM, ACCESSORY” term & definition

Article 3 Zoning Map Districts and Boundaries

Table 311.01 (USES ON SPECIAL EXCEPTIONS) Removed “Farms” & added “Systems, Principal”

Article 4 Special Exceptions:

Section 401.25 Amended title “SOLAR ENERGY FARM” to “SOLAR ENERGY SYSTEMS, PRINCIPAL” & regulations

Article 6 Supplemental Regulations:

Section 624 Amended title “SOLAR ENERGY SYSTEMS” to “SOLAR ENERGY SYSTEMS, ACCESSORY”

Section 624 (B)(1) Added “accessory”

Section 624 (B)(2) Removed “Solar” & added “Accessory solar”

Section 624 (B)(3) Added “accessory”

Section 624 (B)(4) Added “accessory”

Section 624 (C)(1) Added "accessory”

Section 624 (C)(2) Added "accessory”

Section 624 (D)(1) Removed “Solar” & added “Accessory solar”

Section 624 (D)(2) Added “accessory”

Section 624 (E)(1) Added “Accessory” & “accessory”

Section 624 (E)(2)(a) Added “accessory”

Section 624 (E)(2)(b) Added “accessory”

Section 624 (E)(2)(c) Added “accessory”

Section 624 (E)(2)(d) Added “accessory”

Section 624 (F)(1) Added “accessory”

Section 624 (F)(2) Added “accessory”

Section 624 (G) Added "accessory”

Section 624 (H)(1) Added "Accessory”

Section 624 (H)(1)(a) Added “accessory”

Section 624 (H)(1)(b) Added "accessory”

Section 624 (H)(2)(a) Added "accessory”

Section 624 (H)(2)(b) Added "accessory”

continued on next page….

Section 624 (I) Added "accessory"
Section 624 (J) Added "accessory"
Section 624 (K) Added "accessory", removed "Zoning Officer", & added "Building Code Official"
Section 624 (L)(1) Removed "a" & added "an accessory"
Section 624 (L)(2) Removed "a" & added "an accessory"
Section 624 (L)(4) Added "accessory"
Table 311.03 (USES ON SPECIAL EXCEPTIONS) Removed "Solar Energy Farms" & added "Solar Energy System, Principal"
Article 9 Off-Street Parking Requirements
Parking Ratio Matrix (102) removed "/community scale"
Parking Ratio Matrix (103) removed "small" & added "accessory"
Parking Ratio Matrix removed "Solar Farms", "1 per service building", "Same as minimum"
Parking Ratio Matrix renumbered 104-119

Amended September 21, 2026 | Effective September 26,2026 | Ordinance No. 2026-02
Table of Contents:
401 CRITERIA FOR SPECIAL EXCEPTIONS amended title "401.41 ALL OTHER USES" to "401.41 DATA CENTERS AND DATA CENTER ACCESSORY USES"
401 CRITERIA FOR SPECIAL EXCEPTIONS added title "401.42 ALL OTHER USES"
Article 2 Definitions:
Added "Closed-Loop Cooling System" term & definition
Added "Consumptive Use" term & definition
Added "Data Center" term & definition
Added "Data Center Accessory Use" term & definition
Added "Data Center Electrical Substation" term & definition
Added "Data Center Principal Building" term & definition
Added "Diversion" term & definition
Added "Safe Yield" term & definition
Added "Sensitive Receptor" term & definition
Added "Withdrawal" term & definition
Article 3 Zoning Map Districts and Boundaries:
Table 311.10 (USES ON SPECIAL EXCEPTION) Added "Data Centers and Data Center Accessory Uses"
Article 4 Special Exceptions:
Section 401.41 Amended title "ALL OTHER USES" to "DATA CENTERS AND DATA CENTER ACCESSORY USES" & amended regulations
Section 401.42 Added title & regulations for "ALL OTHER USES"
Article 9 Off-Street Parking Requirements
Parking Ratio Matrix (38) added "Data Center", "1 parking space per 2 guests plus 1 parking space per employee on the largest shift", "Not Applicable"
Parking Ratio Matrix renumbered 39-120

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ZONING ORDINANCE
TOWNSHIP OF SUMMIT
ORDINANCE NO. 2021-02

An ordinance dividing the Township into various zoning districts and regulating the construction, alteration and use of structures and land within each district. Be it hereby ordained by the Township Board of Supervisors of Summit, Erie County, Pennsylvania, that:

ARTICLE 1

GENERAL PROVISIONS

101 TITLE

This Ordinance shall be known and may be cited as the "Summit Township Zoning Ordinance."

102 EFFECTIVE DATE

This ordinance shall take effect on the date of passage.

103 PURPOSE AND AUTHORITY

This Ordinance and Summit Township Zoning Map are intended to promote, protect and facilitate the public health, safety, morals, general welfare, coordinate and practical community development, proper density of population, community facilities and services, utility services, agriculture, industrial, and commercial uses; and conserve forest areas, as well as preserve the natural scenic and historic value in environment, wetlands, floodplains, emergency management preparedness and operations, airports and national defense facilities, the provisions of adequate light and air, police, protections, sewerage, reliable water supply for domestic, commercial agricultural or industrial use, vehicle parking and loading space, transportation, schools, public grounds, and other public requirements as well as preventing overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or any other dangers through the implementation of the Summit Township Comprehensive Plan.

The Supervisors, upon majority vote, and recommendations from the Summit Township Planning Commission, may, from time to time, establish such definitions, policies, procedures, rules, regulations and interpretations of this Ordinance as they determine to be in the best interest of the Township, which definitions, policies, procedures, rules, regulations and interpretations should be binding on all parties subject to this ordinance.

The provisions of this zoning ordinance are designed:

A. To promote, protect and facilitate any or all of the following: the public health, safety, morals and the general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations, airports, and national defense facilities, the provisions of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, recreational facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; as well as preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains.

B. To prevent one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic, or other dangers.

C. To preserve prime agriculture and farmland considering topography, soil type and classification, and present use.

D. To provide for the use of land within the municipality for residential housing of various dwelling types encompassing all basic forms of housing, including single-family, two-family dwellings, a reasonable range of multifamily dwellings in various arrangements, mobile homes and mobile home parks, provided, however, that no zoning ordinance shall be deemed invalid for the failure to provide for any other specific dwelling type.

E. 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.

104 COMMUNITY DEVELOPMENT OBJECTIVES

The Zoning regulations and districts set forth in this ordinance are made in accordance with and are designed to clearly achieve the six (6) goals and corresponding objectives of the Summit Township Comprehensive Plan, adopted 2018, incorporated in the Comprehensive Plan of Erie County, as most recently updated. The specific objectives upon which the Comprehensive Plan and the Ordinance have been based include the following:

A. Preserve and enhance the natural and cultural resources in the community;

B. Promote energy conservation;

C. Enrich the lives of all residents in the community by seeking to improve the aesthetic quality and visual impact of the man-made environment and by preserving and enhancing the natural environment through the use of landscaping and conservation practices;

D. Establish a diversified and enduring business structure in the community which provides residents with a variety of employment opportunities while at the same time preserving a healthful, secure, and pleasant residential environment;

E. Provide the quantity and quality of community facilities, services and utilities necessary to meet the physical, social, cultural, recreational, and aesthetic needs of the community and to do so in a timely and fiscally responsible manner;

F. Provide a land use pattern in the community that includes a wide variety of interrelated land uses in proper proportion. These land uses must be able to function efficiently and feature an optimum degree of compatibility between land uses, development, and the natural environment;

G. To prevent overcrowding of land, blight, danger and congestion of travel and transportation, loss of health, life or property from fire, flood and other dangers;

H. To preserve prime agriculture and farmland with consideration to topography, soil types, classification and existing use;

I. Establish and perpetuate a local government and business community relationship conducive to economic development and discourage non-conforming uses.

105 COMPLIANCE

No structure shall be located, erected, constructed, reconstructed, moved, altered externally, converted, or enlarged, nor shall any structure or land be used or be designed to be used except in full compliance with all the provisions of this Ordinance, and after the lawful issuance of all permits and certifications required by this Ordinance, except that the Township of Summit will be exempt from the provisions of this ordinance in the exercise of its municipal functions.

106 INTERPRETATION OF REGULATIONS

Whenever the provisions of this ordinance vary from or conflict with any other lawfully adopted rules, regulations or ordinances, the more restrictive requirements shall govern.

107 SEVERABILITY

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole nor the validity of any other section or provision of the ordinance than the one so declared.

108 REPEAL

Any resolutions or ordinances, or any parts of any resolutions or ordinances conflicting with the provisions of this ordinance are hereby repealed to the extent of such conflict. This ordinance, as designed, completely revises and repeals the existing Zoning Ordinance of Summit Township, as amended and known as Ordinance 1992-05.

109 MUNICIPAL LIABILITY

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

110 CONTINUATION

The provisions of this ordinance, so far as they are the same as those of ordinances and regulations in force, immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and regulations and not as new enactments.

ARTICLE 2

DEFINITIONS

201 INTERPRETATION

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

202 SPECIFIC TERMS

The following words and phrases shall have the meaning given in this section.

ACCESSORY BUILDING: A subordinate building or a portion of the main building on a lot, the use of which is customarily incidental to that of the main or principal building. For accessory buildings customary to residential lots, see Residential accessory building, structure, or use.

ACCESSORY USE: A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

ACTUAL CONSTRUCTION: The placing of construction materials in permanent position and fastened in a permanent manner, and demolition, elimination, and removal of an existing structure in connection with such construction, provided that actual construction work shall be continuously carried on until the completion of the building involved.

ADULT-ORIENTED ESTABLISHMENT: An establishment open to the general public of the age of eighteen (18) years and older, where more than twenty (20) percent of the occupied area of the facility is used for one or more of the following purposes:

Adult bookstore: An establishment having a substantial or significant portion of its stock and trade in, or an establishment which as one of its principal business purposes, offers for sale adult-oriented merchandise and which may in conjunction therewith, has facilities for the presentation of adult entertainment for observation by patrons.

Adult drive-in movie theater: An outdoor movie theater attended primarily by patrons in their automobiles, used for presenting material, in any form or media (i.e. live shows, film, television, etc.) distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

Adult entertainment:

A. An exhibition of any adult-oriented motion pictures, meaning those distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.

B. A live performance, display, or dance of any type which has as a significant or substantial portion of the performance any actual or simulated performance of specified sexual activities or exhibition and viewing of specified anatomical areas, removal of articles of clothing or appearing unclothed, pantomiming, modeling or any other personal services offered customers.

Adult mini-motion picture theater: An enclosed building with a capacity of less than fifty (50) persons which has a principal business purpose of exhibiting, presenting or selling material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.

Adult motion picture theater: An enclosed building with a capacity of more than fifty (50) persons which has a principal business purpose of exhibiting, presenting or selling material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.

Adult-oriented merchandise: Includes any foods, products commodities, or other wares, including but not limited to adult-oriented devices which are designed or marketed primarily for the stimulation or specified anatomical areas or sadomasochistic activity, videos, CD ROMS, DVDS, computer disks or other storage devices, magazines, books, pamphlets, posters, cards, periodicals or non-clothing novelties which depict, describe or simulate specified anatomical areas or specified sexual activities. This definition shall not apply to birth control devices.

Adult retail use establishment: An enclosed building, or any portion thereof which for money or any other form of consideration, devotes a significant or substantial portion of stock in trade, to the sale, exchange, rental, loan, trade, transfer, or viewing of adult-oriented merchandise.

The term “Booths, Cubicles, Rooms, Studios, Compartments or Stalls” for the purpose of defining adult-oriented establishments does not mean enclosures which are private offices

used by the owner, manager or persons employed on the premises for attending to the tasks of their employment, and which are not held out to the public for the purpose of viewing motion pictures or other entertainment for a fee, and which are not open to any persons other than employees.

A. Any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, studios, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures or where an entertainer provides adult entertainment to a member of the public, a patron or a member.

B. An Adult Entertainment Studio or any premises that are physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio or any other term of like import.

AGRICULTURE: Any use of land or structures for farming, dairying, pasturage, land tilling, horticulture, floriculture, arboriculture, or animal or poultry husbandry or as otherwise defined by the Pennsylvania Department of Agriculture and/or the United States Department of Agriculture.

AGRICULTURAL MARKETING ENTERPRISE: An accessory use to an agricultural operation for the purpose of directly marketing agricultural products produced by the agricultural operation in their natural or value-added, processed, or manufactured state. The term shall include any on-farm processing, packaging, and sale performed during direct marketing of the farmer's agricultural products. Example of agricultural marketing enterprises include but are not limited to the following terms:

'Pick-your-own' operation: The seasonal retail activity of farmed crops primarily grown on the premises and harvested by the customer, including apples, pumpkins, and Christmas trees.

AIRPORT: An area of land or water which is used, or intended to be used for the landing and takeoff of aircraft and of appurtenant areas which are used, or intended to be used, for airport buildings or air navigation facilities or rights of way, together with airport buildings and facilities there on. The term includes heliports and public airports.

ALTERNATIVE TOWER STRUCTURE: Man-made trees, clock towers, tall steeples, light poles, and similar alternative design mounting structures that camouflage or conceal the presence of antennas on towers.

ANIMAL EQUIVALENT UNIT: One thousand (1,000) pounds live weight of livestock or poultry animals, regardless of the actual number of individuals compromising the unit. Animal weight shall be calculated using the Standard Animal Weights listed in Pennsylvania Act 38 Nutrient Management Program Technical Manual, by the Pennsylvania State Conservation Commission.

ANTENNA: Any structure or device used for the purpose of collecting or transmitting electromagnetic waves including, but not limited to, directional antennas such as panels, microwave dishes, satellite dishes and omnidirectional antennas such as whip antennas. Communications Antennas shall not include tower based wireless communications facilities as defined below. Not included are antennas and supportive structures on residential dwellings for private noncommercial amateur purposes including, but not limited to, ham radios and citizen band radios.

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

ANTENNA HEIGHT: The measurement of the overall vertical length of a communications antenna and its support structure above the average finished grade. If such system is located on a building or other structure, the overall vertical length shall be measured and shall include the height of the building upon which the communications antenna and its structure is situated.

ANNTENNA SUPPORT STRUCTURE: Any structure, mast, pole, tripod, or tower, including any guy wires and braces utilized for the purpose of supporting a communications antenna or antennas.

ARTERIAL HIGHWAY: A public street having a minimum eighty (80) feet wide right-of-way providing for through traffic movement across the Township, and direct access to abutting properties; subject to necessary control of entrances, exits and limited access. Arterial Highways have a minimum forty-eight (48) feet wide cartway with ten (10) feet wide stabilized shoulders.

ARTISAN, CRAFT, EXERCISE OR PERFORMING ARTS STUDIO: The use of a premises for commercial or noncommercial instruction in dance, gymnastics, fitness activities, music, martial arts, and other performing arts; for the recording of music or speech; or for the instruction in or production of arts and crafts.

AUDITORIUM: An accessory area involving indoor and/or outdoor space for meetings, live performances, or screening of films, but not a use that meets the definition of “theater,” “adult-oriented establishment,” “nightclub,” or any other similar commercial use.

AUTO, BOAT, EQUIPMENT, AND/OR MOBILE/MANUFACTURED HOME SALES OR RENTAL: The indoor and/or outdoor use of a lot for the display, sale, or rental of one or more of the following

in operable condition: automobiles, trucks, recreational vehicles, boats, trailers, farm machinery, equipment, motorcycles, construction vehicles, other motorized vehicles, and mobile/manufactured homes in a livable condition. This use may include an auto repair or service garage as an accessory use provided that all requirements for such use are complied with. This use shall not include a mobile/manufactured home park or a junkyard.

AUTOMOBILE SALVAGE: The dismantling or disassembling of two or more vehicles or trailers, or the storage, sale or dumping of two or more dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts.

AUTOMOBILE WASH: Any building or premises or portions thereof used for washing automobiles for commercial purposes.

AUTO REPAIR OR SERVICE GARAGE: A facility for the servicing and repair of motor vehicles, including engine, transmission, and suspension overhaul, the repair and replacement of parts, body work including painting and frame repair, tire service, lubrication, and the changing of automotive fluids, but not including the scrapping, salvaging, or storage of junk vehicles.

BANK OR FINANCIAL INSTITUTION: An establishment, such as a bank, savings and loan association, credit union, or investment company, where the principal business is the receipt, disbursement, or exchange of funds and currencies.

BAR OR TAVERN: A commercial use that involves the sale of beverages and food to the public, and in which the sale of alcoholic beverages makes up more than fifty (50) percent of the total volume of sales and which does not meet the definition of a “nightclub,” “brewpub or taproom,” or “tasting room.” A commercial use that involves a lower percentage of alcoholic beverage sales shall be considered a “restaurant.”

BASEMENT: A story partly underground but having at least one-half of its height below the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet or if used for business or dwelling purposes, other than a game or recreation room.

BED & BREAKFAST: The use of a single-family detached dwelling and/or accessory structure which includes the rental of overnight sleeping accommodations and bathroom access for a maximum of ten (10) temporary guests at any one time, and which does not provide any cooking facilities or provision of meals for guests other than breakfast.

BEVERAGE PRODUCTION ESTABLISHMENT: An establishment which produces alcoholic beverages for on- or off-site sale and distribution and which may include on the premises a brewpub or tasting room as defined herein as an accessory use. The term shall include the following uses:

Brewery: A premises or plant wherein malt or brewed beverages are manufactured, made and fermented from raw materials, blended, rectified, or otherwise produced by any suitable method for their production and which holds a license issued by the Pennsylvania Liquor Control Board to engage in the manufacture, transportation, and sale of such beverages as regulated by the Pennsylvania Liquor Code (Title 47 of the Pennsylvania Consolidated Statutes, as amended). Breweries may also produce and sell mead.

Microbrewery: A brewery with a maximum total output of fifteen thousand (15,000) barrels of malt or brewed beverages per year.

Large brewery: A brewery with a maximum total output of greater than fifteen thousand (15,000) barrels of malt or brewed beverages per year.

Distillery: A premises or plant wherein distilled spirits are manufactured, made, and distilled from raw materials, blended, rectified, or otherwise produced by any suitable method for their production. The term shall not include a "winery" where alcohol is derived from by-products of wine production by distillation for the sole purpose of adding to the fermented products to fortify the same.

Limited distillery: A distillery operated by the holder of a limited distillery license that will allow the holder thereof to operate a distillery that shall not exceed production of one hundred thousand (100,000) gallons of distilled spirits per year and which is regulated by Title 47, Chapter 1, Article V, Section 505.4 of the Pennsylvania Consolidated Statutes, as amended.

Winery: A premises or plant where any alcohol or liquor is produced by the process by which wine is produced, or premises and plants wherein liquid such as wine is produced; and shall include the manufacture by distillation of alcohol from the by-products of wine fermentation when the alcohol so derived is used solely to fortify the fermented products, under such regulations as are or may be promulgated by the proper agency of the United States Government, and such alcohol, for that purpose only, may be sold or exchanged between wineries holding permits in this Commonwealth, without restriction.

Limited winery: A winery with a maximum total output of two hundred thousand (200,000) gallons per year of wine, wine coolers, alcoholic ciders, and mead (but not other malt or brewed beverages) in any combination, and which is regulated by Title 47, Chapter 1, Article V, Section 505.2 of the Pennsylvania Consolidated Statutes, as amended.

Brewpub or taproom (as a principal or accessory use): A principal use, operated by a microbrewery or large brewery and open to the public, used as a satellite location by the brewery for the sale and consumption of alcoholic beverages produced off-site and which may also include food service to patrons; or a similar accessory use located on-premises at the primary location of a microbrewery or large brewery for the sale of alcoholic beverages produced on-site or at other Commonwealth-licensed breweries, distilleries, limited distilleries, and limited wineries. The sale of beverages from other manufacturers, whether the brewpub or taproom is a principal or an accessory use, shall not exceed fifty (50) percent of the sale of the brewery's own products. See "bar or tavern" and "tasting room."

Tasting room (as a principal or accessory use): A principal use, operated by a limited winery or limited distillery and open to the public, used as a satellite location by the limited winery or limited distillery for the sale and consumption of alcoholic beverages produced off-site and which may also include food service to patrons; or a similar accessory use located on-premises at the primary location of a limited winery or limited distillery for the sale of alcoholic beverages produced on-site or at other Commonwealth-licensed breweries, distilleries, limited distilleries, and limited wineries. The sale of beverages from other manufacturers, whether the tasting room is a principal or an accessory use, shall not exceed fifty (50) percent of the sale of the winery or distillery's own products. See "bar or tavern" and "brewpub or taproom."

BILLBOARD: An off-premises sign with any total sign area greater than fifty (50) square feet.

BOARD: The Zoning Hearing Board established by this Ordinance.

BOARDING HOUSE: A residential use in which individual room(s) are rented on a monthly basis that do not meet the definition of a dwelling unit and are occupied by a total of two (2) or more persons who are not related to the primary householder of the dwelling and do not function as a common household unit (i.e., a "family," as defined herein), up to a total of eight (8) boarders. Also known as a "rooming house." A boardinghouse shall not include a use that meets the definition of "hotel or motel," "non-family facility type 1," "non-family facility type 2," "bed-and-breakfast use," or "short-term rental."

BOTTLE CLUB: A place of assembly owned, maintained or leased, for pecuniary gain, in which no beverages controlled by the Pennsylvania Liquor Control Board are sold but where patrons are

permitted to bring beverages controlled by the Pennsylvania Liquor Control Board upon the premises for their own use and consumption.

BUILDING: Any structure on a lot, having a roof supported by columns or walls and designed and/or intended for the shelter, housing or enclosure of persons, animals or chattels and including covered porches or bay windows and chimneys.

BUILDING LINE: A line parallel to the front, side, or rear lot line set to provide the required yard.

BULK FUEL STORAGE: A place for storage of petroleum and other fuels usually transported in large volumes rather than in packages or boxes.

BUS SHELTER: A small, roofed structure, usually having three (3) walls, located near or on a street and designed primarily for the protection and convenience of waiting bus passengers.

BUSINESS SERVICE ESTABLISHMENT: An establishment engaged in rendering services to business establishments on a fee or contract basis or to the general public on a less frequent or personal basis than provided by personal services establishments. Such enterprises may include: the service and repair of office equipment, machines, electronics, furniture, medical supplies, or commercial appliances; the printing, copy, and production of documents, signs, or banners; retail shipping and mailing services; food catering; locksmithing; carpentry; painting; remodeling; interior decorating or upholstering; roofing and insulation; carpet installation; heating and cooling; plumbing; taxidermy; and other similar business activities.

CAMPGROUND: A use that is recreational in nature involving the use of tents or sites leased for recreational vehicles for transient and seasonal occupancy, or the use of tents or cabins for seasonal occupancy by organized groups of persons under the age of 18 and their counselors.

CARTWAY: The portion of a street right-of-way which is paved, improved, designated, or intended for vehicular traffic.

CAR WASH (as a principal or accessory use): A building or structure where automobiles are cleaned manually or mechanically, using a conveyor, sprayer, blower, steam-cleaning equipment, or other device. This use may include wash tunnels, pay stations, vacuums, drying facilities, and associated paved accessways and parking stalls. As an accessory use to a gasoline service station, a vehicle washing facility may include no more than a single bay, for one (1) vehicle to be washed at a time.

CEMETERY: An area of land used or intended to be used as a burial ground for deceased humans or animals and which may include related accessory buildings or structures such as mausoleums.

CLEAR SIGHT TRIANGLE: In order to prevent the creation of a traffic hazard by limiting visibility at a street intersection, no structure, building, earthen bank, vegetation accumulation of snow or other materials exceeding three feet in height above the finished paved area at the center to the roadway shall be allowed within the clear sight triangle on corner lots. A 100 ft clear sight triangle shall be maintained at all street intersections. The clear sight triangle shall be established by measuring 100 feet from the intersection of the street centerline along said centerlines. Said clear sight lines shall be measured at a height of 3 feet above the surface of the street.

CLOSED-LOOP COOLING SYSTEM: A cooling system that circulates a single contained coolant or fluid that is not discharged to the environment as a normal part of operation (may include plate-and-frame heat exchangers, rear-door heat exchangers, immersion, or other sealed liquid cooling approaches). *(2026-02)*

CLUSTER: A development design technique that concentrates buildings on a part of the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive areas.

COMMERCIAL/INDUSTRIAL STREET: A public street having a sixty (60) foot wide right-of-way providing for direct access to abutting lots for local traffic movements and providing access to Collector Streets or Arterial Highways. Commercial/Industrial Streets have a minimum twenty-eight (28) foot wide paved cartway, including shoulders and are constructed in accordance with Township Specifications.

COMMON OPEN SPACE: A parcel or parcels of land or an area of water, or a combination of land and water, within a development plan, designed and intended for the use or enjoyment of residents of the development plan and, where designed, the community at large. Common open space does not include rights-of-way, off-street parking areas, and areas set aside for public facilities. Common open space shall be substantially free of structures but may contain such improvements as approved in the development plan that are appropriate to recreational and other open-space uses of the land, and shall not include playground, athletic field or other open space areas of any schools or churches to be included within the proposed development.

COMMUNICATION BUILDING: Any structure or building used for or containing equipment primarily used for transmission, reception or switching of radio, television, wireless telephone, pager commercial mobile radio service, weather radar, or any other wireless communication signals for other personal wireless services. Communications Building shall not include antenna, antenna equipment building as defined in this ordinance.

COMMUNITY CENTER: A noncommercial, nonresidential use that exists solely to provide recreational and educational activities and programs to the general public or certain age groups. The use may also include the noncommercial preparation and/or provision of meals to low-income elderly persons.

COMMUNITY GARDEN: An open space area that is used for the cultivation of vegetables, fruits, flowers, or other plants for use by more than one person, family, or household.

COMMERCIAL INDOOR RECREATION USE: An establishment owned by a private-sector entity where the principal enterprise or activity involves the provision of indoor recreational, amusement, and leisure activities, such as, but not limited to: fitness training, athletic courts, ice rinks, roller skating rinks, indoor playing fields, indoor swimming pools, bowling alleys, arcade games, indoor mazes, indoor play structures and ball pits, escape rooms, indoor riflery or archery, indoor batting cages, and indoor golf.

COMMERCIAL OUTDOOR RECREATION USE: A establishment owned by a private-sector entity where the principal enterprise or activity involves the provision of outdoor recreational, amusement, and leisure activities, such as, but not limited to: tennis courts, sand volleyball courts, miniature golf courses, driving ranges, outdoor riflery or archery, outdoor batting cages, playing fields, outdoor swimming pools, beaches, and bumper car tracks, but not to include "golf courses" as defined herein. The total building coverage for a commercial outdoor recreational use shall be less than fifteen (15) percent.

CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO): The raising and keeping of one-thousand (1,000) or more equivalent animal units of livestock or poultry for commercial purposes and which meets all requirements and obtains the required permits for a concentrated animal feeding operation as defined by the U.S. Department of Agriculture (USDA) and the Pennsylvania Department of Environmental Protection (DEP). For the purposes of this Ordinance, the term shall not include a slaughterhouse, or a stockyard used for the housing of animals awaiting slaughter.

CONSUMPTIVE USE: The loss of water from a groundwater or surface water source through a manmade conveyance system, including such water that is purveyed through a public water supply system, due to transpiration by vegetation, incorporation into products during their manufacture, evaporation, diversion out of a basin or any other process to the extent that the water withdrawn is not returned to the waters of a basin. *(2026-02)*

CONTRACTOR SERVICES: A person or company that undertakes a contract to provide materials or labor to perform a service or do a job.

CONVENIENCE STORE: A use that primarily sells routine household goods, groceries, and

prepared and ready-to-eat foods to the general public, and that includes a building with a floor area of less than seven thousand (7,000) square feet. This use may include an indoor seating area comprising no more than twenty percent (20%) of the gross floor area and/or an outdoor seating area. This use may also include the sale of gasoline or other automotive fuels where a gasoline service station is permitted, provided that the requirements for a gasoline service station are also met.

CREMATORIUM: A facility accessory to a funeral home or mortuary containing properly installed, certified equipment intended for reducing deceased humans or animals to ashes by burning (cremation).

CROP FARMING: The cultivating, raising, and harvesting of products of the soil and the storage of these products produced on the premises. The definition of "crop farming" shall include orchards and tree farms but shall not include "raising of livestock," "forestry," "commercial stables or riding academies," or "kennels." An "agricultural marketing enterprise," as defined herein, is an accessory use to crop farming where permitted. If a crop farming lot includes more than fifteen (15) acres, it may also include the keeping of up to ten (10) additional animals as an accessory use in addition to what is permitted by the "keeping of pets" as regulated by this Ordinance.

COVERAGE: That portion or percentage of the plot or lot covered by the building area.

CULTURAL CENTER: A facility open to the public which primarily contains exhibits of clearly artistic, literary, or cultural interest, such as a museum, library, or art gallery. This use may also include an auditorium as an accessory use.

DATA CENTER: A facility whose primary purpose is the centralized storage, processing, management, or dissemination of digital data, information, or applications. This includes but is not limited to server farms, cloud computing hubs, colocation centers, and telecommunication switching hubs. Data Centers typically house large-scale computer systems and supporting infrastructure such as backup generators, cooling systems, and uninterruptible power supplies. A Data Center generally includes environmental controls such as air conditioning and fire suppression, redundant/backup power supplies, redundant data communications connections and high security. This use shall also include cryptocurrency mining, blockchain transaction processing, and server farms. A Data Center may include Data Center Accessory Uses. *(2026-02)*

DATA CENTER ACCESSORY USE: Ancillary uses or structures secondary and incidental to a Data Center Use, including but not limited to: administrative, logistical, fiber optic, storage, and security buildings or structures; sources of electrical power such as generators used to provide temporary power when the main source of power is interrupted; electrical substations; utility

lines, domestic and non-contact cooling water and wastewater treatment facilities; water holding facilities; pump stations; water towers; environmental controls (air conditioning or cooling towers; fire suppression and related equipment) and security features, provided such Data Center Accessory Uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a Data Center. The use shall not include energy generation systems used or intended to be used to supply power to the Data Center during normal operations. *(2026-02)*

DATA CENTER ELECTRICAL SUBSTATION: A facility used for the transformation or transmission and/or switching of voltages to distribution voltages which switches circuits and distributes usable/consumable electric power, specifically for Data Center users on the same or adjacent site, or on a site immediately across a road right-of-way. *(2026-02)*

DATA CENTER PRINCIPAL BUILDING: A building that contains the office and/or data storage functions of a Data Center. *(2026-02)*

DAY CARE CENTER, ADULT: A premises operated for profit or not-for-profit in which adult daily living services are simultaneously provided for four (4) or more clients who are not relatives of the operator for part of a twenty-four (24) hour day. “Adult daily living services” are defined as services provided or arranged to assist in meeting the needs, including personal care, social, nutritional, health and educational needs, of adult clients who may need such assistance primarily because of old age, developmental disability, physical disability or other limited physical abilities, dementia-related disease, Parkinsonism, or other organic brain syndrome. These are provided, as appropriate for each client, through a planned program of social, educational, recreational, therapeutic, rehabilitative, habilitative, and developmental activities. The term does not include services provided for persons whose needs are such that they can only be met in a long-term care facility on an inpatient basis receiving professionally supervised nursing care and related medical and other health services. An adult day care center must be licensed by the Pennsylvania Department of Aging and shall follow all applicable provisions for older adult daily living centers in Title 6, Part I, Chapter 11 of the Pennsylvania Code, as amended.

DAY CARE CENTER, CHILD: A premises in which child day care, defined as the supervised care of children under age sixteen (16) outside of the children’s own home for periods of less than eighteen (18) hours during the average day, is provided at any one time for seven (7) or more children unrelated to the operator. A child day care center must be licensed by the Pennsylvania Department of Human Services and shall follow all applicable provisions for child day care centers in Title 55, Part V, Subpart D, Article I, Chapter 3270 of the Pennsylvania Code, as amended.

DAY/NIGHT CARE FACILITY: Care in lieu of parental care or guardian care given for part of the twenty-four (24) hour day to children or adults, away from their principal residences or homes, but does not include care furnished in places of worship during religious services and does not include care provided simultaneously for less than three (3) persons. This Ordinance identifies the following three (3) levels of care:

Family day/night care home: Any dwelling unit in which day/night care is provided simultaneously for three (3), four (4) or five (5) persons who are not relatives of caregiver, where the care area also is used as a family residence.

Group day/night care home: Any dwelling unit in which day/night care is provided simultaneously for six (6) to twelve (12) persons who are not relatives of the caregiver, where the care area also is used as a family residence.

Day/night care center: Any facility, other than a dwelling unit, in which day/night care is provided simultaneously for seven (7) or more persons who are not relatives of the operator, where the day/night care area is not used as a family residence.

DENSELY PLANTED: minimum criteria:

Amount: Eight (8) trees per fifty (50) lineal feet of buffer.

Species: Twenty (20) percent evergreen and eighty (80) percent hardwood consisting of four (4) varieties.

Size at time of planting: Two (2) inches in diameter and ten (10) feet in height.

DIRECTIONAL SIGN: A sign to assist and identify traffic flow (ingress and egress).

DISTRIBUTION CENTER, TYPE 1: An enclosed facility used for the storage of merchandise or commodities for a short period of time, with additional operations such as cross-docking, order fulfillment, returned goods processing, packaging, and labeling.

DISTRIBUTION CENTER, TYPE 2: An enclosed facility used for the storage of merchandise or commodities for a short period of time, with additional operations such as order fulfillment, returned goods processing, packaging, and labeling, but which does not include cross-docking or "just-in-time" operations.

DIVERSION: A transfer of water from the basin into another watershed or from the watershed of the Great Lakes into that of another means of transfer, including but not limited to pipeline, canal, tunnel, aqueduct, channel, modification of the direction of a water course, a tanker ship, tanker truck, or rail tanker. *(2026-02)*

DROP OFF CENTER: An area either within or without the confines of a municipal waste landfill, resource recovery facility or transfer station as those terms are defined in the Municipal Waste Planning Recycling and Waste Reduction Act (Act of July 28, 1988 No. 101), established for the collection and sale of recyclable materials and where such recyclable materials are placed and temporarily stored pending recycling.

DUMPSTER: An exterior container designed to be mechanically lifted by and emptied into or carted away by a collection vehicle.

DWELLING: A building or portion of a building used as a non-transient living quarters and having individual living, kitchen, and bath facilities in each dwelling unit. This Ordinance categorizes dwellings into the following types:

Single-Family Detached Dwelling: One (1) dwelling unit in one (1) building accommodating only one (1) family and having open areas on all sides.

Two-Family Dwelling: Two (2) dwelling units in a single building on a single lot, with each dwelling unit accommodating one (1) family. This use is commonly known as a "duplex."

Multi-Family Dwelling: A dwelling containing three (3) or more attached dwelling units on a single lot, each with its own independent access but not necessarily directly to the outside. Units may share outside access and/or corridors, lobbies, and other common facilities, and may be either leased or sold for condominium ownership.

1. Apartment or condominium building: Three (3) or more dwelling units within a single building, that are separated by only horizontal floors or by a combination of horizontal floors and vertical walls.

2. Apartment or condominium complex: A group of two (2) or more apartment or condominium buildings, or a combination thereof, under single ownership.

3. Conversion apartment: A new dwelling unit created within an existing building such as a single-family detached dwelling, with up to three total (3) dwelling units.

4. Apartment: A single dwelling unit in a multifamily dwelling or a mixed-use building, or a conversion apartment as defined herein.

5. Townhouse: One (1) dwelling unit that is attached to two (2) or more dwelling units completely separated from and attached to each other by unpierced vertical fire-resistant walls. Each dwelling unit shall have its own outside access. The units may be attached side-by-side or back-to-back. Side yards shall be adjacent to each end unit. This use is commonly known as a "townhouse" or "rowhouse".

Non-family residential facility, type 1: A living arrangement that may or may not be restricted by identified age(s) of residents who are primarily unrelated persons, whereas said arrangement provides dwelling units for residents of varying abilities of mobility and/or disability and on-site supervision and assistance available to the residents on an occasional, as-needed basis and which may include certain design features associated with resident needs that are not customary to conventional dwelling units, such as, but not limited to, emergency call systems, common dining facilities, common laundry facilities, minimal housekeeping services, cognitive support services and/or memory care, common leisure and recreational facilities, transportation services, and similar supporting services for residents. A non-family facility, type 1 may include such living arrangements as an independent living facility and shall not include a use that meets the definition of "life care facility," "nursing home," or "personal care home."

Non-family residential facility, type 2: A living arrangement that may or may not be restricted by identified age(s) of residents who are primarily unrelated persons, whereas said arrangement provides dwelling units for residents of independent mobility and on-site supervision and assistance available to the residents on an occasional, as-needed basis and which may include certain design features associated with resident needs that are not customary to conventional dwelling units, such as, but not limited to, emergency call systems, common dining facilities, common laundry facilities, minimal housekeeping services, cognitive support services and/or memory care, common leisure and recreational facilities, transportation services, and similar supporting services for residents. A non-family facility, type 2 may include such living arrangements as college dormitories or active adult communities.

EMERGENCY RESPONSE FACILITY (ERF): An area or facility used to house emergency response equipment and transport vehicles. Such equipment shall include firefighting trucks, ambulances, helicopters, and any other equipment of similar purpose. Such facilities shall include what is commonly referred to as fire stations, police, emergency medical, emergency management agency and ambulance heliports.

ENTERTAINMENT FACILITY, INDOOR: Predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters and concert or music halls.

ENTERTAINMENT FACILTIY, OUTDOOR: Predominantly spectator uses conducted in open or partially enclosed or screened facilities. Typical uses include sports arenas, motor vehicle or animal racing facilities, and outdoor amusement parks.

ENVIRONMENTALLY SENSITIVE AREA: An area with one or more of the following environmental characteristics:

A. Steep slopes over twenty-five (25) percent;

B. Flood plain (floodway and flood fringe);

C. Soils classified as highly erodible, subject to erosion, or highly acidic as identified with the Soil Survey of Erie County, Pennsylvania;

D. Wetlands.

ESSENTIAL SERVICES: Utility or municipal uses that are necessary for the preservation of the public health and safety and that are routine, customary, and appropriate for the general welfare of the community, including electric, telephone, networking cable, gas, sewage and water. Examples of essential services include: water pumping and booster stations, sewage lift/pump stations, water towers and tanks, sewage surge and overflow retention towers, tanks and underground storage containers, facilities for the distribution of utility services, including gas, electric, steam, telephone and similar services underground or overhead transmission systems, poles, wires, pipes, cables, hydrants, or other similar equipment. Essential services shall not include power-generation facilities/station, resource- extraction activities, central sewage treatment plant, septic or sludge disposal, sewage lagoons, solid waste disposal area or facility, wireless communications towers, long-term storage of trucks or equipment, or bulk storage of materials.

EVENT VENUE: A physical space where an event or special occasion takes place *(amended 2/18/25)*

FACILITIES: Dwellings & public patronage establishments must be equipped with modern inside toilet & bath facilities including hot & cold running water, modern heating, lighting, unless authorized as a special exception.

FAMILY: an individual, or two (2) or more persons related by blood, marriage, or adoption or foster child care, including domestic workers or gratuitous guests thereof; or a group of not more than three (3) unrelated persons living together without supervision in a dwelling unit or not more than five (5) persons living together in a group living arrangements with supervision, provided that the group living arrangements meets all of the following criteria:

A. It provides non-routine support services, including supervision, personal care, social or counseling services and transportation, to persons who need such assistance in order to use and enjoy a dwelling or to avoid being placed within an institution, because of a physical disability, old age, mental retardation, or other handicap or disability as defined by the Fair Housing Amendments Act or the Americans with Disabilities Act;

B. It provides for the joint occupancy of a dwelling unit where the residents maintain a common household and practice, on a permanent or long-term basis, a joint economic, social and cultural life;

C. Does not involve the housing of persons on a transient basis;

D. Does not involve the housing or treatment of persons accepted for residence in the group living arrangement on the basis of their status as criminal offenders, juvenile offenders or delinquents, or who would otherwise qualify for residence by virtue of having been found by any governmental tribunal, court agency to be a danger to society or are on release or under the jurisdiction of the criminal justice system, a government bureau of correction or similar institution;

E. FAMILY shall not include persons living together in a Group Care Home, Halfway House, Personal Care Home, as defined herein or any other supervised group living arrangement for persons not protected by the Fair Housing Amendments Act or the Americans with Disabilities Act or any persons who constitutes a direct threat to others or their physical lot.

FAMILY OR GROUP HOMES: Unless otherwise regulated by the Commonwealth of Pennsylvania or by Federal provision, a facility providing shelter, counseling, and other rehabilitative services in a family like environment for four (4) to eight (8) residents, plus such minimum supervisory personnel, as may be required to meet standards of a licensing agency. Residents may not be legally related to the facility operators or supervisors and by reason of mental or physical disability, chemical or alcohol dependency, or family or school adjustment problems, require a minimal level of supervision but do not require medical or nursing care or general supervision. A family care facility must be licensed and/or approved by the Pennsylvania Department of Public Welfare and may include uses such as foster homes, community residential alternative facilities, or home individual programs.

FARM POND: The ditching and subsurface excavation of farm fields resulting in a pond used for agricultural purposes.

FARM STAND: A seasonal stand that sells fresh agricultural produce.

FARMERS MARKET: The seasonal selling or offering for sale at retail of vegetables or produce, flowers, orchard products and similar non animal agriculture product occurring in a pre-designated area where the vendors are individuals who have raised the vegetables or produce or have taken the same on consignment for retail sale.

FENCE: Any artificially constructed barrier of any material or combination of materials erected for the purpose of screening or dividing one property from another to assure privacy or to protect the property.

FISH HATCHERY: A facility where fish eggs are hatched and the fry raised, especially to stock lakes, streams and ponds.

FLAG LOT: A large lot not meeting minimum frontage requirements and where access to the public road is by a narrow private right-of-way or driveway.

FLEA MARKET: A business which leases outdoor space to persons who wish to vend a variety of new and used goods for sale to the general public by displaying those goods on tables, in or on motor vehicles, or on the ground. This definition does not include farmers' markets, which are restricted to only the sale of produce, flowers, and similar agricultural products.

FLOOR AREA, (HABITABLE): The gross floor area of a dwelling which is used or designed for living, sleeping, eating, or cooking, but not including garages, enclosed porches and unfinished basements or attics.

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

FOOD TRUCK: A licensed, self-contained, accessory motorized vehicle or mobile food unit (a trailer which does not travel under its own power) that is temporarily permitted to park in a designated area of an established principal use for the service of food and/or beverages, in a location approved by the owner of the lot. A certificate from the Department of Agriculture and Department of Health is required. The truck or trailer shall not impede the flow of traffic.

FUEL ISLAND: An island upon which fuel dispensers are mounted for the fueling of motor vehicles which may or may not have a canopy.

FUNERAL HOME: A business establishment approved by the State Board of Funeral Directors and operated by a licensed funeral director (as defined in Title 49, Chapter 13 of the Pennsylvania Code) which provides services for preparing the deceased humans or animals for burial or cremation and which may include rooms for viewings and ceremonies. A crematorium is a separate accessory use to a funeral home or mortuary.

GASOLINE SERVICE STATION: A facility supplying and selling gasoline, diesel, natural gas, or other fuel for motor vehicles directly from pumps and storage tanks and which may include a convenience store and accessory facilities for additional services, such as a one-bay car wash or a

minor vehicle repair and service shop for repairs and services not to include body work or engine, transmission, or suspension overhaul.

GEOTHERMAL ENERGY SYSTEM: Any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is for the open-loop or closed-loop circulation of a geothermal fluid vertically, or the location, acquisition or artificial recharge of groundwater.

GOLF COURSE OR COUNTRY CLUB: A recreational facility that has a course, with a minimum nine (9) regulation-size holes, for playing golf as its principal use and that may have a clubhouse, locker rooms, restaurant, swimming pool, pro shop, facilities for racquet sports, maintenance facilities, and similar facilities as accessory uses.

GOVERNING BODY: The Board of Supervisors (Township Supervisors) of the Township of Summit, Erie County, Pennsylvania.

HARD SURFACE: The surface material layer must consist of either asphalt, concrete, solid brick or other material approved by Summit Township. The surface must be designed to sustain the weight of emergency vehicles.

HEALTH AUTHORITIES: Any federal, state, county or local agency having authority over health factors such as sewers, water, and other related matters.

HEIGHT OF AN ANTENNA TOWER: The vertical distance measured from the ground level to the highest point on a Communications Tower, including antennae mounted on the tower.

HELIPORT: An area, licensed by the Pennsylvania Department of Transportation, Bureau of Aviation, and FAA used for the loading, landing, and takeoff of helicopters, together with any related support facilities such as for maintenance, refueling, and storage.

HOME OCCUPATION, LOW-IMPACT: An activity, intended to be financially gainful, conducted within and/or accessory to a dwelling unit, the conduct of which is clearly incidental and secondary to the residential use of the dwelling unit but where said activity does not meet the definition of a no-impact home-based business.

HOME OCCUPATION, NO-IMPACT: An activity, intended to be financially gainful, conducted within a dwelling unit, the conduct of which is clearly incidental and secondary to the residential use of the dwelling unit and which involves no customer, client, or patient traffic, whether vehicular or pedestrian, pickup, delivery, or removal functions to or from the premises, in excess of that normally associated with residential use. The business must satisfy the following requirements:

A. The business activity shall be compatible with the residential use of the property and surrounding residential uses.

B. The business shall employ no employees other than members residing in the dwelling.

C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.

D. There shall be no outside appearance of a business use, including, but not limited to, parking, signs, or lights.

E. No on-site parking of commercially identified vehicles shall be permitted.

F. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors, or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

G. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

H. The business activity shall be conducted only within the dwelling and may not occupy more than twenty-five (25) percent of the habitable floor area.

I. The business may not involve any illegal activity.

HOSPITAL: An institution having an organized medical staff established for the purpose of providing to inpatients, by or under the supervision of physicians, diagnostic and therapeutic services for the care or rehabilitation of persons who are injured, disabled, pregnant, diseased, sick, or mentally ill. The term includes facilities for the diagnosis and treatment of disorders within the scope of specific medical specialties but not facilities caring exclusively for the mentally ill. A hospital may also involve medical research and training for health care professions.

HOTEL: A building or buildings including rooms rented out to persons as clearly transient and temporary living quarters. Any such use that customarily involves the housing of persons for periods of time longer than thirty (30) days shall be considered a boardinghouse and shall meet the requirements of that use. See also “bed-and-breakfast use.” A “hotel” or “motel” may include a restaurant, nightclub, central kitchen, newsstand, bar or tavern, and/or meeting facilities, provided that such uses are clearly accessory to the principal use of overnight accommodations.

IMPOUND LOT: A designated area where vehicles are temporarily stored after being towed.
(amended 2/18/25)

INDUSTRY: The activity of producing goods by hand, by industrial equipment, or by other agency, typically with the provision of labor and the use of machinery, including the making of

wares and the transformation of raw materials into refined materials or finished goods. The term shall include the following uses:

Light industry: The process of manufacturing small finished goods, by which less potential exists for air, water, soil, noise, and light pollution than with heavy industry. Light industry includes, but is not limited to, the manufacture or processing of: food and beverage products, pharmaceuticals, electronic devices, precision instruments, household appliances, machine tools, optical goods, personal care products, wood and paper products, home and office furnishings, printed materials, ceramics, glass products, jewelry and personal accessories, apparel, lightweight non-ferrous metal casts and dies, light sheet metal products, film, games and toys, and plastic goods.

Heavy industry: The production, by mechanical or chemical transformation, of raw materials into refined materials or new products, or manufacturing processes that do not meet the definition of light industry. Heavy industry includes, but is not limited to, steel production, coke production, oil and gas production and refining, ethylene production, cracking of ethane or propane, incineration, motor vehicle assembly, aerospace manufacturing, and shipbuilding.

INFILL DEVELOPMENT: The placement of new buildings on already developed land to promote efficient development, eliminate excess surface parking spaces, reduce the number and length of automobile trips to access everyday needs, increase the diversity of housing options in the community, decrease developmental pressure on rural lands to discourage sprawl, and better utilize existing infrastructure.

INJECTION WELL: An injection well is used to place fluid underground into porous geologic formations. These underground formations may range from deep sandstone or limestone, to a shallow soil layer. Injected fluids may include water, wastewater, brine (salt water), or water mixed with chemicals.

JUNK: Any discarded material or article including, but not be limited to, scrap metal; scrapped, abandoned or junked motor vehicles; machinery; equipment and/or paper, glass, refuse, or garbage kept in a proper container for the purpose of prompt disposal.

JUNKYARD: An area of land where junk as defined herein is stored (primarily outdoors), collected, dismantled, scrapped, and/or processed for sale, salvage, or disposal. The outdoor storage of two (2) or more unlicensed, uninspected, wrecked, or inoperable vehicles on a lot, other than that used for “auto, boat and/or mobile/manufactured home sales or rental” or an “auto repair or service garage” as defined herein, shall be considered a junkyard.

KENNEL: An establishment, abiding in accordance with the regulations of the Commonwealth of Pennsylvania, in which dogs or domesticated animals are housed, groomed, bred, boarded,

trained, or sold for a fee or compensation. A nonprofit animal shelter is considered a type of kennel, but a pet grooming establishment is not intended to be a "kennel".

KEEPING OF PETS: The keeping of six (6) or fewer domestic animals that are normally considered to be kept in conjunction with a dwelling for the pleasures of the resident family and/or fostering care of animals. This shall include but not be limited to dogs, cats, birds, gerbils, iguanas, turtles, and rabbits.

LANDSCAPING SERVICE: An establishment primarily engaged in providing landscape care and maintenance services and/or installing trees, shrubs, plants, lawns, or gardens; and establishments primarily engaged in providing these services along with the design of landscape plans and/or the construction (i.e., installation) of walkways, retaining walls, decks, fences, ponds, and similar structures. For purposes of this Zoning Ordinance, this term includes snow plowing services.

LANDFILLS: See also Summit Township Ordinance No. 4-70A. Passed 4/6/70.

LAUNDROMAT: A self-service facility containing clothes washing machines and dryers which are usually coin-operated and are open for use to the general public.

LIBRARY: An establishment primarily engaged in housing books, manuscripts, recordings, or films, and other literary, musical, artistic or reference materials available to the public.

LIFE CARE FACILITY: Any premises in which food, shelter, assisted living services, assistance or supervision and supplemental health care services are provided for a period exceeding twenty-four (24) hours for four (4) or more adults who are not relatives of the operator, who require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation from the residence in the event of an emergency, or medication prescribed for self-administration. A life care facility must be licensed by the Pennsylvania Department of Human Services and shall follow all applicable provisions for assisted living residences in Title 55, Part IV, Subpart E, Chapter 2800 of the Pennsylvania Code, as amended.

LIMITED ACCESS HIGHWAY: A public roadway having variable width right-of-way which provides expeditious movement of large volumes of traffic between areas and across the Township, and not intended to provide access to abutting properties.

LOADING SPACE: An off-street space on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts on or has access to a street.

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

LOT AREA: The total measured square footage or acreage within the lot lines, excluding any portion which may be used or dedicated as a public or private street or alley.

LOT, CORNER: A lot with two (2) adjacent sides abutting on streets which as an interior angle of less than one hundred thirty-five (135) degrees at the intersection of the two (2) street lines. A lot abutting on a curved street shall be considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines with the street line intersect at an interior angle of less than on hundred thirty-five (135) degrees.

LOT LINE: The boundary lines of a lot as defined herein.

MANUFACTURING: The assembly, fabrication, manufacture, production, processing, storage and/or wholesale distribution of goods or products where no process involved will produce noise, vibration, air pollution, fire hazard, or emissions that are noxious or dangerous to any properties within four hundred (400) feet.

Manufacturing, Heavy: Establishment engaged in the basic mechanical, chemical or other transformation of extracted or raw materials or substances into new products or materials, including but not limited to, the assembly of component parts, the manufacturing or transformation of products for use by other manufactures, the blending of materials such a lubricating oils, plastics, resins, liquors, other basic industrial processes, and any facility involving process resulting in the storage of hazardous materials or the generation of hazardous waste products, or the environmentally regulated process.

Manufacturing, Light: Facilities involving generally unobtrusive processes not resulting in the storage of hazardous materials or the generation of hazardous waste products, or other environmentally regulated processes. Uses producing products predominately from previously prepared materials, finished products and parts, including, but not limited to, research, engineering or testing laboratories, assembly from components, fabrication of products, textile and clothing manufacturing, warehousing, distribution centers, furniture or other wood products production and the like, but excluding basic industrial processing.

MARKET GARDEN: A garden or orchard where food is grown primarily to be sold for profitable or non-profitable charitable purposes and may be sold directly to consumers, restaurants, or stores.

MASTER-PLANNED REDEVELOPMENT: Redevelopment of aging automobile-oriented commercial areas with mixed-use buildings and compact, walkable master-planned development that promote efficient land use, reduces the number and length of automobile trips to access everyday needs, increases the diversity of housing options in the community, decreases developmental pressure on rural lands to discourage sprawl, and better utilizes existing

infrastructure.

MEDICAL AND DENTAL CLINICS AND LABORATORY: A use involving the treatment and examination of patients by state-licensed physicians, dentists, or other health care professionals, including mental health care professions, provided that no patients shall be kept overnight on the premises. This use may involve the testing of tissue, blood, or other human materials for medical or dental purposes. Such use shall include a building or buildings with offices for one or more health care professionals for the examination or treatment of persons as outpatients and laboratories incidental thereto.

MEDICAL MARIJUANA DISPENSARY: The use of a premises to dispense medical marijuana by legal permit issued by the Commonwealth of Pennsylvania.

MEDICAL MARIJUANA GROWER/PROCESSOR: The use of a premises to grow and process medical marijuana by legal permit issued by the Pennsylvania Department of Health.

MEMBERSHIP CLUB, LODGE OR FRATERNAL ORGANIZATION: A facility routinely used by a recreational, civic, social, fraternal, religious, political, or labor union association of persons for meetings and routine socializing and recreation that are limited to members and their occasional guests, and persons specifically invited to special celebrations, but which is not routinely open to members of the general public and which is not primarily operated as a for-profit business. This use shall not include a gun club or target range for outdoor shooting and shall not meet the definition for a “boardinghouse,” “bar or tavern,” “nightclub,” or any other similar commercial use.

MINERAL EXTRACTION/SURFACE MINING: Includes all activity which removes from the surface or beneath the surface of the land some material mineral resources, natural resource, or other element of economic value, by means of mechanical excavation necessary to separate the desired material from an undesirable one; or to remove the strata or material which overlies or is above the desired material in its natural condition and position. “Mineral extraction/ Surface mining” includes but is not limited to the excavation necessary to the extraction of sand, gravel, topsoil, limestone, sandstone, coal, clay, shale, and iron ore. *(amended 2/18/25)*

MIXED-USE BUILDING: A single building occupied by a two (2) or more separate principal uses. For example, a building containing a retail establishment and a professional office or a building containing a personal services establishment and an upper-floor apartment would both meet the definition of this term.

MOBILE HOME: A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two (2) or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready

for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

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

MOBILE HOME PARK: A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

MONOPOLE: A wireless communications facility (WCF) or site which consists of a single pole structure, designed, and erected on the ground or on top of a structure, to support communications, antennas, and connective appurtenances. Connective appurtenances can include, but are not limited to, feeder cables, climb ladders, platforms, ice shields, and other accessory infrastructure associated with a WCF.

MOTEL: See hotel.

MUNICIPAL AND GOVERNMENT BUILDINGS: 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.

MUSEUM: An establishment primarily engaged in the preservation and exhibition of objects of historical, cultural, and/or educational value.

NET ACREAGE: Net acreage is that land area remaining upon the exclusion of any portions of the tract located within existing and proposed rights-of-way, environmentally sensitive areas (wetlands, flood plains or slopes in excess of twenty-five (25) percent), those areas designated for non-residential uses, including, but not limited to, limited neighborhood commercial areas, and common open space.

NATURE RESERVE: A non-commercial preservation of land for providing wildlife habitats, forests, or scenic natural features that involves no buildings other than a nature education and/or visitor center and customary maintenance buildings. A nature reserve may include state or federal lands where hunting and fishing are permitted or where game and fish are raised.

NIGHTCLUB: A bar or tavern which frequently charges admission or cover charges for entertainment or music for dancing.

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

NONCONFORMING STRUCTURE: A structure or part of a structure that does not comply with the applicable provisions in this Ordinance or amendment theretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this Ordinance or amendment or prior to the application of this Ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE: A use, whether of land or of a structure, which does not comply with the applicable use provisions of this Ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this Ordinance or amendment, or prior to the application of this Ordinance or amendment to its location by reason of annexation.

NON-PRIMARY WAGERING FACILITY: A wagering establishment which is permitted, authorized and licensed by the Pennsylvania State Harness Racing Commission under power granted to it by the Race Horse Industry Reform Act under 4 P.S. Section 325-402.

NURSING HOME: A facility that provides either skilled or intermediate nursing care or both levels of care for two (2) or more patients, who are unrelated to the licensee, for a period exceeding twenty-four (24) hours. A nursing home must be licensed by the Pennsylvania Department of Health and shall follow all applicable provisions for long-term care nursing facilities in Title 28, Part IV, Subpart C of the Pennsylvania Code, as amended.

OFFICE, PROFESSIONAL: A use that involves administrative, clerical, financial, governmental, or professional operations, and operations of a similar character. This use shall include neither retail nor industrial uses, but may include business offices, medical or dental offices, clinics, or laboratories. Examples of professions carried on in professional offices include, but are not limited to: architects, engineers, accountants, attorneys, real estate agents, insurance agents, business consultants, financial analysts, physicians, dentists, psychotherapists, television and radio broadcasters, computer programmers, graphic designers, call center representatives, and notaries. This term may include buildings or shared work spaces involving the practice of multiple professions by multiple practitioners.

OFF STREET PARKING: A parking lot or area located completely off of the travel portion of the road.

OPEN SPACE DEVELOPMENT: A form of development that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots permitted under a

conventional subdivision or increase in the overall density of development (excepting that provided through bonus provisions) and the remaining land area is devoted to open space, recreation, preservation or environmentally sensitive areas or agricultural purposes.

OUTDOOR DINING AREA: A seating area incidental and accessory to a restaurant for patrons of said restaurant to consume food or beverages outdoors but on the premises.

OUTDOOR STORAGE OR SUPPLY YARD: An area or facility storing or offering for sale building supplies, metal supplies, lumber, stone, coal, equipment, feed and grain, sand and gravel, and similar goods. This term shall not include the wrecking, salvaging, dismantling, scrapping, or storage of junk vehicles.

PARK, PUBLIC OR PRIVATE: A use of land, which may include accessory buildings and structures, for active and/or passive recreation for the purpose of pleasure, leisure, fellowship, and/or exercise, commonly involving activities open to the public including but not limited to: hiking, jogging, bicycling, swimming, picnicking, etc. A park may include amenities such as ball fields, tennis courts, trails, play equipment, restrooms, picnic tables, cooking grills, and other similar facilities.

PARKING LOT OR GARAGE, COMMERCIAL: A lot or structure the principal use of which is the parking or storage of motor vehicles for specified time periods, or on a rental basis, and not for commercial or public utility vehicles or the dead storage of motor vehicles.

PARKING LOT OR STRUCTURE, OFF-STREET: A paved, off-street area other than a driveway or a street with adequate means of access and used exclusively for the parking of three (3) or more vehicles and which may consist of a covered structure or portion of a structure, other than a private garage. A parking lot or structure may be a principal use on its own lot where permitted or accessory to the principal use of the lot.

PARKING SPACE: The area required for parking one automobile, which in the Zoning Ordinance of Summit Township is held to be an area nine (9) feet wide and eighteen (18) feet long.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE: The Pennsylvania Municipalities Planning Code (Act 247 of July 31, 1968, reenacted and amended December 21, 1988 by Act of 1988 P.L.1329, No. 170), as may be amended from time-to-time.

PERMANENT FOUNDATIONS: A full perimeter masonry or poured concrete foundation, resting upon a suitable concrete footer, said footer to be at least three (3) feet below finished grade. The foundation wall shall have a minimum width of six (6) inches, with the footer projecting at least three (3) inches on each side. A permanent foundation shall also include a pole type construction so long as the pole shall be an integral part of the building extending from ground

to ceiling of the first story. In addition, such pole shall be four (4) feet in the ground resting on a one (1) foot concrete base. The pole shall consist of treated lumber to prevent rotting.

PERSONAL CARE HOMES: Unless otherwise defined in Pennsylvania Code Chapter 2600, a dwelling in which food, shelter, and personal assistance or supervision are provided for a period exceeding twenty-four (24) hours, for four (4) to eight (8) unrelated adults who are not relatives of the operator and who do not require the services in or of a licensed long-term care facility but who do require assistance or supervision with activities of daily living, instrumental activities of daily living, or both. A personal care home must be licensed by the Pennsylvania Department of Human Services and shall follow all applicable provisions for personal care homes in Title 55, Part IV, Subpart E, Chapter 2600 of the Pennsylvania Code, as amended, and for "Division C-3 occupancy" in Title 34, Part I, Chapter 56 of the Pennsylvania Code, as amended.

PERSONAL SERVICE ESTABLISHMENT: An establishment that provides a service oriented to personal needs of the general public and which does not involve retail or wholesale sales or services to businesses. "Personal services" include, but are not limited to, barber-and beauty shops, health spas, tanning salons, yoga studios or small fitness studios, optometrists' offices and accessory eyeglass shops, photography studios, travel agencies, retail tax preparation services, shoe repair shops, household appliance repair shops, and other similar establishments, but shall not include any adult-oriented establishments.

PERSONAL WIRELESS SERVICES SITE: A tract or parcel of land that contains a personal wireless service antenna as the principal use, its support structure, accessory building(s), parking, and may include other uses and equipment associated with and ancillary to telecommunication signal transmission or processing.

PERSONAL WIRELESS SERVICES: Include commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services.

PLACE OF ASSEMBLY OR WORSHIP: A facility that is designed for the assembly or meeting of persons for religious, civic, political, educational, or social purposes, not including a "membership club, lodge or fraternal organization" as defined herein and not under the ownership of a governmental agency, and where recreation, amusement, or dining may occur as accessory activities. A place of assembly or worship may also include, as accessory uses, administrative offices, child day care centers, rooms for religious education, rectories, convents, seminaries, and shrines.

PLANNED DEVELOPMENT: An area of land under single ownership containing any combination of two or more principal uses permitted by right, as a special exception, or as a conditional use in the district in which the development is proposed, provided that a special exception or

conditional use approval must be obtained for any proposed use so listed in the regulations of the district in which the development is proposed.

PLANNING COMMISSION: The Summit Township Planning Commission.

PLANT NURSERY: The indoor and/or outdoor raising of trees, plants, shrubs, or flowers for sale, but not primarily including commercial forestry for lumber.

POND: A small body of still water formed naturally or by hollowing or embanking, unless otherwise created as a farm pond, and subject to permitting of the Erie County Conservation District.

PORTABLE STORAGE UNIT: A container that is not affixed to the land and that is designed for temporary short-term storage as subject to the temporary storage facilities provisions of this Ordinance.

PRINCIPAL BUILDING: The building or portion thereof housing the main or primary use of the land.

PUBLIC HEARING: A formal meeting held pursuant to public notice by the governing body or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

PUBLIC MEETING: Any prearranged gathering of an agency which is attended or participated in by a quorum of the members of an agency held for the purpose of deliberating agency business or taking official action.

PUBLIC NOTICE: Notice published once a week for two successive weeks in a newspaper of general circulation in the Township. Such notices shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days or less than seven (7) days from the date of the hearing.

PUBLIC SERVICE: Concerns provisions to grant special permits for the Township, Township agencies such as Sewer Authority, Water Authority, and commissions.

RAILROAD FREIGHT FACILITY: An area or a building for the pick-up and delivery of goods by rail.

RAISING OF LIVESTOCK: A livestock or poultry farming operation that has more than 8 total animal equivalent units (AEUs) and exceeds 2,000 pounds of live animal weight per acre suitable for manure application or as otherwise amended by PA Dept. of Agriculture; also known as "animal husbandry." For the purposes of this Ordinance, these terms shall not include a slaughterhouse, or a stockyard used for the housing of animals awaiting slaughter.

RECREATIONAL VEHICLE: A vehicle or piece of equipment, whether self-powered or designed to be pulled or carried, intended primarily for leisure-time or recreational use. Recreational vehicles or units include but are not limited to the following: travel trailers, truck-mounted campers, motor homes, folding tent campers, auto, buses or trucks adapted for vacation use, snowmobiles, minibikes, all-terrain vehicles, go-carts, boats, boat trailers, and utility trailers. A tent, travel trailer, pickup camper or motor home shall be considered a recreational vehicle. *(amended 2/18/25)*

RECYCLING DROP-OFF SITE: A container, storage unit, or structure, other than an accessory building, designed for the acceptance and temporary storage of common household or office related waste materials and items which are readily recyclable (e.g., glass, aluminum, other metals, cardboard, and/or paper), at a location other than the site where it was generated, and which facilitates the bulk transfer of accumulated recyclables to a facility for further processing.

RECYCLING/TRANSFER FACILITY: A use for collection and temporary storage of more than five hundred (500) pounds of common household materials for recycling, but that does not involve processing or recycling other than routine sorting, baling, and weighing of materials. This term shall not include the indoor storage of less than five hundred (500) pounds of household recyclables and their customary collection, which is a permitted by right accessory use in all zoning districts, without additional regulations.

RESEARCH AND TESTING LABORATORY: A facility used for the research and experimental development or analytical testing services in the physical, engineering, and life sciences, such as agriculture, electronics, environmental, biology, biotechnology, botany, computers, chemistry, food, fisheries, forests, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary, and other related subjects. Testing services may occur in a laboratory or on site.

RESIDENTIAL ACCESSORY BUILDING, STRUCTURE OR USE: A use or structure that is clearly accessory, customary and incidental to a principal residential use on a lot, including the following uses and uses that are very similar in nature: garage (household), carport, tennis court, garage sale, basketball backboard, household swimming pool, volleyball court, gazebo, storage shed, greenhouse, children's playhouse, and children's play equipment.

RESTAURANT: A business establishment where food and/or beverages are prepared and served to the public for sale and consumption on or off the premises, or both. If the service of food is secondary to the sale of alcoholic beverages at an establishment in question, the establishment shall be considered a “bar or tavern” or “nightclub” as defined herein. This Ordinance categorizes restaurant into the following types:

Quick-service restaurant: A restaurant where the principal business is the rapid

preparation, turnover, and sale of food and/or beverages without waited table service and where over one-third (1/3) of sales are to patrons for off-premise consumption (carryout or delivery). Menus for quick-service restaurants are posted, and food and beverages served at such restaurants are usually ordered at a counter and contained in disposable containers or packaging, with on-premise patrons typically expected to clean up after themselves. This term shall include coffee shops or cafes and ice cream stands, as defined herein. Accessory drive-through facilities may be included where permitted. Quick-service restaurants meeting the definition of an ice cream stand may include an accessory walk-up window. A quick-service restaurant may include the accessory sale of alcoholic beverages. However, if such sale consists of over half of the total trade, the requirements of a "bar or tavern" or "nightclub," as applicable, must be met.

Sit-down restaurant: A restaurant where the principal business is the sale of food and beverages with waited table service or where less than one-third (1/3) of sales are to patrons for off-premise consumption (carryout or delivery). Menus for such restaurants are often provided individually to on-premise patrons at their tables, or food may be selected from a buffet table or cafeteria line. A sit-down restaurant may include the accessory sale of alcoholic beverages. However, if such sale consists of over half of the total trade, the requirements of a "bar or tavern" or "nightclub," as applicable, must be met.

RETAIL ESTABLISHMENT: A use in which merchandise is sold or rented to the general public, but not including the following: sales of motor vehicles or boats, adult movie theater, adult bookstore, manufacturing, tavern, car wash, auto service station, auto repair garage, convenience store, or any restaurant.

RIGHT-OF-WAY: The surface of, and space above and below any real property in the Township in which the Township has a regulatory interest, and ownership interest, or an interest as a trustee for the public, as such interests now, or hereafter, exist, including, but not limited to, all streets, highways avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skyways, or any other public place, area or property under the ownership and/or control of the Township, and any unrestricted public or utility easements established, dedicated, platted, improved or devoted for utility purposes, but excluding lands other than streets that are owned by the Township. The phrase "…in the rights-of-way…" means in, on, over, along, above or under the right-of-way. For purposes of this Ordinance, ROW shall also include streets and roads owned or controlled by the Commonwealth of Pennsylvania or its agencies, or the United States government.

ROAD: The entire right-of-way of a public or private street or highway.

SAFE YIELD: The amount of water that can be withdrawn from a water resource over a period of time without impairing long-term utility of a water resource, such as dewatering of an aquifer,

impairing the long-term quality of a water resource, including a health threat, or causing irreparable or unmitigated impact upon reasonable and beneficial uses of a water resource. Safe yield of a particular water source is primarily to be determined based upon the predictable rate of natural and artificial replacement of the water resource over a reasonable period of time. *(2026-02)*

SAFETY AND SECURITY LIGHTING: Lighting that intended to deter or detect intrusions or other criminal activity on a piece of real property.

SANITARY LANDFILL, WASTE TO ENERGY PLANT OR SOLID WASTE TRANSFER FACILITY: A type of solid waste disposal area involving the depositing of solid waste on land, compacting the waste, covering the waste with soil, and then compacting the soil, and which has a permit to operate as permitted by the Commonwealth of Pennsylvania.

SATELLITE ANTENNA: An accessory device for the transmission and reception of radio, television, or other electromagnetic signals incorporating a reflective surface, which is solid, open mesh, or bar-configured and is in the shape of a shallow dish, cone, horn, or cornucopia, with a pedestal or other attachments.

SCHOOL, COMMERCIAL: A school that may offer a wide range of educational or instructional activities that may, or may not, be operated as a gainful business by some person or organization other than the school district.

SCHOOL, PUBLIC OR PRIVATE: An accredited facility of instruction operated by a public, private nonprofit, or religious organization, having regular sessions, with regularly employed instructors and meeting all of the requirements of the Pennsylvania Department of Education for providing primary, secondary, post-secondary, undergraduate, and/or graduate collegiate education. The term shall not include commercial schools.

SCREEN PLANTING: A vegetative material of sufficient height and density to conceal from the view of adjoining property owners the structures and uses on the premises on which the screen planting is located.

SCREENING: A method of visually shielding or buffering one abutting or nearby structure or use from another by fencing (including solid weather-resistant wood fencing or fencing of a similar appearance such as solid vinyl fencing or chain link fence with privacy slats), walls (including decorative masonry walls), earthen berms, or densely planted vegetation. All shielding or buffering methods must be of sufficient height (minimum of 6 feet) and shall be approved by the Planning Commission during their review process.

SELF-STORAGE FACILITY: A building or group of buildings divided into individual separate access units which are rented or leased for the storage of personal and small business property.

SENSITIVE RECEPTOR: Residential uses, schools, preschools, daycare centers, in-home centers, long-term care facilities, retirement and nursing homes, community centers, places of worship, parks (excluding trails), campgrounds, prisons, and dormitories. *(2026-02)*

SEWER SERVICE, PUBLIC: A system other than an individual sewer system, providing sanitary sewer service for use by two (2) or more lots or establishments approved and permitted by PA DEP and/or PA PUC, and owned and/or operated by a municipal authority, or other approved entity.

SHOPPING CENTER: A group of three (3) or more business establishments that are planned, owned, and managed as a total integrated entity with common facilities such as employee and patron parking, loading and unloading spaces, pedestrian walks, utilities, and sanitary facilities shared between the establishments. Principal uses permitted in shopping centers are limited to the following: retail establishments, restaurants, bars or taverns, personal services establishments, business and general services establishments, laundromats, banks or financial institutions, commercial indoor recreation facilities, commercial schools, performing arts studios, art studios or galleries, theaters (excluding adult theaters), public or institutional uses and buildings, and offices and apartments located in mixed-use buildings.

SHORT-TERM RENTAL: An establishment in which the owner rents any area of the establishment to one, or more, individuals for compensation or fee, including offer of exchange in kind, of any type, whether or not involving overnight accommodations or separate sleeping quarters, for a period of time which is primarily less than thirty (30) consecutive days. The term shall not include bed-and-breakfast use. *(amended 6/6/22)*

SIGN: Any device, structure, surface, or fabric, whether permanent or temporary, which uses symbolic representations for visual communication and used for the purpose of bringing a subject to the attention of the public.

Advertising Sign (Billboard): See Billboard.

Business Identification Sign: A sign which directs attention to a business, product, service, activity, or entertainment sold or offered upon the premises where such sign is located.

Free Standing Sign: A sign supported by uprights or braces placed upon the ground and not attached to a building.

High-rise Sign: Any sign with a height in excess of 60 feet measured from the ground level to the top of the physical sign structure.

Attached Sign: A sign that is attached to a building or other structure that is parallel to the building and does not extend more than 12” from a building.

Directional Sign: A sign which directs attention to a business, profession, industry, or activity conducted upon the property in which the sign is located.

Temporary Sign: Any sign, banner, cardboard, or other material carrying an advertisement or announcement, which is displayed or intended to be displayed for a limited period of time as specified by Township permit.

SOLID WASTE DISPOSAL FACILITY: A lot, parcel or tract of land including but not limited to a sanitary landfill where garbage, trash or junk is disposed of or is processed or recycled for disposal or reuse. Such use shall not include the disposal or processing of biological excrement, hazardous or radioactive materials. A trash or solid waste transfer facility is a type of solid waste disposal facility.

SOLAR ARRAY/PANEL: A part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, for water and/or electricity. *(2025-05)*

SOLAR CELL: The smallest basic solar electric device which generates electricity when exposed to light. *(2025-05)*

SOLAR ENERGY: Radiant energy (direct, diffuse, and/or reflective) received directly from the sun. *(2025-05)*

SOLAR ENERGY SYSTEM, ACCESSORY: An energy system including appurtenances, which is accessory to principal use and converts solar to a usable form of energy to meet all or part of the energy requirements of the on-site user. This definition does not include solar farms and is not intended for commercial establishment. *(2025-05)*

SOLAR ENERGY SYSTEM, PRINCIPAL: An area of land on which the principal use is the capture of solar energy and its conversion to electrical energy or thermal power for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground- or roof-mounted solar modules or other solar related equipment and may include accessory structures and buildings including light reflectors, concentrators and heat exchangers, substations, electrical infrastructure, transmission lines, and other appurtenant structures. *(2025-05)*

SOLAR MODULE: The grouping of solar cells with the purpose of harvesting solar energy. *(2025-05)*

SOLAR RELATED EQUIPMENT: Items including solar photovoltaic cell, module, panel or array or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing, and possibly foundations or other structures used for or intended to be used for collection of solar energy. *(2025-05)*

SPECIAL EVENT: Includes the temporary use of land and/or structure not situated in a residential district for specially scheduled events of temporary use and short-term in nature, including but not limited to fairs, festivals, circuses, concerts, parades, fundraisers, promotions and sales that take place outside the normal activities of the permitted use. *(amended 2/18/25)*

SPECIAL EXCEPTION: A special exception shall be the permission or approval granted by the Zoning Hearing Board in situations where provision therefore is made by the terms of the Zoning Ordinance of Summit Township.

SPECIALIZED ANIMAL RAISING AND CARE: Any commercial facility engaged in the raising and care of animals, except farms.

SPECIALTY SHOPS: Small scale retail operations that specialize in one type or line of merchandise. Such stores may include, but are not limited to: antique shop, gift shop, bakery, candy store, art & framing shop, music store, clothing/apparel store, food establishments (pizza shop, ice cream shop, food/grocery markets), stationary stores, hair salon, florist, and similar establishments. Such stores provide goods directly to the consumer where such goods are available for immediate purchase and removal from the premises by the purchaser.

SPECIFIED ANATOMICAL AREAS: As defined in 68 PA.C.S.A. 5502, regarding adult-oriented establishments, as may be amended.

SPECIFIED SEXUAL ACTIVITIES:

A. Human genitals in a state of sexual stimulation or arousal;

B. Acts of human masturbation, sexual intercourse, or sodomy; and

C. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts.

STABLE OR RIDING ACADEMY: The keeping of three or more horses in a non-household stable, which may include a commercial or private riding club. Any establishment where horses are kept for riding, driving, or stabling for compensation or incidental to the operation of any club, association, ranch or similar establishment.

STEEP SLOPE: Average land areas exceeding twenty-five (25) percent in slope measured and presented as follows:

A. The development, grading, and stripping of vegetation shall be limited to a percentage of land within steep slope categories established by this Section. The applicant proposing the subdivision and/or land development shall prepare a topographic site plan with

contour intervals of ten feet (or of greater detail and depicting the slope of all areas within the site according to the categories of 0-7.9%, 8-14%, 15-24.9% and greater than 25%. Such plan shall be sealed by a professional engineer, professional land surveyor, or a landscape architect.

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and including those basements used for the principal use.

STREET: Street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private and where said construction shall be in accordance with the specifications of the Summit Township Subdivision, Land Development and Mobile Home Park Ordinance, as may be amended from time-to-time.

Expressways: A limited access, interregional arterial route. They are designed exclusively for unrestricted movement, have no private access, and intersect only with selected arterial highways or major streets by means of interchanges engineered for free-flowing movement.

Arterial Street: A major street or highway with fast or heavy traffic volumes of considerable continuity and used primarily as a traffic artery for intercommunication among large areas.

Collector Street: A major street or highway which carries traffic from minor streets to arterial streets, including the principal entrance streets of a residential development and streets for circulation within such a development.

Local Street: A street used primarily for access to abutting properties for local traffic movements and providing access to Collector Streets.

Internal Street: Access ways intended to permit the safe traffic flow within a generally cohesive development of buildings.

Marginal Access Way: A Street which is parallel and adjacent to limited access highways or arterial streets which provide access to abutting properties and protection from through traffic.

STRUCTURE: A combination of materials the use of which requires location on the ground, or attachment to something having location on the ground and includes, among other things, buildings, stadiums, platforms, radio towers, communications antennas and towers, sheds, storage bins, fences, and display signs.

SWIMMING POOL: Water filled enclosure, permanently constructed or portable, having a depth of more than eighteen (18) inches below the level of the surrounding land, or an above surface pool, having a depth of more than twenty-four (24) inches, designed, used and maintained for swimming and bathing. Farm ponds and/or lakes are not included provided that swimming was not the primary purpose for their construction.

TANK FARM: An area of land on which the principal use involves the storage or distribution of fuel in two (2) or more aboveground or underground storage tanks and any associated piping, lines, dikes, curbs, transfer stations, and ancillary equipment.

TATTOO PARLOR: A business establishment where the permanent application of body art, including the insertion of pigments under the surface of human skin or the creation of an opening in the human body for the purpose of inserting jewelry or other decorations, takes place.

TAXI, BUS OR PASSENGER TRAIN TERMINAL: An area of land used for the centralized storage of taxicabs or buses or where taxis, buses, or trains are congregated for the loading and unloading of passengers. This term shall include accessory facilities for the service and repair of vehicles involved in the normal operation.

TEMPORARY STRUCTURE: A temporary structure is a building or setup that is not permanently attached to the ground, does not require a foundation or significant site preparation, and is not connected to utilities like water or sewage. These structures are intended for short-term use, no longer than six months, and are designed to be easily assembled and disassembled without causing any permanent alterations to the property. Examples of temporary structures include, but are not limited to, tents, bleachers, temporary carports, and greenhouses. All temporary structures must have a footprint of 1,600 square feet or less. While temporary structures do not require zoning permits, they must adhere to all applicable zoning setback requirements. Additionally, all temporary structures must be adequately anchored and constructed to withstand environmental conditions, including, but not limited to, wind, snow, and other relevant weather factors. *(amended 2/18/25)*

TEMPORARY STORAGE FACILITIES: including but not limited to tractor trailer box units and covered and completely enclosed other trailer units.

THEATER: A building or part of a building devoted to the showing of motion pictures or theatrical or performing arts productions as a principal use, but not including an outdoor drive-in theater or adult movie theater.

TOWNSHIP CONSULTANT: An expert hired by the Township through appropriate resolution to review applications, annual reports, and other necessary tasks in relation to Township Ordinance.

TRANSITIONAL DWELLING OR HALFWAY HOUSE: A dwelling unit occupied on a short-term basis by persons assigned by a court of law, or who are self-referred, or referred by a public, semipublic or nonprofit agency, and managed by a public, semipublic or nonprofit agency responsible for the occupants' care, safety, conduct, counseling and supervision for a specified period of time, including alcoholic recovery, shelters for battered persons and their children, maternity homes, community re-entry services following incarceration, prison assignment, house arrest or other court-ordered treatment, and other such short-term supervised assignments.

TRUCK STOP: An establishment, located on a lot no smaller than ten (10) acres, designed to serve the needs of professional drivers and the traveling public, which may include vehicle fuel and repair services, convenience and retail stores, and restaurants, and which may also include related and ancillary services such as communication and delivery services, financial services, personal services, lodging for professional drivers, and amusement games establishments, but does not include a hotel or motel. The components of a truck stop may be freestanding or combined in a single building.

TRAILER: See Mobile Home.

TRUCK: A motor vehicle designed primarily to transport property.

TRUCK TRACTOR: A motor vehicle designed primarily to pull other vehicles, which is not constructed to carry a load except part of a towed vehicle.

TRUCK TERMINAL: A facility operated by a common carrier where freight enroute to other destinations is transferred, warehoused, or temporarily stored for no more than thirty (30) days, with secondary allowances for service, repair, and storage of vehicles involved in the normal operation.

UCC: Uniform Construction Code, as amended.

URBAN AGRICULTURE: The activities that include the growing, processing, marketing, distribution, and consumption of food and other products through growing plants and raising animals in and around an urban area. Such activities can be public, private, or commercial and can exist in a variety of forms, including community gardens, market gardens, and backyard animal keeping. When done successfully, these activities also produce environmental, health, social, and economic effects that can positively impact a community and increase its resilience.

URBAN KEEPING OF LIVESTOCK: Small-scale accessory keeping and raising of animals customarily found on a farm conducted on a lot in conjunction with an authorized principal use.

VARIANCE: The permission, granted by the Zoning Hearing Board, following a public hearing that has been properly advertised, for an adjustment to some regulation or provision of the Zoning Ordinance which, if strictly adhered to, would result in an unnecessary hardship, and where the permission granted would not be contrary to the public interest and would maintain the spirit and intent of the Ordinance.

VETERINARIAN OFFICE OR ANIMAL HOSPITAL: A building routinely used for the treatment of animals and related housing or boarding of sick animals. Treatment of "small animals" includes only small domestic animals, including but not limited to dogs, cats, rabbits, birds, or fowl. Treatment of "large animals" includes all types of animals, including horses, cows, and pigs. Housing primarily healthy animals shall be considered a "kennel" and shall meet the requirements of that use.

WAREHOUSING ESTABLISHMENT: An enclosed structure used for the storage of merchandise or commodities for an extended period of time, typically over thirty (30) days and which does not include cross-docking operations or retail sales.

WHOLESALE ESTABLISHMENT: An establishment or place of business, typically located in a warehouse setting, engaged in selling merchandise to retailers, business users, other wholesalers, or their agents or brokers.

WIND ENERGY SYSTEM, PRINCIPAL/COMMUNITY-SCALE: An area of land on which the principal use is the capture of wind energy and its conversion to electrical energy or thermal power for off-site use. Principal wind energy systems consist of one (1) or more free-standing ground-mounted wind turbines or other related equipment.

WIRELESS COMMUNICATIONS FACILITY: A structure other than a building, such as a monopole or guyed tower, designed and used to support one (1) or more communications antennas. See Appendix II.

WITHDRAWAL: The removal or taking of water from any source water resources, whether or not returned to the water source. *(2026-02)*

YARD: A space open to the sky and unoccupied by any building, structure, or merchandise for display, sale, or storage, located on the same lot with a building or structure.

YARD LINE: An imaginary line within a lot defining the minimum distance between any building or structure or portion thereof, and an adjacent lot line. Such line shall be measured at right angles from and parallel to the corresponding lot line.

YARD, FRONT: The minimum open space extending across the entire width of the lot between the front building line and the street right of way line.

YARD, REAR: The open space extending across the entire width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.

YARD, SIDE: A space extending from the front yard to the rear yard between the principal building and the side lot line and measured perpendicular from the side lot line to the closest point of the principal building.

YARD, SUPPLY: The area used for storage of materials for the principal use.

ZONING OFFICER: The administrative officer authorized by the Board of Supervisors to be the administrator of the day-to-day application of the provisions contained in this ordinance.

ZONING PERMIT: A document signed by a zoning officer, as required in the zoning ordinance, as a condition precedent to the commencement of a use, or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure or building, that acknowledges that such use, structure, or building complies with the provisions of the municipal zoning ordinance or authorized variance therefrom.

ARTICLE 3

ZONING MAP DISTRICTS AND BOUNDARIES

301 ZONING MAP

The accompanying map is a part of this Ordinance and shall be known as the "Summit Township Zoning Map", and all the explanatory matter thereon are hereby adopted and made part of this Ordinance. The zoning map shall be kept on file, available for examination, at the Township Municipal Building.

302 TRANSPORTATION MAP

A map entitled "Summit Township Transportation Map" is hereby incorporated as part of this ordinance. The transportation map represents the Township's Comprehensive Transportation Plan and includes existing and proposed public streets and roads throughout Summit Township including marginal access service roads. For the purpose of maintaining the integrity of the Transportation Map and Comprehensive Transportation Plan, no permit shall be issued for any building or sign structure within the lines of any street or road shown or laid out on the Transportation Map.

In cases where the proposed use of property is adversely affected by the Transportation Map and Comprehensive Transportation Plan, the owner of the property may request that the governing body consider altering the Plan so as to provide relief.

The Transportation map and Township Official Map Ordinance, as applicable, shall be kept on file, available for examination, at the Township Municipal Building.

303 ZONING DISTRICTS

The Township is divided into eleven (11) districts shown by the district boundaries on the Zoning Map and known as:

RR	Resources - Rural
RN	Resources - Natural
RLD	Residential – Low Density
RMD	Residential – Medium Density
RMF	Residential – Multi-Family
MUN	Mixed Use - Neighborhood
MUR	Mixed use - Regional
CL	Commercial - Local
CC	Commercial - Corridor
IND	Industrial
IP	Industrial Park
LF	Landfill District

304 DISTRICT BOUNDARIES

The boundaries of the Zoning Districts shall be as shown upon the Zoning Map entitled "Summit Township Zoning Map." Where uncertainty exists with respect to the boundaries of the various Zoning Districts, the following rules shall apply:

A. Where a Zoning District boundary approximately follows the Center Line of a Street or Road the center line of such street or road shall be interpreted to be the Zoning District boundary.

B. Where a Zoning District boundary approximately parallels a street lot line or road lot line – The boundary shall be interpreted as being parallel to it and at such distance from it as indicated on the Zoning Map. If no distance is given, such dimension shall be determined by the use of the scale shown on the official Zoning Map.

C. Where a Zoning District boundary approximately follows a lot line - The lot line shall be interpreted to be the Zoning District boundary.

D. Submerged Areas - All areas within the Township which are under water and are bounded by two or more zoning districts the boundary lines of these districts shall be extended to the center of the body of water.

E. Classification of Annexed or Unzoned Lands - For zoning purposes all areas annexed to the Township or which are discovered to be unzoned due to administrative oversight or a change in municipal boundaries shall be classified as "RR" Resources – Rural until such time as the Ordinance and Map are officially amended to include the annexed or excluded areas and classify them in accordance with the Township's Comprehensive Plan.

F. Vacation of Public Ways - Whenever any street, road or way is vacated, the Zoning District or Districts adjoining such street road or way, shall be automatically extended to the center of such vacated area.

G. Boundary Determination Problems - Where it is not possible or practical for the Zoning Officer to determine the location of a zoning district boundary line after consulting with the governing body regarding the location of said line, or if a petitioner contests the Zoning Officer's determination of the boundary, the Zoning Hearing Board, upon appeal, shall determine and establish the location of said boundary line.

H. All distances pertaining to the delineation of zoning districts as shown on the Zoning Map shall be measured from the existing road right-of-way line when such distance is measured from a public road.

305 RESOURCES DISTRICTS (RR and RN)

The Resource Districts are delineated to host working (agricultural) landscapes and very low intensity residential development. Retention of the community's rural character and ensuring conservation of the prevalence of sensitive resources, such as steep slopes, ravines, rivers, floodplains, and wetlands is the focus of the community.

306 RESIDENTIAL DISTRICTS (RLD, RMD, & RMF)

Consists of areas designated for residential usage, district zone designations are limited to agricultural uses, dwellings, and uses normally associated with residential neighborhoods.

307 COMMERCIAL DISTRICTS (CL & CC)

Areas designated for business are limited to commercial uses. By defining compact areas for such uses, better fire protection, police protection and utilities may be provided. Most industrial uses are excluded in order to reduce the hazards caused by extensive truck and rail movements normally associated with such uses. To facilitate efficient traffic movement and promote highway safety, it is required that a developer submit a site plan showing ingress and egress points, building size and parking facilities.

308 MIXED USE DISTRICTS (MUN & MUR)

Areas identified encourage redevelopment that includes both non-residential and residential uses. This strategy introduces benefits including increasing housing options, reducing pressure to develop in more rural portions of the Township and increasing the vitality of Summit's commercial core. As retail tenant turnover naturally occurs over shorter time periods, criteria for infill can prepare for longer-term outlooks. Opportunities for more diverse services, offices, housing, and entertainment options could be expanded.

309A INDUSTRIAL DISTRICTS (IND)

The purpose of this district is to provide suitable space for existing industries and their expansion, as well as future industrial development. Performance standards, loading parking specifications and yard regulations are set forth in the Ordinance in order to insure, insofar as possible, safe, non- objectionable industrial installations.

309B INDUSTRIAL PARK (IP)

These areas are created to be developed exclusively to industrial activity but with more restrictions than an industrial designation. The purpose of the district is to encourage the use of industrial park development. Such development treats a large expanse of land as an industrial subdivision by planning, constructing, servicing and maintaining it in a manner that will make resourceful use of the land, increase compatibility and attractiveness of these uses to each other, and protect the Township's advantage in attracting industry. All requirements for this district are listed in the Industrial Park section of this ordinance, Article 5.

310 LANDFILL DISTRICT (LF)

The purpose of this district is to provide suitable space for landfill activities in accordance with the regulations of the Commonwealth of Pennsylvania.

311 PERMITTED USES

The principal use or uses on special exceptions for each district are shown in the following tables: 311.1, 311.2, 311.3, 311.4, 310.5, 311.6, 311.7, 311.8, 311.9, 311.10, and 311,11. Uses given in the following categories shall be according to the common meaning of the term or definitions given in Article 2.

311.01 TABLE – RR RESOURCES - RURAL

PERMITTED PRINCIPAL USE	USES ON SPECIAL EXCEPTION
Agriculture	Airport (401.02)
Campground	Bed and Breakfast (401.30)
Cemetery	Golf Course/Country Club (401.04)
Community Center	Home Occupations, Low-Impact (401.05)
Community Garden	Injection Well (401.17)
Crop Farming	Mineral Extraction/Surface Mining *(amended 2/18/25)* (401.32)
Cultural Center	Railroad Freight Facilities (401.28)
Emergency Response Facility	Solar Energy Systems, Principal *(amended 12/15/2025)* (401.25)
Emergency Services	Wireless Communications Facility Structure (401.22)
Essential Services	See Appendix II
Event Venue *(amended 2/18/25)*	
Farmers Market	
Fish Hatchery	
Forestry	
Home Occupations, No-Impact	
Kennels	
Medical Marijuana Grower Processor	
Municipal Buildings/Government Services	
Museum	
Nature Reserve	
Park, public or private	
Places of Assembly or Worship	
Plant Nursery	
Raising of Livestock	
Single Family Dwellings	
Specialized Animal Raising and Care	
Stables and Riding Academy	
Accessory Structures/Uses Customarily incidental to the Principal Use	

311.02 TABLE – RN RESOURCES - NATURAL

PERMITTED PRINCIPAL USE	USES ON SPECIAL EXCEPTION
Agriculture	Airport (401.02)
Campground	Golf Course/Country Club (401.04)
Cemetery	Home Occupations, Low-Impact (401.05)
Community Center	Injection Well (401.17)
Community Garden	
Crop Farming	
Cultural Center	
Emergency Response Facility	
Emergency Services	
Essential Services	
Farmers Market	
Fish Hatchery	
Forestry	
Home Occupations, No-Impact	
Kennels	
Municipal Buildings/Government Services	
Nature Reserve	
Park, public or private	
Places of Assembly or Worship	
Plant Nursery	
Raising of Livestock	
Single Family Dwellings	
Specialized Animal Raising and Care	
Stables and Riding Academy	
Accessory Structures/Uses Customarily incidental to the Principal Use	

311.03 TABLE – RLD RESIDENTIAL – LOW DENSITY

PERMITTED PRINCIPAL USE	USES ON SPECIAL EXCEPTION
Agriculture	Airport (401.02)
Cemetery	Automobile Services (401.31)
Community Center	Bed and Breakfast (401.30)
Community Garden	Communication Building (401.33)
Crop Farming	Day/Night Care Facility/Day Care Center, Child (401.06)
Cultural Center	Golf Course/Country Club (401.04)
Emergency Response Facility	Home Occupations, Low-Impact (401.05)
Emergency Services	Injection Well (401.17)
Essential Services	Kennels (401.12)
Farmers Market	Medical Marijuana Grower Processor (401.27)
Forestry	Solar Energy System, Principal (401.25) *(amended 12/15/2025)*
Home Occupations, No-Impact	Stables and Riding Academy (401.34)
Library	Two Family Dwellings (401.19)
Municipal Buildings/Government Services	Veterinary Clinic (401.12)
Park, public or private	
Places of Assembly	
or Worship	
Plant Nursery	
Raising of Livestock	
School, public or private	
Single Family Dwellings	
Accessory Structures/Uses Customarily incidental to the Principal Use	

311.04 TABLE – RMD RESIDENTIAL – MEDIUM DENSITY

PERMITTED PRINCIPAL USE	USES ON SPECIAL EXCEPTION
Agriculture	Bed and Breakfast (401.30)
Cemetery	Communication Building (401.33)
Community Center	Convenience Store (401.36)
Community Garden	Day/Night Care Facility/Day Care Center, Child (401.06)
Crop Farming	Funeral Homes/Crematorium (401.08)/ (401.26)
Cultural Center	Golf Course (401.04)
Emergency Response Facility	Home Occupations, Low-Impact (401.05)
Emergency Services	Kennels (401.12)
Essential Services	Multi-Family Dwellings (401.10)
Event Venue *(amended 2/18/25)*	Office, Professional (401.35)
Farmers Market	Outdoor Entertainment Facility (401.40)
Forestry	Outside Storage (401.14)
Home Occupations, No-Impact	Wind Energy System, Principal/Community Scale (401.29)
Library	
Municipal Buildings/Government Services	
Park, public or private	
Places of Assembly or Worship	
Plant Nursery	
School, public or private	
Single Family Dwellings	
Two Family Dwellings	
Accessory Structures/Uses Customarily incidental to the Principal Use	

311.05 TABLE – RMF RESIDENTIAL MULTI-FAMILY

PERMITTED PRINCIPAL USE	USES ON SPECIAL EXCEPTION
Agriculture	Bed and Breakfast (401.30)
Community Center	Cemetery (401.37)
Community Garden	Communication Building (401.33)
Cultural Center	Convenience Store (401.36)
Emergency Response Facility	Day/Night Care Facility/Day Care Center, Child (401.06)
Emergency Services	Funeral Homes/Crematorium (401.08)/ (401.26)
Essential Services	Home Occupations, Low-Impact (401.05)
Forestry	Laundromat (401.38)
Home Occupations, No-Impact	Mobile Home Parks (401.07)
Library	Office, Professional (401.35)
Life Care Facility/Nursing Home/Personal Care Home	
Multi-Family Dwellings	
Municipal Buildings/Government Services	
Non-family residential facility, type 1/type 2	
Park, public or private	
Places of Assembly or Worship	
Plant Nursery	
School, public or private	
Single Family Dwellings	
Two Family Dwellings	
Accessory Structures/Uses Customarily incidental to the Principal Use	

311.06 TABLE – MUN MIXED USE – NEIGHBORHOOD

Agriculture
Artisan, craft, exercise or performing arts studio
Auto, boat and/or mobile/manufactured home sales or rental
Bank or Financial Services
Bar or Tavern
Bed and Breakfast
Beverage Production Establishment
Business Service Establishment
Car and Truck Wash
Cemetery
Communication Building
Community Center
Community Garden
Contractor Services
Convenience Store
Cultural Center
Day/Night Care Facility/ Day Care Center, Child
Distribution Center Type 1
Distribution Center Type 2
Emergency Response Facility
Emergency Services
Essential Services
Family or Group Homes
Farmers Market
Forestry
Gasoline Service Station
Home Occupations, No-Impact
Home Occupations, Low-Impact
Impound Lot *(amended 2/18/25)*
Indoor Entertainment Facility
Landscaping Services
Laundromat
Library
Life Care Facility/Nursing Home/Personal Care Home

Accessory Structures/Uses Customarily incidental to the Principal Use

Membership Club, Lodge, or Fraternal Organization
Mixed Use Building
Motels and Hotels
Multi-Family Dwellings
Municipal Buildings/ Government Services
Museum
Non-family residential facility, type 1/type 2
Nursing Home
Office, Professional
Open Space Development
Park, public or private
Personal Service Establishment
Places of Assembly or Worship
Recreation, Indoor (Physical Activities Only)
Recreation, Outdoor (Physical Activities Only)
Restaurants
Retail Establishment
School, public or private
Self-Storage Facility
Short Term Rental
Single Family Dwellings
Tattoo Parlor
Two Family Dwellings
Veterinary Clinic
Warehousing Establishment

<u>USES ON SPECIAL EXCEPTION</u>

Automobile Services (401.31)
Funeral Homes/Crematorium (401.08)/ (401.26)
Golf Course/Country Club (401.04)
Light Manufacturing/Machine Shop (401.15)
Nightclub (401.24)
Outdoor Entertainment Facility (401.40)
Go Carts, Pitching & Batting Cages, Miniature Golf (401.21)

GENERAL CRITERIA FOR MIXED USE - NEIGHBORHOOD

A. Decorative Front Façade for Buildings

1. No plain block walls (i.e., use brick, split face, shadow block etc.)
2. No fluorescent colors (i.e., use earth tone colors etc.)

B. Driveways

1. Traffic volume maximum of 1,500 per day (using criteria set forth in "Chapter 441 Access to and Occupancy of Highways by Driveways and Local Roads"–"Medium Use Driveway".

C. Landscaping & Buffer Strips

1. A minimum of 30% of the area shall be landscaped. Of that landscaping 25% must be perimeter & 5% must be interior.
2. Minimum 20-foot width planting strip across entire front yard
3. Minimum 25-foot width buffer strip for side and rear yards (if not adjacent to different zoning districts); densely planted with mixed hardwood and evergreens – when mature creating a natural wooded barrier. (see new definition/densely planted)
4. Minimum 50-foot buffer strips required between residential & transitional districts; densely planted with mixed hardwood and evergreens – when mature creating a natural wooded barrier. (see new definition/densely planted)
5. Preservation of existing native growth (over 6 inches) whenever possible. Photographs to be provided with landscape plan.
6. Buildings, driveways (except to access a public roadway), and parking shall not protrude into planting and/or buffer strips (parking on hard surface only).

D. Minimum Distance Between Structures

1. Commercial = 20'
2. Residential = 14'

E. Off-Street Parking

1. Off-street parking to the front of the development shall not exceed 10% of the required spaces.
2. Off-street parking shall be provided for each use located on the lot in accordance with Section 901.

F. Underground utilities encouraged on premises.

G. Environmentally Sensitive Areas

1. Environmentally sensitive areas on a lot shall to the greatest extend possible be preserved.

2. Environmental analysis map(s) showing and identifying the location of Environmentally Sensitive Areas (defined in Section 202) affecting the tract shall be provided (proof of the non-existence of such conditions shall be provided by the applicant).

H. Allowable Density

1. Allowable density shall be based upon net acreage (defined in Section 202) and shall be calculated as follows:

   a. Maximum Densities per zoning district shall be 6.8 dwelling units per acre.

   b. Calculate Allowable Density (Net Acreage x Maximum Density)

I. Recreation – Outdoor

1. Hours of operation; 7:00a.m. – 11:00p.m

J. VETERINARY CLINICS

1. No outdoor kennels

2. Outdoor exercise runs or similar facilities permitted.

K. RETAIL SHOPS

1. One building may be up to 10,000 sq. ft. maximum size.

2. Remaining buildings must be non-contiguous and 5,000 sq. ft. or less.

311.07 TABLE – MUR MIXED USE – REGIONAL

PERMITTED PRINCIPAL USE

Agriculture
Artisan, craft, exercise or performing arts studio
Auto, boat, equipment, and/or mobile/manufactured home sales or rental
Automobile Services
Bank or Financial Services
Bar or Tavern
Bed and Breakfast
Boarding House
Business Service Establishment
Campground
Car and Truck Wash
Communication Building
Community Center
Community Garden
Contractor Services
Convenience Store
Crematorium
Cultural Center
Day/Night Care Facility/Day Care Center, Child
Emergency Response Facility
Emergency Services
Essential Services
Family or Group Homes
Farmers Market
Forestry
Funeral Homes/Crematorium
Gasoline Service Station
Home Occupations, No-Impact
Home Occupations, Low-Impact
Hospital
Impound Lot *(amended 2/18/25)*
Indoor Entertainment Facility
Kennel *(amended 2/18/25)*
Laundromat

PERMITTED PRINCIPAL USE

Landscaping Services
Library
Life Care Facility/ Nursing Home/ Personal Care Home
Medical and Dental Clinics and Laboratories
Medical Marijuana Dispensary
Membership Club, Lodge, or Fraternal Organization
Mixed Use Building
Motels and Hotels
Multi-Family Dwellings
Municipal Buildings/Government Services
Museum
Nightclub
Non-family residential facility, type 1/type 2
Nursing Home
Office, Professional
Outdoor Entertainment Facility *(amended 2/18/25)*
Outside Storage
Personal Service Establishment
Recreation, Indoor (Physical Activities Only)
Recreation, Outdoor (Physical Activities Only)
Restaurants
Retail Establishment
School, public or private
Self-Storage Facility
Short Term Rental
Specialty Shops
Tattoo Parlor
Transitional Dwelling or Halfway House
Truck Stop
Two Family Dwellings
Veterinary Clinic
Warehousing Establishment
Wholesale Establishment

Accessory Structures/Uses Customarily incidental to the Principal Use

311.07 TABLE – MUR MIXED USE - REGIONAL CONTINUED

USES BY SPECIAL EXCEPTION

All Other Uses, Residential (401.41)
Cemetery (401.37)
Go Carts, Pitching and Batting Cages, Miniature Golf (401.21)
Sewage Treatment Plants (401.16)
Stables and Riding Academy (401.34)
Truck Terminal (401.13)

311.08 TABLE – CL COMMERCIAL - LOCAL

PERMITTED PRINCIPAL USE

Agriculture
Artisan, craft, exercise or performing arts studio
Auto, boat and/ or mobile/manufactured home sales or rental
Automobile Services
Bank or Financial Services
Bar or Tavern
Bed and Breakfast
Beverage Production Establishment
Business Service Establishment
Car and Truck Wash
Communication Building
Community Center
Community Garden
Contractor Services
Convenience Store
Cultural Center
Day/Night Care Facility/ Day Care Center, Child
Distribution Center Type 1
Distribution Center Type 2
Emergency Response Facility
Emergency Services
Essential Services
Farmers Market
Forestry
Funeral Homes/Crematorium
Gasoline Service Station
Home Occupations, No-Impact
Home Occupations, Low-Impact
Impound Lot *(amended 2/18/25)*

PERMITTED PRINCIPAL USE

Landscaping Services
Laundromat
Library
Life Care Facility/Nursing Home/Personal Care Home
Membership Club, Lodge, or Fraternal Organization
Motels and Hotels
Municipal Buildings/Government Services
Museum
Nightclub
Non-family residential facility, type 1/type 2
Nursing Home
Office, Professional
Outside Storage
Park, public or private
Personal Service Establishment
Recreation, Indoor (Physical Activities Only)
Recreation, Outdoor (Physical Activities Only)
Restaurants
Retail Establishment
School, public or private
Self-Storage Facility
Short Term Rental
Swimming Pool
Tattoo Parlor
Veterinary Clinic
Warehousing Establishment

Accessory Structures/Uses Customarily incidental to the Principal Use

311.08 TABLE – CL COMMERCIAL - LOCAL CONTINUED

USES ON SPECIAL EXCEPTION

Wireless Communications Facility Structure (401.22)
See Appendix II

Boarding House (401.39)

Bottle Club (401.09)

Light Manufacturing/ Machine Shop (401.15)

Mini Storage Warehousing (401.20)

Multi-Family Dwellings (401.10)

Places of Assembly or Worship (401.01)

Single Family Dwellings (401.19)

Two Family Dwellings (401.19)

Wireless Communications Facility, Tower Based (401.22)

311.09 TABLE – CC COMMERCIAL - CORRIDOR

PERMITTED PRINCIPAL USE

Agriculture
Artisan, craft, exercise or performing arts studio
Auto, boat and/or mobile/manufactured home sales or rental
Automobile Services
Bank or Financial Services
Bar or Tavern
Business Service Establishment
Car and Truck Wash
Communication Building
Community Center
Community Garden
Contractor Services
Convenience Store
Cultural Center
Day/Night Care Facility/Day Care Center, Child
Emergency Services
Essential Services
Farmers Market
Forestry
Funeral Homes/Crematorium
Gasoline Service Station
Impound Lot *(amended 2/18/25)*
Home Occupations, No-Impact
Home Occupations, Low-Impact
Kennel *(amended 2/18/25)*
Landscaping Services
Laundromat
Library

PERMITTED PRINCIPAL USE

Membership Club, Lodge, or Fraternal Organization
Municipal Buildings/Government Services
Museum
Office, Professional
Outside Storage
Park, public or private
Personal Service Establishment
Recreation, Indoor (Physical Activities Only)
Recreation, Outdoor (Physical Activities Only)
Restaurants
Retail Establishment
School, public or private
Self-Storage Facility
Short Term Rental
Tattoo Parlor
Veterinary Clinic
Warehousing Establishment

Accessory Structures/Uses Customarily incidental to the Principal Use

311.09 TABLE – CC COMMERCIAL - CORRIDOR CONTINUED

USES ON SPECIAL EXCEPTION

Wireless Communications Facility Structure (401.22)
See Appendix II

Bottle Club (401.09)

Golf Course/Country Club (401.04)

Junkyard (401.23)

Life Care Facility/Personal Care Home (401.06)

Light Manufacturing/Machine Shop (401.15)

Mini Storage Warehousing (401.20)

Mobile Home Parks (401.07)

Multi-Family Dwellings (401.10)

Non-family residential facility, type 1/type 2 (401.01)

Nursing Home (401.01)

Places of Assembly or Worship (401.01)

Single Family Dwellings (401.19)

Two Family Dwellings (401.19)

Wireless Communications Facility, Tower Based (401.22)

311.10 TABLE – IND INDUSTRIAL

PERMITTED PRINCIPAL USE	USES ON SPECIAL EXCEPTION
Automobile Services	All Other Uses, Non-Residential (401.41)
Beverage Production Establishment	Bulk Fuel Storage (401.16)
Billboards	Communication Building (401.33)
Concentrated Animal Feeding Operation	Data Centers and Data Center Accessory Uses (401.41) *(amended 9/21/2026)*
Distribution Center Type 1	Heavy Manufacturing (401.11)
Distribution Center Type 2	Injection Well (401.17)
Emergency Response Facility	Wind Energy System, Principal/Community Scale (401.29)
Emergency Services	Wireless Communications Facility Structure (401.22)
Essential Services	See Appendix II
Forestry	
Impound Lot *(amended 2/18/25)*	
Light Manufacturing/Machine Shop	
Mineral Extraction/Surface Mining *(amended 2/18/25)*	
Municipal Buildings/Government Services	
Outside Storage	
Railroad Freight Facilities	
Research and Testing Laboratory	
Self-Storage Facility	
Truck Terminal	
Warehousing Establishment	
Wholesale food processing	
Accessory Structures/Uses Customarily incidental to the Principal Use	

311.11 TABLE - IP INDUSTRIAL PARK

A. PERMITTED USES

1. Wholesale, warehousing and storage.
2. Highway freight, transportation and warehousing.
3. Transportation terminals.
4. Distributing plants, beverages, bottling and/or distribution.
5. The manufacturing, compounding, processing/packaging, treatment and distribution of such products as bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food and kindred products.
6. Laboratories devoted to research, design, experimentation, processing and fabrication incidental thereto.
7. Utility operations (electric and gas company operations, sewer and water authorities).
8. Radio and television facilities and operations, telephone exchange and transformer stations.
9. Carpenter, electrical, plumbing, welding, heating or sheet metal shop, furniture upholstering shop, laundry and clothes cleaning establishments, printing shop or publishing plant.
10. Building material supplies, but not including stone crushing or concrete mixing.
11. Assembly, manufacturing, compounding, processing, packaging or treatment uses or processes which produce or emit dust, smoke, toxic or noxious odors, gases, fumes and noise levels which are in conformance with Environmental Protection Agency and Pennsylvania Department of Environmental Resources standards.
12. Office buildings and buildings used for research and development (R&D) facilities.
13. Antennae attached to pre-existing personal wireless facility, smoke stack, water tower, or any other similar structure.
14. Adult-Oriented Establishment.

B. ACCESSORY USES

The following accessory uses shall be permitted in an Industrial Park District provided that the buildings and accessory buildings and uses comply with all requirements of other districts in which they are normally permitted.

1. Cafeteria or restaurants specifically designed and intended for use by those employees and management of permitted uses in Industrial Park District.
2. Bowling alleys, auditoriums, meeting rooms, or other buildings primarily intended for

the mutual use of the permitted uses located within the District, for meetings, programs, displays, recreation and other such uses as the users of the District may deem necessary. These facilities shall be prohibited for use by organizations, clubs and fraternities not specifically associated with businesses in the District.

3. Outdoor recreational facilities designed and intended for use by employees and management of those permitted uses within the District. These facilities and associated uses shall comply with all requirements of this Section in respect to front yard, side yard and rear yard clearances. The facilities, if lighted, must be shielded away from any thoroughfares and residential districts.

4. Heliports, provided that the same are licensed by the Pennsylvania Department of Transportation, Bureau of Aviation, and meet minimum requirements specified by the Federal Aviation Administration or other governing agency.

311.12 TABLE – LF LANDFILL

PERMITTED PRINCIPAL USE

Fuel Station
Vehicle Service
Professional Office
Outside Storage
Essential Services
Railroad Freight Facilities
Mineral Extraction/Surface Mining *(amended 2/18/25)*

Accessory Structures/Uses Customarily incidental to the Principal Use

312 RESERVED

313 LOT, YARD AND HEIGHT REQUIREMENTS

The minimum lot area per family, maximum coverage by buildings and structures, minimum depth of front yard, minimum depth of rear yard, side yard requirements and maximum height of structures for each district shall be as specified in Table 313.01 and Table 313.02.

313.01 TABLE - SET BACK AND HEIGHT REQUIREMENTS

District	Use	Front *(A)(C)*	Side *(A)(C)*	Rear *(A)(C)*	Maximum Height *(B)*
RR	Dwellings	50 ft	25 ft	50 ft	45 ft
	Residential Accessory Bldgs.	50 ft	25 ft	25 ft	45 ft
	All other Bldgs.	50 ft	25 ft	50 ft	45 ft
RN	Dwellings	50 ft	25 ft	50 ft	45 ft
	All other uses	50 ft	25 ft	50 ft	45 ft
RLD	Principal Building	30 ft	10 ft	50 ft*	45 ft
	Accessory or structures	30 ft	10 ft	10 ft	45 ft
RMD	Dwellings	30 ft	10 ft	50 ft*	45 ft
	All other uses	30 ft	10 ft	10 ft	45 ft
RMF	Dwellings	25 ft	10 ft	30 ft*	45 ft
	All other uses	25 ft	10 ft	10 ft	30 ft
MUN	Principal Building	50 ft	10 ft	25 ft	45 ft
	Accessory or structures	50 ft	10 ft	10 ft	45 ft
MUR	All uses	50 ft	10 ft	10 ft	45 ft
CL	All uses	50 ft	10 ft	10 ft	30 ft
CC	All uses	50 ft	10 ft	10 ft	30 ft
IND	All uses	100 ft	50 ft	50 ft	45 ft
IP	All uses	See 506	See 506	See 506	45 ft

(A) The setbacks listed in the above chart are from the road right-of-way line, with exceptions listed below.

--On Route 19, 97 and 99, setback is 125 feet from centerline of the road.

--On the following Streets, the setback is 100 feet from the centerline of the road (example: 75 feet from edge of right-of-way line of a 50' road right-of-way.

Bloomfield Parkway	Oliver Road (North of 5-points intersection)
Douglas Parkway	Robison Road
Downs Drive	Townhall Road
Hershey Road	

--Corner lots provide front yards on both streets

(B) May be increased if front, rear, and side yards are increased one foot each for each one foot of increased height, excluding stand-alone signs.

(C) See Flag Lots Section 313.02H.

*Patios, decks or terraces may extend into any rear yard space provided that no time may a roof be constructed over or any walls constructed upon or around any portion of the patio, deck, or terrace that is located beyond the required building setback lines.

313.02 TABLE - LOT REGULATIONS

District	Use	Minimum Area Per Dwelling; Structure (SQ. FT) (D)	Lot Width at Bldg. Setback Line - New Subdivisions Only	Total Maximum Coverage by Structure
RR	Dwellings	60,000	200 ft	10%
	Other Uses	60,000	400 ft	10%
RN	Dwellings	87,120	200 ft	10%
	Other Uses	87,120	400 ft	10%
MUR, MUN, CL, CC	All Uses	25,000	100 ft	40%
IND	All Uses	217,800	400 ft	50%
IP	All Uses	See Article 5	See Article 5	See Article 5
RLD, RMD, RMF	Single Family Dwellings and other Uses	20,000	100 ft	10%
RMD, RMF	Two Family Dwellings	30,000	135 ft	10%
	Three or More Family Dwellings	35,000 + 5,000 for each unit over three	135 ft	10%
RMD (A)	Single Family & Other Uses	15,000	90 ft	20%
RMF (A)	Single Family & Other Uses	14,400 (B)*	80 ft	20%
RMF (C)	Single Family & Other Uses	9,600	70 ft	30%

(A) Served by either a central water supply or a central sewage disposal system, or both.

(B) 9,600 square feet if ownership prior to 2-4-57

(C) Served by both a central water supply and a central sewage disposal system.

(D) Corner lots must have 25% additional area.

*Any existing lot of record at the effective date of the Summit Township Zoning Ordinance of 1957, known as Ordinance II, enacted February 4, 1957, and acquired by the owner prior to the date of this ordinance and held in continuous ownership by the same owner and held in different ownership from the adjoining lots may be used for the erection of a structure conforming to the use regulations of the district in which it is located, even though its area and width are less than the minimum requirements of this ordinance. It is the intent of this section to grant relief from the area and width requirements of the ordinance only to those owners who have held title continuously since February 4, 1957. This section does not apply to any owner who might have acquired title after the passage of Ordinance II, adopted 2/4/57.

A. In areas where two-family or and multi-family structures are permitted, the lots shall be a minimum of one hundred (100) feet in depth and have a minimum area per dwelling of thirty thousand (30,000) square feet for first two units, and five thousand (5,000) square feet for each additional unit. If row house structures are to be constructed, there shall be no more than ten (10) dwelling units in each structure, and there shall be a minimum of fifty (50) feet between each such structure. In no event shall a lot designed for more than one dwelling be less than thirty thousand (30,000) square feet in area.

B. The size of lots in Table 313.02, above, may be increased according to the results of soil percolation tests. In all areas of the Township where on-lot sewage disposal is planned, the subdivider shall consult the County Department of Health before establishing a lot size and designing a subdivision or land development.

C. Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet, and across which there shall be no right of access shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.

D. The depth-to-width ratio of lots shall be a maximum of four (4) to one (1). However, when the mean width of a lot exceeds four hundred fifty (450) feet, the regulation on depth-to-width ratio shall be waived.

E. Side lines of lots, so far as practical, shall be at right angles or radial to street lines.

F. Corner lots shall be increased a minimum of twenty-five (25) percent in size, so as to provide that any structure to be placed thereon shall conform to the building line of each street.

G. In all Zoning Districts within the Township, regardless of the required lot width at the building setback line, each lot shall have a minimum frontage of fifty-five (55) feet along a public street right-of-way.

H. Flag lots shall be permitted subject to the following regulations:

1. Lot requirements for the “Flag.”

    a. The lot area, lot width, yard setbacks, and yard requirements of the applicable zone shall be in accordance with Tables 313.01 and 313.02 and shall be measured exclusively upon the “flag.”

    b. The flag lot shall contain adequate driveway dimensions exclusively upon the “flag,” designed to include an improved vehicle turnaround area to permit vehicles to maneuver in order that said vehicles can enter the street right-of-way in a forward direction.

2. Requirements for the “Flagpole.”

    a. The flagpole shall not exceed six hundred (600) feet in length unless additional length is needed to avoid the disturbance of productive

agricultural land or another significant natural or cultural feature.

b. No part of the "flagpole" shall be used for any portion of an on-lot sewage disposal system, nor any other improvement except a driveway and other permitted improvements, such as landscaping, fences, decorative walls, utilities, mailboxes, and signage.

c. The driveway contained on the "flagpole" shall be located a minimum of ten (10) feet from any lot line, and twenty-five (25) feet from any existing structure on an adjoining lot.

I. In a plaza type development, internal side yard setback will be zero (0) feet on properties contained within one building structure. The outer sidewalls must conform with the requirements of Table 313.01. The plaza must comply with the total square footage and landscaping requirements of the Summit Township Greenspace Provisions.

J. All Commercial, Industrial, or Agricultural land developments abutting a different use district shall be appropriately landscaped and maintained. Such buffer zone shall remain open and unoccupied by any principal or accessory building or use. No gravel or paved area will be permitted except when used for an approved access to a public right-of-way. Stormwater detention basin slopes shall not exceed a ratio of four to one (4:1) horizontal to vertical dimension. Stormwater management facilities shall be screened and landscaped so to blend with the natural growth and be compatible with adjacent landscape areas. Buffer zone topography shall not exceed a ratio of four to one (4:1) horizontal to vertical dimension. The Greenspace Provisions, Appendix A of the Summit Township Subdivision, Land Development, and Mobile Home Ordinance (SALDO), as may be amended from time-to-time, must be complied with by the landowner. The applicable greenspace planting strip may be included within the fifty-foot (50') buffer zone. Land Developments shall be defined as set forth in Article II of the SALDO, as may be amended from time-to-time.

ARTICLE 3-A

APPENDIX I

Reserved

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ARTICLE 3-B

PEACH STREET/I-90 MIXED-USE OVERLAY DISTRICT

A. Intent of Overlay. As prescribed in the objectives and recommendations of the Summit Township Comprehensive Plan, the Peach Street/I-90 Mixed-Use Overlay District is established with the intent of:

1. Promoting efficient redevelopment and infill of retail space and excess surface parking in areas with base zoning districts designated as Mixed Use Regional and Local Commercial both in the vicinity of the intersection of Peach Street and Interstate 90;

2. Enabling the Township to encourage redevelopment that accommodates the housing needs and commercial preferences of residents, while reducing the need for costly infrastructure expansion and the loss of open space and rural character; and

3. Providing for a development option in the Township consistent with the purposes, objectives, and provisions of Article VII-A of the Pennsylvania Municipalities Planning Code (MPC), which regulates Traditional Neighborhood Development.

B. Overview.

1. Development and Redevelopment Options. Applicants in the Peach Street/I-90 Mixed-Use Overlay District may choose to develop under the following options:

   a. Under the provisions of the base zoning district(s);

   b. Under the provisions of the Infill Development option, as provided for in Subsection C, for one (1) building on one (1) or a portion of one (1) lot; or

   c. Under the provisions of the Master-Planned Redevelopment option, as provided for in Subsection D, for:

      1) Two (2) or more buildings on one (1) or more lots; or

      2) The entire redevelopment of an existing master-planned development.

2. Procedures for Development Approval.

   a. Sketch Plan. Prior to any submissions, all applicants are strongly encouraged to meet informally with Township staff to discuss the conceptual aspects of any proposed Infill Development or Master-Planned Redevelopment. The applicant may present a sketch plan to Township staff for discussion purposes, allowing for the Township to make suggestions and recommendations on the design.

   b. Land Development Application.

      1) Applicants proposing Infill Development or a Master-Planned Redevelopment are required to submit an application for land development under the provisions of the Subdivision and Land Development Ordinance.

      2) The land development application will be reviewed concurrently with the proposal for Infill Development or Master-Planned Redevelopment.

      3) If subdivision or consolidation of existing lots is proposed, an application for a subdivision under the provisions of the Subdivision and Land Development Ordinance shall be submitted concurrently with the development proposal and land development application.

   c. Development Approval. As with other land developments, all proposed Infill Developments and Master-Planned Redevelopments are to be reviewed in compliance with the preliminary and final plan approval process and timeframes provided for in the Subdivision and Land Development Ordinance.

C. Infill Development.

1. Purpose. The purpose of the Infill Development option is to promote efficiency of land use through concentration of land uses on already developed parcels, reduction in excess surface parking, better nonmotorized access to shops and restaurants, and increased competitiveness of the Township's residential housing market in the greater Erie region.

2. Use Regulations. Uses by right, conditional uses, and uses by special exception shall be permitted as Infill Development on lots or portions of lots in the Peach Street/I-90 Mixed-Use Overlay District as provided for in the Principal Land Use Table.

3. Requirements. Infill Development on existing surface parking lots in the Mixed-Use Overlay District shall meet the following requirements:

a. The development shall be confined to one (1) building with a building footprint entirely located within two hundred twenty-five (225) perpendicular feet from the centerline of any local or internal street.

b. The main entrance to the building shall front onto a local or internal street rather than an off-street parking area.

c. Walls with less than 50% transparent glazed surface area shall not be permitted to face a local or internal street, with the exception of alleys and service drives primarily intended for truck loading.

d. Buildings shall not exceed two hundred (200) feet in any horizontal dimension (length or width).

4. Development Incentives. Applicants proposing Infill Development on existing surface parking lots in the Mixed-Use Overlay District are permitted the following development incentives:

a. Height Bonus. One (1) additional building story or fifteen (15) additional feet of height is permitted beyond the maximum height requirements for the base zoning district.

b. Parking Bonus. A waiver of the off-street parking requirements for the particular use or uses may be granted by the Township Board of Supervisors, provided that parking is available through a shared agreement with all owners of existing adjacent uses who intend to share the parking. The agreement shall be documented by deed or long-term lease between the parties or may follow the provisions for shared parking agreements provided for in Subsection D.4.b).

c. Building Setback Bonus. A waiver of the building setback requirements for the underlying zoning district may be granted by the Township Board of Supervisors, provided that a sidewalk of at least twelve (12) feet in width is constructed between the building frontage and the abutting local street or internal street, with street trees planted in tree pits alongside the street spaced no more than forty (40) feet apart.

d. Lot Coverage Bonus. A waiver of the maximum lot coverage requirements for the underlying zoning district may be granted by the Township Board of Supervisors, provided that stormwater management is handled through a shared agreement (documented by deed or long-term lease between the parties) with existing adjacent land uses.

5. Application Requirements. Applications for Infill Development on existing surface parking lots in the Mixed-Use Overlay District shall include the following documentation:

   a. Land Development Application. As provided for in Subsection B.2.b, applicants proposing Infill Development are required to submit an application for land development. If subdivision of the existing lot is proposed, an application for a subdivision shall be submitted concurrently.

   b. Property Map. This map shall show the boundaries of all lots subject to approval with landowner names, deed reference numbers, recorded plan reference numbers, and tax parcel numbers notated for the affected lots as well as all abutting lots.

   c. Development Plan. The plan shall be at a minimum scale of 1 inch = 100 feet and shall depict the following information:

      1) The name of the proposed development and names and contact information of the landowner, the developer, and the persons who prepared the plan;

      2) The layout of lots, buildings, and units, where appropriate, including dimensions, lot areas, lot numbers, and yard areas;

      3) Preliminary grading plan for the development site;

      4) The location, predicated use, height, area, and bulk for every proposed structure within the development site;

      5) The location of all proposed on- and off-street parking spaces and the total number of spaces to be provided, notwithstanding that the applicant may request the Parking Bonus in Subsection C.4.b; and

      6) A plan showing the anticipated locations and widths of sidewalks, pedestrian walkways, trails, crosswalks, and bicycle paths.

      7) A landscape plan indicating all plant types, sizes, and quantities as well as the types, sizes, and materials for paving, benches, walls, and other structures.

D. Master-Planned Redevelopment.

1. Purpose. The purpose of the Master-Planned Redevelopment option is to encourage ingenuity in the layout and design of coordinated redevelopment projects to more effectively manage development in ways that discourage sprawl, preserve open space,

minimize disturbance of sensitive natural resources, utilize existing infrastructure, promote connectivity, and observe smart growth principles.

2. Use Regulations. Master-Planned Redevelopment in the Peach Street/I-90 Mixed-Use Overlay District shall incorporate any combination of the permitted uses listed in the Principal Land Use Table, provided that the uses may be located in:

   a. Two (2) or more mixed-use buildings;

   b. Two (2) or more buildings, each having a single use; or

   c. Some combination of both.

3. Requirements. Master-Planned Redevelopment in the Mixed-Use Overlay District shall meet the following requirements:

   a. The proposed Master-Planned Redevelopment shall be presented in the form of a master plan.

   b. The master plan shall specifically propose improvements to enhance the following:

      1) Vehicular and pedestrian connectivity;

      2) Reduction of traffic congestion and the need for motor vehicle travel within and beyond the redevelopment site;

      3) Diversity of land uses in the Peach Street/I-90 corridor beyond retail and restaurant uses;

      4) Access to community amenities, such as parklets, plazas, and common open space; and

      5) Use of existing utility infrastructure.

   c. All lots to be redeveloped shall be owned or controlled by the developer (through contract purchase, ground lease, etc.), unless the owners of the affected lots submit an agreement, in a recordable form approved by the Township Solicitor, binding all owners to comply with the approved master plan.

   d. The main entrance to all buildings shall front onto local or internal streets rather than off-street parking areas.

e. Walls with less than fifty (50) percent transparent glazed surface area shall not be permitted to face a local or internal street, with the exception of alleys and service drives primarily intended for truck loading.

f. Buildings shall not exceed two hundred (200) feet in any horizontal dimension (length or width).

g. Any building containing a street-fronting wall of one hundred (100) horizontal feet or greater shall provide horizontal and vertical breaks in the building to reduce the appearance of a long, flat building facade.

h. The number of driveways constructed shall be minimized in favor of continuous sidewalks and a grid of local or internal streets.

i. All streets, sidewalks, trails, walkways, bicycle paths, lighting, and drainage facilities shall be designed and constructed in accordance with this Chapter and with the Subdivision and Land Development Ordinance.

j. The applicant shall establish maintenance and operation requirements common to all lots in the Master-Planned Redevelopment, including areas of common open space.

k. Areas of common open space shall meet the following requirements:

1) The common open space shall include improved areas or a mix of unimproved and improved areas not to exceed an unimproved open space ratio of fifty (50) percent.

2) Improved open spaces and plazas shall feature amenities such as gathering spaces, pavilions, benches, and/or other similar features.

3) The land and facilities in the open space shall be deeded to an organization representing the landowners of the development. The organization shall covenant to operate and maintain the land and facilities for their originally intended use. The organization shall not be dissolved nor shall it dispose of the common open space, by sale or otherwise, without first offering to dedicate the common open space to the public and guaranteeing to the Township's satisfaction that the maintenance of the common open space will continue. The township is under no obligation to accept dedication of this common open space for public use.

4. Development Incentives. Applicants proposing Master-Planned Redevelopment in the Mixed-Use Overlay District are permitted the following development incentives:

   a. Height Bonus. One (1) additional building story or fifteen (15) additional feet of height is permitted beyond the maximum height requirements for the base zoning district.

   b. Parking Bonuses. The applicant may reduce off-street parking requirements through any combination of the following incentives:

      1) Off-street parking requirements may be met by substitution of on-street parking on local or internal streets located wholly within the redevelopment site.

      2) A reduction in the off-street parking requirements for the particular use or uses may be granted by the Township Board of Supervisors, provided that the tenants in the Master-Planned Redevelopment enter into a shared parking agreement. The shared parking agreement shall meet the following requirements:

         i. All present and future owners and tenants shall be required to enter as a party to the agreement as part of the terms of their deed or lease.

         ii. A shared parking demand matrix shall be attached showing the demand for parking spaces by the sharing land uses. The matrix shall determine the number of required parking spaces through the following steps:

            a) List all sharing land uses and group them by the appropriate land use category found in the most recent edition of the Institute of Transportation Engineers' Parking Generation Manual.

            b) Calculate the aggregate number of parking spaces required by the sharing land uses for the peak hour.

            c) Multiply the aggregate number of parking spaces by eighty (80) percent.

            d) Round up to the nearest whole space.

            e) If an increase of over ten (10) percent to the total square footage of the Master-Planned Development occurs or the mix of its land uses necessitates a ten (10) percent or greater increase in the required number of parking spaces, the applicant shall be required to submit updates to the matrix and to provide the additional required number of parking spaces.

iii. The shared parking agreement shall provide for the following:

a) Adequate operation, maintenance, control, and security of the shared parking spaces; and

b) Adequate liability insurance for personal injury and property damage occurring on the shared parking spaces.

iv. A site plan shall be attached to the agreement showing the locations of shared parking spaces and parking spaces for persons with disabilities and the locations of the sharing land uses on the redevelopment site.

v. The shared parking agreement shall remain in effect with any future owners of the affected lots, unless another Master-Planned Redevelopment is proposed to redevelop the affected lots.

c. Building Setback Bonus. A waiver of the building setback requirements for the underlying zoning district may be granted by the Township Board of Supervisors, provided that:

1) Any yards abutting streets outside of the Master-Planned Redevelopment shall meet the setback requirements of the underlying zoning district; and

2) A sidewalk of at least twelve (12) feet in width is constructed between building frontages and any abutting local or internal streets (with the exception of alleys and service drives primarily intended for truck loading), with street trees planted in tree pits alongside the street spaced no more than forty (40) feet apart.

d. Lot Coverage Bonus. Impervious surface calculations may be permitted to reflect the entire Master-Planned Redevelopment area rather than each individual lot, in the case of multi-lot redevelopments.

e. Density Bonus. Minimum lot sizes for multi-family dwellings located in a Master-Planned Redevelopment may be reduced by fifty (50) percent from the requirements of the base zoning district, provided that an area of common open space equivalent to the fifty (50) percent reduction is provided on another part of the redevelopment site.

5. Application Requirements. Applications for Master-Planned Redevelopments in the Mixed-Use Overlay District shall include the following documentation:

a. Land Development Application. As provided for in Subsection B.2.b, applicants proposing a Master-Planned Redevelopment are required to submit an application for land development. If subdivision or consolidation of existing lots is proposed, an application for a subdivision shall be submitted concurrently.

b. Property Map. This map shall show the boundaries of all lots subject to approval with landowner names, deed reference numbers, recorded plan reference numbers, and tax parcel numbers notated for the affected lots as well as all lots abutting the Master-Planned Redevelopment.

c. Development Plan. The plan shall be at a minimum scale of 1 inch = 100 feet and shall depict the following information:

1) The name of the proposed development and names and contact information of the landowner, the developer, and the persons who prepared the plan;

2) The proposed street pattern including the names, right-of-way widths, and cartway widths of all public and private streets as well as the widths and locations of easements and other areas to be dedicated;

3) The layout of lots, buildings, and units, where appropriate, including dimensions, lot areas, lot numbers, and yard areas;

4) Preliminary grading plan for the redevelopment site;

5) The location, predicated use, height, area, and bulk for every proposed structure within the redevelopment site;

6) The location of all proposed on- and off-street parking spaces and the total number of spaces to be provided, notwithstanding that the applicant may request the Parking Bonus in Subsection D.4.b;

7) Plans and cross-sections for typical streetscapes to be constructed within the proposed development;

8) The location, size, and type of improvements proposed for all common open spaces, together with proposed ownership and maintenance arrangements for such facilities; and

9) A plan showing the anticipated locations and widths of sidewalks, pedestrian walkways, trails, crosswalks, and bicycle paths.

d. Topographical Map. This map shall be at a minimum scale of 1 inch = 100 feet and shall depict contours obtained from ground survey, LiDAR, or other equivalent sources at 2-foot intervals and indicating all natural and manmade features thereon or within 100 feet of the redevelopment site.

e. Landscape Master Plan. This plan shall be at a minimum scale of 1 inch = 100 feet and shall depict all wooded areas, wetlands, buffer yards, screening, open space plantings, and other areas required or intended to be vegetative.

f. Wayfinding/Signage Master Plan. This plan shall include full-color renderings of all principal freestanding signage, with dimensions, height, and material choices, as well as a site plan showing the locations of all such signs.

g. Environmental Assessment Plan. This shall include a plan illustrating all sensitive environmental features, steep slopes, wooded areas to be disturbed, soil classifications, and limiting factors, and a preliminary geotechnical report to the extent that environmentally sensitive plans are to be disturbed.

h. Traffic Impact Study. This shall include a traffic impact study estimating the peak traffic volumes of the master-planned redevelopment.

i. Illustrative building types, elevations, building siting, typical cross sections, and renderings of front elevations of proposed buildings, at a minimum scale of 1/8 inch = 1 foot.

j. The substance of all existing or anticipated covenants, grants, easements, restrictions, and/or other proposed conditions limiting development.

k. The extent to which the proposed Master-Planned Redevelopment varies from the requirements of the base zoning district in terms of land use, setbacks, height, land disturbance, impervious surface coverage, and buffer yard requirements.

l. A tentative redevelopment schedule, in the case of Master-Planned Redevelopments where redevelopment activities are to be phased over a period of years, not to exceed seven (7) years from the date of approval, with an option for a five (5) year extension thereof.

m. Estimates of taxes to be paid to all local government units and municipal and school districts.

n. A written narrative describing land characteristics, common facilities, utility service availability (including fire flow requirements), and how the Master-Planned Redevelopment meets the improvements listed in Subsection D.3.b and the

objectives of the Township Comprehensive Plan. The narrative shall also describe any deviation from the base zoning requirements and the reasons and advantages thereof, as well as any anticipated modifications of requirements in the Subdivision and Land Development Ordinance necessary for the design of the project.

o. Any other reports, plans, or exhibits deemed necessary by the Township to determine compliance with the applicable requirements of this Ordinance.

6. Changes to the Master Plan. No modification, removal, or release of any provision of the master plan by the Township shall be permitted except upon the findings by the Township Board of Supervisors following a public hearing.

a. These findings must indicate that the changes:

1) Provide efficient development and preservation of the entire Master-Planned Redevelopment site;

2) Do not adversely affect the enjoyment of land abutting or located across the street from the Master-Planned Redevelopment;

3) Do not adversely affect the public health, safety, welfare; and

4) Have not been requested solely to confer a special benefit upon any person.

b. Any changes to the physical layout of a master plan shall only be approved as part of a land development plan, unless the Zoning Officer determines that the revised master plan would not propose any of the following:

1) Additional dwelling units;

2) Additional principal buildings of any size or accessory buildings larger than one thousand (1,000) square feet;

3) Modifications that would reduce the health, safety, and wellbeing of the public or that is otherwise contrary to the Township Comprehensive Plan;

4) Modifications that would increase peak hour trips to the site by more than two (2) percent; or

5) Increases in impervious surface coverage that would cause such coverage to exceed the maximum such requirements in this Ordinance.

7. Changes to Uses in the Master-Planned Redevelopment. From time to time, a use permitted by right, by conditional use, or by special exception in the Master-Planned Redevelopment may be changed to another such use permitted upon approval of an occupancy permit in accordance with the Township's Code of Ordinances. Any change shall be required to meet the following:

    a. Where the proposed use is a conditional use or a use by special exception, the change must be submitted to the Township Board of Supervisors or the Township Zoning Hearing Board, whichever is applicable.

    b. Express conditions of a conditional use or a use by special exception shall not conflict with the approved master plan.

    c. Where changes to the master plan are necessary to meet the express conditions, the applicant shall process a revised master plan showing the conflicts between the conditions and the master plan requirements and shall request approval of the revised master plan in accordance with this section.

    d. Where changes to a master plan and a new conditional use are proposed, the applications may be combined into a single proceeding.

    e. Where changes to a master plan and a new use by special exception are proposed, the use(s) by special exception must be approved by the Township Zoning Hearing Board prior to Township Board of Supervisors prior of the master plan.

ARTICLE 4

SPECIAL EXCEPTIONS

401 CRITERIA FOR SPECIAL EXCEPTIONS

A. The Zoning Hearing Board shall hear and decide requests for special exceptions in accordance with the standards and criteria in this ordinance. The applicant must demonstrate compliance with all the applicable provisions of this ordinance. Special Exceptions shall only be granted if the proposed use meets the general criteria, in addition to specific criteria established in this ordinance for the particular use. In granting a special exception, the Zoning Hearing Board may attach reasonable conditions and safeguards, in addition to those expressed in this ordinance as they may deem necessary to implement the purposes of this ordinance. The applicant must demonstrate that the proposed use complies with the following.

1. The proposed use shall be consistent with the comprehensive plan
2. The proposed use shall be consistent with the purpose and intent of this ordinance and the zoning district in which it will be located.
3. The proposed use shall not be detrimental to the public health, safety or general welfare
4. The proposed use shall not substantially change the character of the neighborhood in which it would be located
5. The proposed use must comply with all applicable regulations contained in this ordinance and all other applicable township ordinances and regulations.

B. The criteria for Special Exceptions are listed below. In addition to these, the Zoning Hearing Board, in granting Special Exceptions is charged with considering the effect that such proposed uses will have upon the immediate neighborhood. The preservation and integrity of existing development must be carefully weighed and given priority in each decision.

401.01 PLACES OF WORSHIP OR ASSEMBLY, NON-FAMILY RESIDENTIAL FACILITY - TYPE 1/ TYPE 2, HOSPITALS, CLINICS AND NURSING HOMES

A. Shall provide all parking, loading, and unloading requirements as required by this ordinance.

B. Shall be so located as to be readily accessible from streets that are adequate to handle anticipated traffic.

C. The design shall be compatible with, and preserve the character of, adjoining residential users.

D. All parking and recreational/play areas which abut residential uses shall be screened.

E. Any outdoor lighting shall be designed to prevent glare to adjoining properties.

F. All side yards shall be at least twenty (20) feet in width.

401.02 AIRPORTS

Private or public airports may be constructed subject to the following restrictions:

A. The developer must secure, and present copies to the Township, of all required permits from the Commonwealth of Pennsylvania, the Federal Government (particularly the FAA), or other agencies of competent jurisdiction for the operation of an airport.

B. The minimum lot size shall be five (5) acres.

C. The developer shall submit a complete development plan to the Board. The Board shall at the developer's expense engage an engineer to review these plans and make recommendation thereon. The Model Airport Zoning Regulations of the Federal Aviation Administration will be used as a guide in this matter. The recommendations of the Board's engineer will be conditions for approval of the airport.

401.03 COMMERCIAL RECREATION, OUTDOOR

Outdoor Commercial Recreation activities shall be subject to the following criteria:

A. The applicant shall provide a written documentation of the scope of operation, and measures used to mitigate problems associated with noise, light, litter, dust and pollution.

B. The applicant shall furnish evidence that any exterior public address system and/or exterior lighting has been arranged and designed so as to prevent objectionable impact off the site.

C. Where an outdoor recreational use other than a golf course adjoins a residential district or residential use, trees and shrubs must be planted on the site of the recreational use so as to form an effective visual barrier between the recreational use and the residential use or district.

D. A structure(s) exceeding the maximum permitted height may be permitted so long as it is set back from all property lines at least a horizontal distance equal to its height, plus an additional fifty feet (50'). Such structure(s) shall not be occupied for residential use.

E. A traffic study may be required to demonstrate safe access and control of traffic into and out of the facility. The traffic study shall include at a minimum a study of the

internal traffic patterns in the off-street parking area to ensure the safe movement of traffic for pedestrians and vehicles and convenient access to nearby areas.

F. Applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be used.

G. The Municipality may limit the hours of operation as a reasonable additional condition and safeguard.

H. Outdoor paintball facilities shall also comply with the applicable requirements of this Zoning Ordinance.

401.04 GOLF COURSES

All regulation golf courses, public or private, shall comply with the following requirements:

A. Clubhouses shall be located at least one hundred (100) feet from any property line.

B. If eating and drinking facilities are provided, the parking requirements for restaurants shall apply.

C. Any swimming pool shall comply with Section 619.

D. Ponds designed as part of the golf course shall be exempt from requirements of this ordinance.

401.05 HOME OCCUPATION, LOW IMPACT

A home occupation shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes. The following additional conditions shall be observed:

A. The occupation or profession shall be carried on wholly within the principal structure or accessory structure.

B. There shall be no exterior display, exterior sign other than permitted under Article 8, no exterior storage of materials, and no exterior indication of the home occupation or variation from the residential character of the principal structure.

C. No offensive noise, vibration, smoke, dust, odors, heat, or glare shall be produced.

D. A home occupation shall not be interpreted to include barber shops, commercial kennels, real estate offices, restaurants, or auto and truck towing operations.

E. Additional parking must be set by Zoning Hearing Board.

F. Home Occupations do not include the establishment of two principal uses, one residential and one commercial, on a parcel. There shall be no establishment of a principal commercial use on a parcel that also includes a principal residential use.

401.06 GROUP CARE FACILITY, PERSONAL CARE BOARDING HOMES, DAY/NIGHT CARE FACILITY AND FAMILY OR GROUP HOMES

Unless otherwise regulated by the Commonwealth of Pennsylvania, the by the Fair Housing Amendments Act or the Americans with Disabilities Act, said uses shall meet the following requirements:

A. The minimum lot size shall be forty thousand (40,000) square feet.

B. Side yards shall be increased to at least twenty (20) feet.

C. If any approvals, permits, certificates or licenses are required to operate such facilities, from Federal or State authorities, copies of same shall be filed with the Township and the facility shall not be allowed to operate until same has been secured.

D. No group care facility or personal care boarding home shall be located within one thousand five hundred (1,500) feet of another group care facility or personal care boarding home.

E. Adequate off-street parking shall be furnished for guests, staff and visitors.

F. Any outdoor recreation space shall be screened from neighboring properties.

G. No family or group care facility/home shall be located within five hundred (500) feet of an adjoining zoning district or any residential structures.

401.07 MOBILE HOME PARKS

All mobile home parks must comply with the provisions of the Township's Mobile Home Park Regulations as set forth by the ordinance of December 5, 1972, as the same may be amended.

401.08 FUNERAL PARLORS

A. There shall be no receiving vault, preparation room or display for merchandise or advertising outside the principal building.

B. There shall be a minimum of five thousand (5,000) square feet of off- street parking, but in no event less than required by Article 9.

401.09 BOTTLE CLUBS

A. Shall be located at least one thousand (1,000) feet from the nearest property line of any other bottle club, church, school or other institution of learning or education, hospital, library, park or playground.

B. Shall be located at least three hundred (300) feet from any land zoned residential.

C. Shall be located at least three hundred (300) feet from any property line of any single or multi-family dwelling.

401.10 MULTI-FAMILY DWELLINGS; TWO-FAMILY DWELLINGS

Shall comply with the following regulations:

A. Must be in full compliance with Table 313.01, Minimum Yard Set-Back Requirements and Table 313.02, Lot Regulations-Minimum Lot Size and Maximum Lot Coverage.

B. When a lot is not serviced by public sewer the developer shall be required to secure an on-lot sewage permit from the Erie County Health Department, or the Department of Environmental Resources. The number of units allowed shall not exceed the number of units permitted by said sewage permit.

C. Any multi-family development in excess of six (6) families per building shall provide side yards of at least twenty (20) feet.

D. All required parking shall be off street.

401.11 HEAVY MANUFACTURING

A. Shall be located where the emission of objectionable gases, fumes, smoke, or dust will not be objectionable to established permitted uses nearby or is controlled by the installation of special equipment. Outside storage yards abutting or immediately across a street from any Residential district shall be screened with a solid fence or wall facing the Residential district. They shall meet all performance standards set forth in Section 634.

401.12 KENNELS AND VETERINARY CLINICS

A. In the RR district, such uses shall be accessory to a farm, or when proposed as a principal use shall have a minimum site area of two (2) acres.

B. Such uses shall be located at least one hundred (100) feet from any property line adjoining a residential use or zoning classification and at least fifty (50) feet from any other property line.

C. Outdoor runs and similar facilities shall be constructed for easy cleaning, shall be adequately secured by a fence with self-latching gates and shall be screened by a screen planting area. Such runs shall be located behind the principal structure.

401.13 TRUCK TERMINAL

A. All repair work, servicing, lubrication and related service shall occur within an enclosed building.

B. All drive and parking areas shall be hard surfaced.

C. Loading dock shall be of the completely enclosed type.

D. Any vehicle that is accident damaged or being salvaged for parts or does not display a current inspection sticker and/or registration plate shall be completely screened from view to the front, side and rear of property, either by a fence or screen planting.

E. Truck Terminals must be located no more than one thousand (1,000) feet from any interstate.

F. The requirements of Section 401.16 Bulk Fuel/Sewage Treatment Plants apply to truck terminals.

G. Access must be off a collector or arterial road.

H. Landscaping requirements of an Industrial Park (IP) District must be met.

401.14 OUTSIDE STORAGE

A. Products for retail sale may be displayed openly.

B. Materials to be used in a machining, fabrication, or a manufacturing process; or materials that are a byproduct of a machining, fabrication, or a manufacturing process shall be shielded from view by a fence (including, but not limited to, solid weather – resistant wood fencing, fencing of a similar appearance such as a solid vinyl fencing, or chain link fencing with privacy slats, whichever shall be approved by the Zoning Hearing Board) or screen planting.

C. Storage of materials intended to be stock piled shall be shielded from view by a fence (including, but not limited to, solid weather-resistant wood fencing, fencing of a similar appearance such as solid vinyl fencing, or chain link fencing with privacy slats, whichever shall be approved by the Zoning Hearing Board) or screen planting. Height of such stock pile shall be limited to a maximum of fifteen (15) feet.

D. Any vehicle parking or storage of equipment or vehicles abutting a residential use or district shall be effectively screened from view by a fence (including, but not limited to, solid weather-resistant wood fencing, fencing of a similar appearance such as solid vinyl fencing or chain link fencing with privacy slats, whichever is approved by the Zoning Hearing Board) or screen planting.

E. Motor vehicles without current, valid license plates or inspection stickers, or vehicles

which have been accident or fire damaged shall not be parked or stored in any zoning district, unless stored within an enclosed building, or completely screened from view by a fence (including, but not limited to, solid weather- resistant wood fencing, fencing of a similar appearance such as solid vinyl fencing or chain link fencing with privacy slats, whichever is approved by the Zoning Hearing Board) or screen planting.

F. Nothing in this section shall be interpreted to prevent the unenclosed storage of motor vehicles without current valid license plates and current valid inspection stickers, or vehicles that are accident or fire damaged if such storage is performed in conjunction with the legal operation of a motor vehicle sales establishment, a motor vehicle service or repair establishment, or a junkyard.

401.15 LIGHT MACHINE SHOP/MANUFACTURING/FABRICATION

A. No emission of objectionable gases, fumes, smoke or dust shall be permitted.

B. Said uses shall meet all performance standards set forth in Section 634.

C. Outside storage of materials shall be screened from front or side view by a fence or screen planting.

D. All drive, parking and storage areas shall be hard-surfaced.

401.16 BULK FUEL STORAGE/SEWAGE TREATMENT PLANTS

A. Said use shall have all required federal, state and local permits.

B. No emission of objectionable gases, fumes or dust shall be permitted.

C. Said use shall meet all performance standards set forth in Section 634.

D. All drive, storage and parking facilities shall be hard surfaced.

E. The principal building and/or area of use shall be completely screened from view by use of a fence, fronted by a screen planting.

401.17 INJECTION WELLS

A. All requirements of the Commonwealth of Pennsylvania shall be applicable to said use.

401.18 RECYCLING/TRANSFER FACILITY

B. Facility shall only process recyclable materials. No waste material of any kind shall be processed or baled for the primary purpose of transferring to a landfill or incinerator

for disposal. No material classified as hazardous waste will be processed or recycled at such facility.

C. All receiving, processing and storage of materials to be completely within the enclosed building. The loading dock shall be of the completely enclosed type.

D. All material must be processed and shipped from the facility within thirty (30) days of receipt of same.

E. There shall be no outside storage of any material.

F. All drive and parking areas shall be hard surfaced with asphalt or concrete.

G. Facility shall be enclosed by a security fence fronted by a screen planting.

H. No emission of objectionable gases, fumes, smoke or dust shall be permitted.

I. Said use shall meet all performance standards set forth in Section 634 of this Ordinance.

J. Said use shall have all required federal, state and local permits.

401.19 SINGLE- AND TWO-FAMILY DWELLINGS

A. Said use must have a minimum of seven hundred twenty (720) square feet of heated living space and meet all other requirements of the zoning district.

401.20 MINI STORAGE WAREHOUSING

A. Facility shall be built with all garage doors, loading doors, etc., facing interior area only.

B. All receiving, processing and storage of materials to be completely within the interior area.

C. No outside storage of any material shall be permitted.

D. No storage of flammable or explosive material shall be permitted.

E. All drive and parking areas shall be hard surfaced with asphalt or concrete.

F. If facility will be enclosed by a security fence, then fence must be landscaped by a screen planting.

G. No emission of objectionable gases, fumes, smoke, or dust shall be permitted.

H. Said use shall meet all performance standards set forth in Section 634 of this Ordinance.

I. Said use shall have all required federal, state, and local permits.

J. Any conditions set by the Zoning Hearing Board unique to the area shall be permitted.

401.21 GO-CARTS - PITCHING & BATTING CAGES - MINIATURE GOLF

A. Performance Standard for Noise: Noise may be considered offensive when an activity results in a 3 dBA increase over the natural background level. Perimeters must be developed in a pre-development background study which establish the one (1) hour equivalent noise level (Leq) for the time periods when the activity will take place, i.e. from 10 AM through 12 AM. Measurements should be taken at the property line or extrapolated to the property line as determined by the acoustician. A projection of the increase in noise should be made which results from the activity. The study should also identify on a map, the adjacent zoning uses and residences.

   Provisions should be made for a post development noise study within one year of occupancy. Further, agreements will need to be made for what actions will take place should the post study reveal non-compliance with the pre-development study.

   License must be filed annually with the Township.

B. Parking: In addition to the requirements for parking by other related site uses, the development should provide for two (2) parking spaces per go-cart.

C. Customer/Public Facilities: The development should provide permanent restrooms for the use of customers/ public which are served by public sewer and water supplies.

D. Greenspace: Special planting should be considered for screening the track and maintenance areas from adjoining property uses. Specifically, a requirement for closely spaced dense plantings and fencing for controlled access would be appropriate.

E. Zoning Districts: The proposed go-cart track use may be allowed only as a special exception to the MUN and MUR use currently in the Zoning Ordinance, and only where the track is further than 500 feet from a residential district and/or a residence.

F. Lighting: The facility, if lighted, shall utilize fixtures mounted to provide a downward illumination pattern with no splash outside the property boundaries.

G. Storage Tanks: Valid E.P.A. tanks must be inspected for any storage of fuel.

401.22 WIRELESS COMMUNICATION FACILITY

See Appendix II.

401.23 JUNKYARD

A. The minimum lot area shall be ten (10) acres.

B. The premises shall be maintained so as to not constitute a nuisance or a menace to public health and safety.

C. No garbage, organic waste, petroleum products or hazardous waste shall be stored, buried, or disposed of on the premises.

D. The manner of storage of junk shall be arranged in such a fashion that aisles of a minimum width of twenty-five (25) feet between rows of automobiles are maintained in order to facilitate access for firefighting and to prevent the accumulation of stagnant water.

E. Automotive/salvage junkyards shall comply with the performance standards of this Ordinance.

F. No automobiles shall be stored or accumulated, and no structure shall be constructed within one hundred (100) feet of any existing residential lot or within forty (40) feet of any property line or public right-of-way.

G. The premises shall be enclosed by a metal chain link fence not less than eight (8) feet in height supported on steel posts with a self-latching gate. The fence shall be located within the interior of a twenty-five (25)-foot-wide landscaped buffer yard. All other property lines shall provide a fifteen (15) foot wide landscaped buffer yard. Buffer yards shall be planted with a combination of deciduous and evergreen trees, shrubs, ornamental grasses and groundcovers.

H. Grass, sod, lawn or turf shall not be considered an acceptable plant for use within landscaped buffer yards.

I. The fence shall be supplemented with screening material which creates a visual barrier that is one hundred (100) percent opaque.

J. The Zoning Officer may inspect the property at any time. The Zoning Officer shall notify the operator forty-eight (48) hours before such inspection shall take place.

K. The manner of storage of automobiles shall be arranged in such a fashion that it shall not be higher than the adjacent fence.

L. The owner(s) and operator(s) of an automobile junkyard shall incorporate Best

Management Practices as outlined in the Pennsylvania Handbook of Best Management Practices for Developing Areas to minimize negative impacts of erosion, siltation and surface water and groundwater contamination.

401.24 NIGHTCLUB

A. Nightclubs shall cease operations between the hours of 2:00 a.m. and 5:00 a.m.

B. There shall be no noise or vibration discernible along any property line greater than the average noise level occurring on adjacent streets and properties.

C. All operations shall be conducted within a completely enclosed building, and doors and windows shall remain closed during hours when entertainment is presented.

D. The owner/operator of the nightclub shall provide private security, licensed under the laws of the Commonwealth of Pennsylvania, if the maximum permitted occupancy allowed by the Township building or Fire Codes for the nightclub exceeds one hundred (100) persons.

E. Any nightclub that proposes a maximum permitted occupancy allowed by the building or Fire Codes of two hundred (200) or more persons shall be located at least five hundred (500) feet from any property line that adjoins a residential zoning classification.

401.25 SOLAR ENERGY SYSTEMS, PRINCIPAL *(amended 12/15/2025)*

A. Applicability

1. Principal Solar Energy systems (PSES) constructed prior to the effective date of this section shall not be required to meet the terms and conditions of this Section.

2. Any physical modification to an existing PSES that expands the facility shall require approval under this Ordinance.

3. Routine maintenance or replacements do not require a permit.

B. Application Requirements

1. The Applicant, Facility Owner, and/or Operator shall submit a project narrative describing the project overview, location, generating capacity, number of panels (with dimensions and manufacturer information), and any ancillary facilities.

2. A Land Development Plan shall be submitted identifying :

   a. Properties on which the facility will be located;

   b. Adjacent properties

   c. Property and setback lines

   d. Access road and turnout locations; and

   e. Locations of substations, cabling, transmission lines, and appurtenant structures

C. Design Standards

1. Layout, design, and installation shall conform to applicable industry standards (ANSI, UL, ASTM, IEEE, SRCC, ETL, etc.) and the Municipality Building Code, fire, and life safety requirements. Manufacturer specifications shall be submitted with the application.

2. Additional studies, reports, certifications, and approvals may be requested by the Township to ensure compliance with applicable state and federal regulations.

3. All on-site utility transmission lines and plumbing shall be placed underground to the greatest extent possible.

4. The owner shall provide written confirmation that the utility company has approved the grid connections. A copy of the final inspection or approval report must be submitted prior to issuance of a certificate of use and occupancy.

5. If a PSES is used as an accessory to commercial/industrial activity on another property, the Township must be notified.

6. Signage shall comply with prevailing sign regulations.

D. Noise, Shadow, Flicker, and Glare

1. Audible sound level shall not exceed 60 decibels at any property line.

2. Reasonable efforts must be made to minimize shadow flicker on occupied buildings on non-participating properties.

3. PSES shall be situated to eliminate concentrated glare on nearby structures or roadways.

4. Systems shall be designed and located to ensure solar access without reliance on or interference from adjacent properties.

E. Specific Principal Solar Energy System Conditions

1. Lot Size

   a. Minimum lot size: 25 acres.

2. Height Requirements

   a. Solar Panels shall not exceed 14 feet in height, including rotational movement.

   b. Power switchyard structures are limited to the height needed for transmission line connections

   c. Lightning rods are exempt but limited to the height necessary to protect equipment.

   d. All other structures must comply with district height limits.

3. Setback Requirements

   a. Minimum 150 feet from residential property lines.

   b. Minimum 150 feet from non-residential property lines.

   c. Minimum 150 feet from road rights-of-way.

   d. PSES must also meet the lot size and setback requirements of the applicable zoning district.

4. Impervious Coverage

The following shall count as impervious coverage under zoning regulations:

   a. Foundations systems (piles, monopoles, or helical screws with or without collars).

   b. All mechanical equipment including battery/storage structures.

   c. Gravel or paved service roads.

5. Stormwater

    a. Must comply with the Township Stormwater Management Ordinance.

6. Security

    a. Facilities shall be enclosed by a minimum 8-foot-high fence with locking gate (or as otherwise required by the Township). The fence must be located inside the green space.

    b. Clearly visible warning signs shall be placed on pad-mounted transformers, substations, and fencing.

    c. A Knox box is required prior to issuance of a certificate of occupancy.

7. Greenspace Screening

    a. Evergreen plantings at least 6 feet tall (to grow to 15 feet within 5 years) shall be installed at a spacing of one (1) tree per 30 linear feet around the perimeter.

    b. Existing natural forest vegetation may substitute where sufficient.

    c. Alternatives screening may be approved by the Planning Commission and Township Supervisors.

8. Access Drives

    a. Must allow for maintenance and emergency vehicles and have minimum 18-foot cartway.

9. Decommissioning

    a. All facilities and equipment shall be removed within 12 months of abandonment or termination of use, at the owner's expense.

    b. If no electricity is generated for 12 consecutive months, the facility shall be presumed abandoned.

    c. The Township must be notified immediately upon cessation or abandonment of operation.

    d. The owner/developer shall dismantle and remove all related equipment, including panels, cabling, foundations, and access roads within 12 months.

e. Decommissioning funds equal to net decommissioning costs must be secured and submitted prior to recording of the land development plan.

f. Financial Security shall be posted with a bonding company or approved institution authorized in the Commonwealth.

g. Security shall ensure public decommissioning of related structures and equipment.

h. Disputes regarding cost estimates shall be resolved through a third licensed engineer, with costs split equally between the Township and the applicant.

i. Funds must be submitted to the Township before recording the plan.

10. Removal

a. Upon removal of a ground-mounted PSES, any disturbed earth shall be graded and reseeded.

401.26 CREMATORIUM

A. The use shall conform to odor and dust standards of the Township Ordinances.

401.27 MEDICAL MARIJUANA GROWER PROCESSOR

Unless otherwise regulated by the Commonwealth of Pennsylvania:

A. No sales shall be permissible on the lot.

B. The use shall be subject to the Township's standard Land Development requirements.

C. The location, orientation and lot circulation shall be such as to minimize the disturbance of the surrounding open space.

D. Equipment storage shall be permitted to include man-operated or mechanical equipment or other machinery that is in operable condition. The storage of inoperable vehicles is prohibited for this use.

E. Site grading shall be completed to ensure that surface run-off is directed away from any and all material storage areas.

F. An eight (8) foot high screen shall be constructed around the perimeter of any storage areas if equipment and/or materials are not contained within an enclosed building/area. The screen shall be measured from the average grade of the adjacent ground, unless otherwise defined by the Township. The screen shall be a minimum

of eighty (80) percent opaque and composed of finished masonry, wood, or black or green vinyl-covered chain link fencing with eight (8) foot high evergreen plantings on the exterior side of the fence.

G. No storage or transfer of toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases or solids shall be permitted, with the exception of gasoline, diesel, fuel and oil for the operation and maintenance of motorized vehicles and equipment.

H. The ground surface of off-street parking shall be paved with bituminous, brick, concrete or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances. Loading and equipment storage areas shall, at a minimum, be paved with crushed limestone aggregate.

I. No more than one (1) identification sign shall be permitted; said sign shall be a ground or a wall sign. The graphic area of the sign shall not exceed forty (40) square feet.

401.28 RAILROAD FREIGHT FACILITIES

A. All repair work, servicing, lubrication and related service shall occur within an enclosed building.

B. All drive and parking areas shall be hard surfaced.

C. Loading dock shall be of the completely enclosed type.

D. Railroad Freight Facilities must be located no more than one thousand (1,000) feet from any railroad.

E. The requirements of Section 401.16 Bulk Fuel/Sewage Treatment Plants apply to Railroad Freight Facilities.

F. Access must be off a collector or arterial road.

G. Landscaping requirements of the Industrial Park zone must be met.

H. All outdoor storage must be screened and shall not be located on the frontage. Outdoor Storage shall not exceed 25% of lot.

401.29 WIND ENERGY FACILITIES

The purpose of this section is to provide for the construction and operation of wind energy facilities in Summit Township, subject to reasonable conditions that will protect the public health, safety, and welfare.

A. Definitions Specific to Wind Energy Facilities

1. Operator: The entity responsible for the day-to-day operation and maintenance of the wind energy facility.
2. Hub Height: The distance measured from the surface of the tower foundation to the height of the wind turbine hub, to which the blade is attached.
3. Occupied Building: A residence, school, hospital, church, public library or other building used for public gathering that is occupied or in use when the permit application is submitted.
4. Turbine Height: The distance measured from the surface of the tower foundation to the highest point of the turbine rotor plane.
5. Wind Energy Facility: An electric generating facility, whose main purpose is to supply electricity, consisting of one or more wind turbines and other accessory structures and buildings, including substations, meteorological towers, electrical infrastructure, transmission lines, and other appurtenant structures and facilities.
6. Wind Turbine: A wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and includes the nacelle, rotor, tower, and pad transformer, if any.
7. Wind Turbine, Small: A wind turbine which is designed and used solely to generate power to serve a principal and/or accessory building located on the lot on which said turbine is situated (without regard to any excess power generated going to a power grid).
8. Non-Participating Landowner: Any landowner except those on whose property all or a portion of a wind energy facility is located pursuant to an agreement with the facility owner or operator.

B. Applicability

1. This section applies to all wind energy facilities proposed to be constructed after the effective date of the Ordinance, except that this section is not intended to apply to small wind turbines, as defined by this Ordinance.
2. Wind energy facilities constructed prior to the effective date of this Ordinance shall not be required to meet the requirements of this Ordinance, provided that any physical modification to an existing wind energy facility that materially alters the size, type, and number of wind turbines or other equipment shall require a permit under this Ordinance.

C. Permit Requirements

1. No wind energy facility, or addition of a wind turbine to an existing wind energy facility, shall be constructed or located within Summit Township unless a permit has been issued to the facility owner or operator approving construction of the facility under this Ordinance.
2. The permit application or amended permit application shall be accompanied with a fee in the amount as set by the Board of Supervisors. Developers shall be responsible for all expenses of the Municipality in the evaluation and approval of a permit.
3. Any physical modification to an existing and permitted wind energy facility that materially alters the size, type, and number of wind turbines or other equipment shall require a permit modification under this Ordinance. Like-kind replacements shall not require a permit modification.

D. Permit Application

1. The permit application shall demonstrate that the proposed wind energy facility will comply with this section.
2. Among other things, the application shall contain the following:
    a. A narrative describing the proposed wind energy facility, including an overview of the project; the project location; the approximate generating capacity of the wind energy facility; the approximate number, representative types and height or range of heights of wind turbines to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of ancillary facilities.
    b. An affidavit or similar evidence of agreement between the property owner and the facility owner or operator demonstrating that the facility owner or operator has the permission of the property owner to apply for necessary permits for construction and operation of the wind energy facility.
    c. Identification of the properties on which the proposed wind energy facility will be located, and the properties adjacent to where the wind energy facility will be located.
    d. A site plan showing the planned location of each wind turbine, property lines, setback lines, access road and turnout locations, substation(s), electrical cabling from the wind energy facility to the substation(s), ancillary equipment, buildings, and structures, including permanent meteorological towers, associated transmission lines, and layout of all structures within the geographical boundaries of any applicable setback.
    e. Documents related to decommissioning, including bonds or escrow amounts needed for decommissioning.

f. Other relevant studies, reports, certifications and approvals as may be reasonably requested by the Municipality to ensure compliance with this Ordinance.

3. Within thirty (30) days after receipt of a permit application, the Municipality will determine whether the application is complete and advise the applicant accordingly.

4. Within sixty (60) days of a completeness determination, the Municipality will schedule a public hearing. The applicant shall participate in the hearing and be afforded an opportunity to present the project to the public and municipal officials, and answer questions about the project. The public shall be afforded an opportunity to ask questions and provide comment on the proposed project.

5. Within one hundred and twenty (120) days of a completeness determination, or within forty-five (45) days after the close of any hearing, whichever is later, the Municipality will make a decision whether to issue or deny the permit application.

6. Throughout the permit process, the applicant shall promptly notify the Municipality of any changes to the information contained in the permit application.

7. Changes to the pending application that do not materially alter the initial site plan may be adopted without a renewed public hearing.

E. Design and Installation

1. Design Safety Certification: The design of the wind energy facility shall conform to applicable industry standards, including those of the American National Standards Institute. The applicant shall submit certificates of design compliance obtained by the equipment manufacturers from a nationally recognized certifying organization.

2. Uniform Construction Code: To the extent applicable, the wind energy facility shall comply with the Pennsylvania Uniform Construction Code, 34 Pa. Code §§403.1-403.142.

3. Controls and Brakes: All wind energy facilities shall be equipped with a redundant braking system. This includes both aerodynamic over-speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for over-speed protection.

4. Electrical Components: All electrical components of the wind energy facility shall conform to relevant and applicable local, state and national codes, and relevant and applicable international standards.

5. Visual Appearance; Power Lines:

a. Wind turbines shall be a non-obtrusive color such as white, off-white, or gray.

b. Wind energy facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.

c. Wind turbines shall not display advertising.

d. On-site transmission and power lines between wind turbines shall, to the maximum extent practicable, be placed underground.

6. Warnings:

a. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

b. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of ten (10) feet from the ground.

c. All warning devices, labels, and similar safety devices shall be kept in good repair and legible during the useful life of the facility.

7. Climb Prevention/Locks:

a. Wind turbines shall not be climbable up to fifteen (15) feet above ground surface.

b. All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by non-authorized persons.

F. Setbacks

1. Occupied Buildings:

a. Wind turbines shall be set back from the nearest occupied building a distance not less than the required setback requirements for that zoning classification or 1.1 times the turbine height, whichever is greater. The setback distance shall be measured from the center of the wind turbine base to the nearest point on the foundation of the occupied building.

b. Wind turbines shall be set back from the nearest occupied building located on a non-participating landowner's property a distance of not less than five (5) times the hub height, as measured from the center of the wind turbine base to the nearest point on the foundation of the occupied building.

2. Property Lines: All wind turbines shall be set back from the nearest property line a distance of not less than the required setback requirements for that zoning

classification or 1.1 times the turbine height, whichever is greater. The setback distance shall be measured to the center of the wind turbine base.

3. Public Roads: All wind turbines shall be set back from the nearest public road a distance of not less than 1.1 times the turbine height, as measured from the right-of-way line of the nearest public road to the center of the wind turbine base.

G. Use of Public Roads

1. The Applicant shall identify all state and local public roads to be used within the Municipality to transport equipment and parts for construction, operation or maintenance of the wind energy facility.
2. The Municipality's engineer or a qualified third party engineer hired by the Municipality and paid for by the applicant, shall document road conditions prior to construction. The engineer shall document road conditions again thirty (30) days after construction is complete or as weather permits.
3. The Municipality may require a bond on the road in compliance with State and Municipal regulations.
4. Any road damage caused by the applicant or its contractors shall be promptly repaired at the applicant's expense.
5. The applicant shall demonstrate that it has appropriate financial assurance to ensure the prompt repair of damaged roads.

H. Local Emergency Services

1. The applicant shall provide a copy of the project summary and site plan to local emergency services, including the volunteer fire department(s).
2. Upon request, the applicant shall cooperate with emergency services to develop and coordinate implementation of an emergency response plan for the wind energy facility.

I. Noise and Shadow Flicker

1. Audible sound from a wind energy facility shall not exceed fifty (55) dBA, as measured at the exterior of any occupied building on a non-participating landowner's property. Methods for measuring and reporting acoustic emissions from wind turbines and the wind energy facility shall be equal to or exceed the minimum standards for precision described in AWEA Standard 2.1 - 1989 titled Procedures for the Measurement and Reporting of Acoustic Emissions from Wind Turbine Generation Systems Volume I: First Tier.
2. The facility owner and operator shall make reasonable efforts to minimize shadow flicker to any occupied building on a non-participating landowner's property.

J. Waiver of Noise and Shadow Flicker Provisions

1. Property owners may waive the noise and shadow flicker provisions of this Ordinance by signing a waiver of their rights.
2. The written waiver shall notify the property owner(s) of the sound or flicker limits in this Ordinance, describe the impact on the property owner(s), and state that the consent is granted for the wind energy facility to not comply with the sound or flicker limit in this Ordinance.
3. Any such waiver shall be recorded in the Recorder of Deeds Office of Erie County. The waiver shall describe the properties benefited and burdened and advise all subsequent purchasers of the burdened property that the waiver of sound or flicker limit shall run with the land and may forever burden the subject property.

K. Signal Interference: The applicant shall make reasonable efforts to avoid any disruption or loss of radio, telephone, television or similar signals, and shall mitigate any harm caused by the wind energy facility.

L. Liability Insurance: There shall be maintained a current general liability policy covering bodily injury and property damage with limits of at least $1 million per occurrence and $1 million in the aggregate. Certificates of Insurance shall be made available to the Municipality upon request.

M. Decommissioning

1. The facility owner and operator shall, at its expense, complete decommissioning of the wind energy facility, or individual wind turbines, within (12) twelve months after the end of the useful life of the facility or individual wind turbines. The wind energy facility or individual wind turbines will presume to be at the end of its useful life if no electricity is generated for a continuous period of twelve (12) months.
2. Decommissioning shall include removal of wind turbines, buildings, cabling, electrical components, roads, foundations to a depth of thirty-six (36) inches, and any other associated facilities.
3. Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas not be restored.
4. An independent and certified professional engineer shall be retained to estimate the total cost of decommissioning (“Decommissioning Costs”) without regard to salvage value of the equipment, and the cost of decommissioning net salvage value of the equipment (“Net Decommissioning Costs”). Said estimates shall be

submitted to the Municipality after the first year of operation and every fifth year thereafter.

5. The facility owner or operator shall post and maintain decommissioning funds in an amount equal to net decommissioning costs, provided, that at no point shall decommissioning funds be less than twenty-five percent (25%) of decommissioning costs. The decommissioning funds shall be posted and maintained with a bonding company or Federal or Commonwealth chartered lending institution chosen by the facility owner or operator and participating landowner posting the financial security, provided that the bonding company or lending institution is authorized to conduct such business within the Commonwealth and is approved by the Municipality.

6. Decommissioning funds may be in the form of a performance bond, surety bond, letter of credit, corporate guarantee or other form of financial assurance as may be acceptable to the Municipality.

7. If the facility owner or operator fails to complete decommissioning within the period prescribed, then the landowner shall have six (6) months to complete decommissioning.

8. If neither the facility owner or operator, nor the landowner complete decommissioning within the periods prescribed, then the Municipality may take such measures as necessary to complete decommissioning, utilizing all or any of the decommissioning funds. The entry into and submission of evidence of a participating landowner agreement to the Municipality shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors and assigns that the Municipality may take such action as necessary to implement the decommissioning plan.

9. The escrow agent shall release the decommissioning funds when the facility owner or operator has demonstrated and the municipality concurs that decommissioning has been satisfactorily completed, or upon written approval of the municipality in order to implement the decommissioning plan.

N. Public Inquiries and Complaints

1. The facility owner and operator shall maintain a phone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the project.

2. The facility owner and operator shall make reasonable efforts to respond to the public's inquiries and complaints.

401.30 BED AND BREAKFAST INNS

Bed and Breakfast Inns are intended to provide overnight or short-term [not more than

two (2) weeks] accommodations for transient guests in a home-like atmosphere. They shall be subject to the following criteria:

A. A bed and breakfast inn shall be allowed only in an owner-occupied, single-family, detached residential dwelling or building(s) accessory thereto. No modification to the external appearances of the building (except fire escapes) which would alter its residential character shall be permitted.

B. Accommodations for overnight lodging at a bed and breakfast inn shall be limited to no more than five guest rooms and to no more than 10 guests at a given time.

C. Accommodations at bed and breakfast inns may include breakfast prepared on the premises for guests and included in the charge for the room. No meal other than breakfast may be prepared on the premises for the registered guests.

D. No cooking facilities shall be provided or permitted in individual guest rooms.

E. A bed and breakfast inn must conform to all zoning regulations with regard to parking, access, signs, area, setbacks, etc., as are applicable under this Ordinance.

F. All outdoor lighting shall be shielded and reflected away from adjoining properties.

G. The use of a residential dwelling for a bed and breakfast inn must be approved by the PA DEP or Erie County Sewage Enforcement Officer and the sanitary sewage system upgraded, if necessary.

H. No goods may be publicly displayed for sale on the premises.

I. All bed and breakfast inns shall comply with the Federal Life Safety Code, the rules and regulations of the Pennsylvania Department of Labor and Industry, and all other applicable building, safety, and fire codes of the federal, state, or local government.

401.31 AUTOMOBILE SERVICES

Service and/or Repair Facilities for Automobiles, Buses, Recreational Vehicles, Boats, Motorcycles, Snowmobiles and similar vehicles shall be subject to the following criteria:

A. All service and/or repair activities shall be conducted within a completely enclosed building.

B. All exterior parking and storage areas shall be screened from adjoining residential uses and districts.

C. Service bay doors shall not face directly towards an abutting dwelling (not including

a dwelling separated from the garage by a street).

D. The outside storage of more than one (1) unlicensed vehicle is prohibited.

E. Any ventilation equipment outlets associated with the service/repair work area(s) shall not be directed toward any adjoining residential uses or districts.

F. All vehicles and machinery shall be repaired and removed from the premises.

G. The demolition or junking of vehicles and machinery is prohibited.

H. The applicant shall furnish evidence that the storage and disposal of materials will be accomplished in a manner that complies with State and Federal regulations.

401.32 MINERAL EXTRACTION, SURFACE MINING

Surface mining, as defined by this ordinance, shall be subject to the following criteria:

A. Informational and Reporting Requirements:

1. The applicant shall obtain any required permit or permits from the Department of Environmental Protection of the Commonwealth of Pennsylvania, or any successor agency thereto, and shall present such permit or permits to the municipal governing body or Zoning Hearing Board, whichever is applicable.

2. The applicant shall present duplicate sets of the plans, specifications, applications and supporting data that have been or shall be presented to the Department of Environmental Protection for review to the municipal governing body. If a conditional use or special exception is granted, the operator shall continue to present such documentation to the municipality when it is submitted to the Department of Environmental Protection.

3. At the time of application for the special exception, an operations statement shall be submitted which shall include a detailed description of methods for satisfactorily handling operations with respect to the emission of noise, dust, blast, smoke, refuse matter or water, odor, gas, fumes or similar substances or conditions which may endanger the health, safety or general welfare or which can cause any soiling or staining of persons or property beyond the property line. All such operations statements shall be in full compliance with all applicable state and federal statutes and regulations of this Ordinance.

4. The operator shall maintain and make available to the public at its office all permits and approved plans required by all governmental regulatory agencies having jurisdiction over the permitting, operation, maintenance and/or reclamation of such a facility.

5. The operator shall provide the municipality with copies of any notices of violation received from the Department of Environmental Protection or U.S. Environmental Protection Agency within two weeks from the date such notice of violation was received by the operator.

6. The municipality shall have the right, but not the duty, to inspect the surface mining site and operations at any given time during normal business hours.

B. Standards:

1. Operation of the facility shall at all times comply with all applicable state and federal statutes and regulations. This shall include, but not be limited to, the Noncoal Surface Mining Conservation and Reclamation Act, Act of December 19, 1984, P.L. 10993 No. 219, as amended, 52 P.S. paragraph 3301 et. seq., or any subsequent amendment or enactment of the Pennsylvania General Assembly regulating mining, and the regulations of the Department of Environmental Protection implementing such statutes.

2. The operation shall not create any damage to the health, safety or welfare of the municipality or its residents or property owners.

3. Any pollution, soil erosion and sedimentation control, and other environmental problems created during the operation, including the production, transportation, processing, stockpiling, storage and disposal of products, by-products and wastes, shall be corrected by the operator.

4. The operation shall be conducted in a manner which will not allow water to collect and permit stagnant water to remain in any quarries or excavations.

5. A minimum lot area of ten (10) acres shall be required for any mineral extraction, surface mining operation.

6. The operator shall limit and control access to the site, as needed and appropriate, to protect public health, safety and welfare. The municipal governing body may require security fencing and/or other conditions to help insure public health, safety and welfare.

7. The operation shall comply with Section 706, Performance Standards of the ordinance.

8. Blasting and detonation operations shall not exceed the blasting parameters established by the Pennsylvania Bureau of Mining and Reclamation, and shall conform to all applicable regulations of the Commonwealth of Pennsylvania and the federal government. The storage of explosives shall be in accordance with all applicable local, state and federal laws.

9. Setbacks: The following minimum setback requirements shall apply to surface mining operations unless pre-empted by state or federal law.

a. A minimum of 100 feet from any public road right-of-way.

b. A minimum of 300 feet from any occupied dwelling house or commercial or industrial building, unless released by the owner thereof.

c. A minimum of 300 feet from any public building, school or community or institutional building.

d. A minimum of 300 feet from a public park.

e. A minimum of 100 feet from any cemetery or the bank of any stream.

10. Buffer Yard and Planting Strip: A 100 foot buffer yard shall be required along all adjacent property boundary lines and public road right-of-ways. The buffer yard shall meet the requirements of a Type 3 buffer yard (screening buffer), in accordance with Section 702.02 (D) of this ordinance, unless the buffer requirement is waived or modified by the governing body based on a consideration of the proximity of adjacent residential uses or residential zoning districts.

11. The municipality may reasonably limit the hours of operation of the surface mining operation and of related trucking operations to protect the character of residential areas.

12. Suitability and Maintenance of Roads:

a. The surface mining operation shall front upon, and gain access from, an arterial or collector road, as defined in this ordinance.

b. Truck access shall be designed to minimize traffic hazards and inconveniences. Trucks leaving the site shall not deposit accumulating amounts of mining products, dirt, mud or other such substances on public roads.

c. The applicant shall provide a map showing the public roads in the Township proposed to be used to access the operation. It is the responsibility of the applicant to prove to the satisfaction of the governing body that the public road system to be used will be adequate for the amount of heavy truck traffic to be created.

d. Bonding: The municipal governing body may require the applicant to provide an analysis, prepared by a qualified professional engineer, documenting the physical conditions of the roads serving the site. At the governing body's sole discretion, the applicant may be required to post such reasonable and necessary bonds to provide for any serious or extraordinary damage that may result from the use of municipal roads by heavy trucks from the mining operation.

e. The municipal governing body may require a traffic study, prepared by a qualified professional engineer. If the traffic study demonstrates that improvements to municipal or State roads shall be required in order to serve the proposed use or to alleviate the direct impacts of the proposed use upon the traffic network, the applicant shall make and/or guarantee cost of such improvements.

13. Reclamation: As a condition of approval, the operator shall certify that, after the termination of operations, he/she will rehabilitate the site, in accordance with the reclamation plan and all applicable state and federal regulations, to a non-hazardous state that will permit some economically productive future use, and mitigate environmental degradation.

401.33 COMMUNICATION BUILDING

Communication buildings, such as offices or garages shall be subject to the following criteria:

A. If located within a residential district, the applicant must demonstrate that the selected location is necessary for public service and the use cannot be supplied if located elsewhere.

B. If located within a residential district, all buildings and structures shall be designed (to the extent possible) to be architecturally compatible with the neighborhood.

C. In any residential district, the outdoor storage of vehicles or equipment, used in the maintenance of a utility, shall be screened from adjoining roads and all properties.

D. The Zoning Hearing Board may grant an exemption from, or reduction of, lot and yard requirements.

E. Height regulations for the underlying zoning district shall be followed.

F. The use shall emit no obnoxious noise, glare, dust, odor, vibration, electrical, or microwave disturbance, or any other objectionable impact, nuisance or safety hazard beyond the subject property.

401.34 STABLES AND RIDING ACADEMY

Stables and Riding Academies shall be subject to the following criteria:

A. No more than 10 equine animals shall be kept with the exception that one additional equine animal may be kept for each additional acre of land over five acres.

B. All animals, except while exercising or pasturing, shall be confined in a building

erected or maintained for that purpose and which complies with the following requirements:

1. The building shall be located a minimum of 300 feet from adjoining lot lines.
2. The building shall be located a minimum of 75 feet from any public or private road right-of-way.
3. The building shall have a minimum of 200 square feet of gross floor area for each equine animal.

C. All outdoor training, show, riding, boarding or pasture areas shall be enclosed by a minimum four-foot high fence and shall be set back a minimum of 100 feet from any adjacent residence whose owner is not the owner of this use.

D. Satisfactory evidence must be presented to indicate that adequate storage and disposal of animal waste will be provided in a manner that will not create a public health hazard or nuisance.

E. Parking areas shall be set back a minimum of 100 feet from adjoining lot lines.

401.35 OFFICE, PROFESSIONAL

Professional Offices are permitted where specified and subject to the following requirements:

A. The minimum lot size shall be 20,000 square feet and the minimum lot width shall be 100 feet.

B. There shall be only one principal structures per lot and the maximum square footage of the principal building shall be 5,000 square feet.

C. The owner/developer shall prepare a detailed site plan showing the location of all structures, parking areas and driveways, signs and outdoor lighting fixtures, building elevations and landscape and planting details.

D. The architecture and function shall be compatible with the general residential character of the area in which it is to be located.

E. Off-street parking areas shall be located to the side or rear of the principal structure and attractively landscaped.

F. There shall be no drive-in windows for service to customer clients in vehicles.

G. Off-street parking areas shall be suitably buffered and/or screened from adjacent residential properties.

401.36 CONVENIENCE STORES

Convenience Stores shall be subject to the following criteria:

A. A plan shall show the location and dimensions of all structures, the location and dimensions of parking, landscaping areas and signage; and the description of internal circulation and access, in accordance with the standards herein.

B. Minimum setbacks from street right-of-way lines for structures and/or buildings shall be in accordance with the underlying zoning district or as listed below, whichever is most restrictive:

   1. Building: 50 feet;
   2. Canopies: 35 feet.

C. All exterior lights of such premises shall be arranged and aligned to reflect light away from neighboring premises and public rights-of-way.

D. Motor vehicles shall not be permitted to be parked on sidewalk areas.

E. Sufficient screening and/or landscaping measures shall be provided to mitigate any visual and/or audible impacts on adjoining residential uses or zoning districts.

401.37 CEMETERIES

Cemeteries shall be subject to the following criteria:

A. A minimum lot area of five (5) acres shall be required.

B. The owner/developer shall provide a site plan showing all proposed burial areas (both short and long range); all structures, parking areas and access and interior circulation roads. Said plan shall be prepared by a registered landscape architect, architect or engineer.

C. A drainage plan showing existing and proposed runoff characteristics shall be submitted with the application for municipal approval.

D. Ingress, egress, and internal circulation shall be designed to ensure safety and minimize impact on public roads.

E. Burial areas, structures, and circulation roads shall be located a minimum of twenty (20) feet from adjacent property lines.

F. Burial plots and/or facilities shall not be permitted in floodplain or flood fringe areas.

G. All areas that abut residential uses or districts shall be screened with a vegetative

barrier of natural or planted materials.

H. The owner/developer shall provide appropriate procedures, documents or other legal documents which will satisfactorily assure the continued maintenance of the proposed cemetery.

401.38 LAUNDROMATS

Laundromats, also including Dry Cleaning and Laundry Services, shall be subject to the following criteria:

A. All activities shall be conducted within an enclosed building.

B. All windows and doors on walls facing adjoining residential uses or districts shall be kept closed.

C. Any exhaust ventilation equipment shall be directed away from adjoining residential uses or districts.

401.39 BOARDING HOUSES

Boarding Houses and Group Quarters shall be subject to the following criteria:

A. There shall be a minimum of 350 square feet of habitable floor area provided for each occupant.

B. A common kitchen and dining facility shall be provided, and no cooking or dining facilities shall be provided in individual rooms or suites. This provision is not intended to require kitchen and dining facilities if an affiliated institution provides them elsewhere.

C. The applicant shall furnish evidence that approved systems for sewage disposal and water supply shall be used, and that all other federal and state license requirements have been met.

D. For proposed new developments, the applicant shall present a sketch plan that includes elevations or architectural perspectives and illustrates that the proposed building(s) will be architecturally compatible with the neighborhood.

E. For conversion of an existing dwelling into a boarding house or group quarters, the following apply:

1. Any extensions or modifications to the external appearance of the building (except fire escapes) shall complement its residential character.

2. All floors above or below grade shall have a permanently affixed direct means of escape to ground level.

F. The property shall be landscaped to present a minimum intrusion upon the neighborhood.

G. All required parking shall be accommodated on-lot, with all parking to occur in rear or side yard areas.

H. All off-street parking and/or loading areas shall be screened from adjoining residential uses or zoning districts.

I. Meals shall be offered only to registered tenants.

401.40 OUTDOOR ENTERTAINMENT FACILITY

A. Light sources (constant or intermittent) shall not be permitted to exceed 0.5-foot candles at any lot line and shall otherwise comply with Section 634.08, provided that light may be provided in excess of those limits at the public entrance to the facility, and that such lights are illuminated only during events. The applicant shall submit an exterior lighting plan for the facility designed to minimize any infiltration or impact of light on the surrounding lots and neighborhood.

B. The Township may impose restrictions on the times during a day when outdoor events may occur, provided that in no case may outdoor activities extend beyond the hours of 10:00 a.m. to 9:00 p.m. on Sunday through Thursday and 10:00 a.m. to 11:00 p.m. on Friday and Saturday, except for overnight setup and clean up provided all other ordinances of the Township are followed, including but not limited to provisions regarding lighting and noise.

C. All sound generated as part of Facility activity shall be conveyed through a system of individualized delivery systems to patrons, guests and the like whereas the noise provisions of this Ordinance shall be upheld.

401.41 DATA CENTERS AND DATA CENTER ACCESSORY USES *(amended 9/21/2026)*

All Data Centers and Data Center Accessory Uses shall comply with the following:

A. Prior to the commencement of the Special Exception hearing the following must be provided:

1. Preliminary study on Noise and Vibration

2. Approved Emergency Response Plan

B. Environmental and Community Impact Analysis. Prior to the commencement of the Special Exception Hearing, the applicant shall provide an environmental and community impact analysis. The environmental and community impact analysis shall include:

1. A narrative description of the nature of the on-site activities and operations, including the market area served by the facility, the hours of operation of the facility, the total number of employees on each shift, the times, frequencies, and types of vehicle trips generated, the types of materials stored and the duration period of storage of materials.

2. A site plan of the property indicating the location of proposed improvements, flood plains, wetlands, waters of the Commonwealth and cultural and historic resources on the property and within 500 feet of the boundaries of the property.

3. Evidence that the disposal of materials will be accomplished in a manner that complies with state and federal regulations.

4. An evaluation of the potential impacts of the proposed use, both positive and negative, upon:

    a. Emergency services and fire protection,

    b. Water supply,

    c. Sewage disposal,

    d. Solid waste disposal,

    e. School facilities and school district budget, and

    f. Municipal revenues and expenses.

5. Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, heat islands, vibration, electrical disturbance, wastewater, stormwater, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinances:

    a. Shall comply with all Industrial Performance standards.

C. Environmental Impact Assessment.

An Environmental Impact Assessment shall be performed. The assessment shall be prepared by a professional engineer, ecologist, environmental planner, or other qualified individual. An assessment shall include a description of the proposed use, including location, relation to other projects or proposals, with adequate data and detail for Summit Township to assess the environmental impact. The assessment shall also include a comprehensive description of the existing environment and probable future effects of the proposal. The description shall focus on the elements of the environment most likely to be affected as well as potential regional effects and ecological interrelationships. At a minimum, the assessment shall include an analysis of the items listed below regarding the impact of the proposed use and the mitigation of any such impacts. The assessment shall also include a detailed examination of public resources most likely impacted by the development and include the following focus areas:

1. Air pollution impacts emissions from vehicle operations, including from truck engines during idle time. The applicant shall identify all stationary and mobile sources of fine particulate matter (PM2.5), volatile organic compounds, and nitrogen oxides at the site. The applicant shall specify best management practices for preventing and reducing the concentration of air-polluting emissions at the site. The owner or operator of the facility shall have anti-idling signs prominently posted in areas where 15 or more trucks may park or congregate.

2. The potential for public nuisance to residents resulting from operations and truck traffic, including noise, glare, light, and visual obstacles.

3. The applicant shall submit an assessment report of the impact of the proposed use. The assessment report shall identify mitigation measures that may be undertaken to offset any degradation, diminution, or depletion of public natural resources.

4. Additional considerations. The following shall also be addressed:

    a. Alternative analysis. A description of alternatives to the impacts.

    b. Adverse impacts. A statement of any adverse impacts that cannot be avoided.

    c. Impact minimization. Environmental protection measures, procedures, and schedules to minimize damage to critical impact areas during and

after construction.

d. Mitigation steps. A listing of steps/structural controls proposed to minimize damage to the site before and after construction.

5. Critical impact areas. In addition to the above, plans should include any area, condition, or feature that is environmentally sensitive or that, if disturbed during construction, would have an adverse impact on the environment.

a. Critical impact areas include, but are not limited to, floodplains, riparian buffers, streams, wetlands and mature stands of native vegetation and aquifer recharge and discharge areas.

b. A statement of impact upon critical areas and of adverse impacts that cannot be avoided.

c. Environmental protection measures, procedures, and schedules to minimize damage to critical impact areas during and after construction.

D. Noise and Vibration

1. A Noise Mitigation Plan shall be submitted with the zoning application, including, at a minimum a detailed acoustic study showing the amount of noise to be produced by normal operations and strategies to minimize noise and achieve a neutral impact on the surrounding community. The Plan must be prepared and certified by a professional acoustical engineer. The Plan shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended plans based upon comments by the professional staff of the Township to any zoning approval. The applicant will agree to a pre-construction and post-construction noise study:

a. A pre-construction study shall be conducted as part of the Special Exception use process. The pre-construction study shall determine a baseline decibel level from the parcel and surrounding parcels and must include different times of day and recommend sound-reducing materials as needed.

b. Post-Construction Study. A noise study of existing conditions at the time of operations, submitted to the Zoning Official at least 1 month but no more than 12 months after the issuance of the first Certificate of Occupancy.

2. The applicant shall provide a Vibration Study prepared by a qualified professional that demonstrates that no vibration from the Data Center, Data Center Accessory Uses, or associated equipment will be perceptible to the human sense of feeling beyond the property line. The study shall be conducted as part of the Special Exception process.

E. Air Quality

1. Backup power equipment shall minimize air pollutant emissions and meet or exceed applicable state and federal laws regulating emissions. In the case that backup generators are used, EPA Tier 4 emissions standards, or equivalent, must be achieved.

2. Annual testing shall be performed, and reports shall be provided to the Township and other relevant state and federal agencies to ensure that data center equipment is performing as designed and emissions from the data center do not exceed allowable limits.

F. Energy Use

1. Data centers shall make good faith efforts to maximize use of renewable and/or clean energy for all electrical and cooling needs, either through on-site generation or verifiable power purchase agreements (PPAs).

2. An Energy Management Plan shall be submitted with the zoning application detailing at a minimum, annual electricity demand, what supply sources will be utilized, energy storage capacity (if applicable) and efforts made to maximize use of renewable or clean energy. The Plan will be prepared and certified by a professional engineer. The Energy Management Plan shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended plans based upon comments by the Township prior to any land development approval.

3. If the applicant proposes to connect the Data Center to the electric grid, the applicant shall provide documentation from the applicable electric service provider certifying that the necessary capacity is available and that the electric service provider will serve the Data Center. Known impacts on electric rates or availability for other uses directly attributable to the Data Center project shall be provided.

4. Any energy system designed or used to supply power directly to a Data Center

during normal operations, including solar, wind, fossil fuel, or nuclear energy generating systems, shall not be considered part of the Data Center use. Such systems shall be considered a separate use and shall be approved by separate permits according to zoning regulations and federal and state regulations applicable to such use.

G. Water Utilization

1. No Data Center shall be approved unless the applicant demonstrates that there is an adequate supply of water for the proposed use and that proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity.

2. A Water Utilization Report shall be submitted with the zoning application detailing, at a minimum the total daily intake volume and source(s) of that water, discharge volumes and destinations, cooling system type and efficiency, and shall demonstrate compliance with the Township's stormwater ordinances and regulations. The Report shall be prepared and certified by a professional engineer. The Report shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended reports based upon comments by the Township prior to any zoning approval.

3. The Data Center applicant shall provide documentation from the applicable water service provider certifying that the necessary capacity is available and that the public water service provider will serve the Data Center. Known impacts on water rates or availability for other uses directly attributable to the Data Center project shall be provided.

4. No Data Center shall be approved unless the applicant demonstrates that any proposed withdrawals will not exceed the Safe Yield of the source and will not adversely affect neighboring water users, ground water supplies, wetlands, streams, or public water.

H. Wastewater

1. The applicant shall demonstrate the adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling or industrial purposes, have been provided and approved by the Summit Township Sewer Authority and/or the Pennsylvania Department of Environmental Protection.

I. Stormwater Management

1. The applicant shall meet all provisions of the Township stormwater management ordinance and associated requirements for post-construction stormwater management, as well as:

    a. Identify the impacts of proposed impervious surfaces associated with the Data Center and Data Center Accessory uses on local groundwater recharge characteristics.

    b. Identify the impacts of proposed changes of stormwater runoff characteristics associated with the Data Center and Data Center Accessory Uses

J. Electronic Waste

    a. An Electronic Waste Plan shall be submitted with the zoning application outlining procedures for safe removal and recycling or disposal of server infrastructure, hazardous materials, batteries, electronic waste, and related products, which will apply in cases when the data center is updated or decommissioned. The Report shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended reports based upon comments by the Township prior to any zoning approval.

K. Mandatory Cooling System Requirements

1. Closed-Loop Required. All new data centers and qualifying expansions must employ closed-loop cooling for server racks and IT equipment. Use of open, evaporative cooling towers for facility heat rejection is prohibited unless an applicant demonstrates by clear and convincing evidence that closed-loop technology is infeasible for the specific project and the applicant obtains a conditional exemption under this Section and all applicable state permits.

2. An exemption may be granted by the Township body upon a written request made at the time of land development submittal and must include:

    a. Detailed engineering documentation prepared by a licensed professional engineer demonstrating that closed-loop technology is infeasible for the specific project.

    b. Proposed alternative technologies such as geothermal, air-cooled, direct-

to-chip liquid cooling, or waste-heat recovery systems so long as they meet water-use, noise, and environmental standards set forth herein.

c. The Township may impose reasonable conditions on any exemption. Prohibition on private well dependency. Data centers may not be designed to draw primary cooling make-up water from private potable wells.

L. Heat Mitigation

1. A Thermal Impact Mitigation Plan shall be submitted with the zoning application, including, at a minimum, strategies for waste heat reuse or dissipation and vegetative or green roof and/or site design to offset urban heat island effects. The Plan will be prepared and certified by a professional engineer. The Thermal Impact Mitigation Plan shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended plans based upon comments by the Township prior to any zoning approval.

M. Chemical Handling, Glycols, and Containment

1. Anti-freeze or heat-transfer fluids (e.g., propylene glycol/ethylene glycol) used in closed loops must be non-hazardous where feasible. If hazardous materials are used, the applicant must provide spill prevention, secondary containment (sized for the full system volume), and a hazardous materials response plan.

2. Routine testing for fluid leaks and an annual certification of containment integrity is required.

N. Floodplain Exclusion

1. No data center shall be located within a 100-year or 500-year floodplain as shown in the most recent Flood Insurance Map Rate Maps prepared by the Federal Emergency Management Agency for the Township.

O. Dimensional Standards

1. The minimum building height for a single-story Data Center shall be thirty (30) feet to allow for effective cooling methods within the Data Center.

2. The maximum building height shall be sixty (60) feet inclusive of roof-mounted equipment such as cooling and ventilation systems, HVAC units, and cooling towers.

3. The maximum height of Data Center Accessory Uses shall be no greater than the

height of the principal building.

4. The maximum lot coverage shall be no greater than forty percent (40%).

P. Parking Requirements

1. One (1) parking space per two (2) guests plus one (1) parking space per employee on the largest shift.

2. Off street Loading: A minimum of one (1) loading space is required. Loading spaces/bays are only permitted to be located on one (1) façade of the Data Center Principal Building.

Q. Setback Requirements

1. All Data Centers and Data Center Accessory Uses shall be required to meet the minimum required yard setbacks from the lot line of an adjacent property used and/or zoned for residential or community purposes a minimum of:
   a. Two hundred (200) feet front yard setback
   b. Five Hundred (500) feet side and rear yard setback

2. All Data Centers and Data Center Accessory Uses shall be required to meet the minimum required yard setbacks from the lot line of an adjacent property zoned for non-residential purposes a minimum of:
   a. One hundred (100) feet front yard setback
   b. Five hundred (500) feet side and rear yard setback

3. All ground mounted equipment used for cooling, ventilation, heat or power shall be required to meet the minimum required yard setbacks from the lot line of an adjacent property used and/or zoned for residential or community purposes a minimum of:
   a. Two hundred (200) feet front yard setback
   b. Five hundred (500) feet side and rear yard setback

4. All ground mounted equipment used for cooling, ventilation, heat or power shall be required to meet the minimum required yard setbacks from the lot line of an adjacent property zoned for non-residential purposes a minimum of:
   a. Two hundred (200) feet front yard setback
   b. Three hundred (300) feet side and rear yard setback

R. Lot Coverage

1. The Data Center and Data Center Accessory Use shall not have a lot coverage exceeding forty percent (40%).

S. Fencing

1. Fences shall be constructed of good quality and visually appealing materials such as ornamental steel or other durable security-grade materials. Features such as barbed wire and razor wire are prohibited. The maximum height of such fence is ten (10) feet.

T. Landscape Buffer

1. All Data Center operations shall provide buffer yards along all property boundary lines. Buffer plantings shall consist of native species.

2. A minimum fifty (50) foot-wide buffer yard shall be provided along the entire length of any public street frontage and one hundred (100) foot-wide buffer shall be provided along any property line which abuts property used for residential or community purposes or zoned residential.

3. A minimum fifty (50) foot-wide buffer shall be provided along any property line adjacent to a non-residential use.

U. Screening

1. Screening shall be provided to reduce the noise output and visual impact of any facilities and equipment necessary for cooling, ventilating or operating the facility, including but not limited to power generators, accessory electrical substations, or other power supply equipment.

2. Ground-mounted facilities and equipment shall be fully enclosed when technically feasible. If full enclosure is deemed infeasible, the equipment must be screened by a visually solid barrier such as a wall, fence, building and/or natural materials that absorb noise and protect neighboring properties from noise pollution.

3. Rooftop facilities equipment shall be screened by a parapet wall, equipment penthouse, or visually solid screen on all four sides. Rooftop equipment that is visible above the parapet wall shall be set back from the exterior or parapet wall a distance no less than the height of said equipment.

V. Negative Impacts: Any use or activity producing air, dust, smoke, glare, exhaust, heat,

or humidity in any form shall be carried on in such a manner that it is not perceptible at or beyond the property line.

W. Connection to public water and public sewer is required.

X. Building Placement and Orientation. All principal and accessory structures associated with a Data Center shall be arranged, designed, and constructed to be harmonious and compatible with the site and with the surrounding properties.

Y. Safety

1. A detailed Emergency Response Plan shall be submitted with the zoning application, showing at a minimum that the data center has a plan in effect to deal with emergencies resulting from flood, fire, explosion, and catastrophic weather events. The Emergency Response Plan shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended plans based upon comments by the Township prior to any zoning approval.

2. The Emergency Response Plan (ERP) shall be prepared by a qualified professional and include the following:

    a. Be reviewed and accepted by the local fire department (Perry Highway Hose Company) and emergency management services (Erie County Department of Public Safety, Emergency Management Division) as part of the Special Exception process;

    b. Include detailed procedures for fire suppression, containment, ventilation, and evacuation;

    c. Include an evaluation of the access roads and hydrant locations within the site to ensure suitable access for emergency equipment within the site;

    d. Ensure that all first responders receive adequate training specific to the installed system;

    e. Include provisions for annual fire safety inspections demonstrating compliance with the fire safety standards to be performed by a qualified professional on behalf of the Data Center.

3. Any Data Center use proposing battery storage or any other devices or group of devices capable of storing energy in order to supply electrical energy at a later

time, whether the energy is stored for use on-site or off-site, shall demonstrate compliance with National Fire Protection Association (NFPA) Standard 855. Installation of Stationary Energy Storage Systems, or similar standards must include fire suppression systems designed specifically for battery storage.

4. Each Data Center operation shall provide 24-hour emergency contact signage visible at the access entrance. Signs shall include the company name (if applicable), the owner/representative's name, the telephone number, and the corresponding local power company's name and telephone number.

5. No Data Center shall be approved unless the applicant demonstrates that procedures for fire suppression, containment, ventilation, and evacuation are sufficiently protective of public health, safety and welfare.

Z. Decommissioning

1. A decommissioning plan shall be required at the time of application for all proposed data centers under the jurisdiction of this ordinance that establishes detailed inventory, timelines, management, removal of physical equipment, disposal of recycled materials, and plans for future use or restoration of the site.

2. Decommissioning must begin within one (1) year of discontinuation of the Data Center facility, or upon abandonment by the operator, whichever occurs first. Decommissioning shall be completed within eighteen (18) months thereafter unless extended by the Township in writing.

3. Decommissioning shall include the removal of all hazardous materials and contents, including cabling, electrical components, and any other associated facilities.

4. Any soil exposed during the decommissioning shall be stabilized in accordance with applicable erosion and sediment control standards.

5. At the time of issuance approval for the construction of the Data Center facility, the facility owner shall provide financial security in the form and amount acceptable to the Township and in favor of the Township, to secure its obligations under this section.

6. The facility owner shall, at the time of the land development plan application, provide the Township with an estimate of the cost of performing the decommissioning activities required herein. The facility owner shall provide

financial security of 110% of the estimated cost of decommissioning.

7. On every 5th anniversary of the date of providing the decommissioning financial security, the facility owner shall provide an updated decommission cost estimate, utilizing the formula set forth above with adjustments for inflation and cost and value changes. If the decommissioning security amount increases, the facility owner shall remit the increased financial security to the Township within 30 days of the approval of the updated decommissioning security estimate by the Township. If the decommissioning security amount decreases by greater than 10%, the Township shall release from security any amount held in excess of 110% of the updated decommission cost estimate.

8. Decommissioning security estimates shall be subject to review and approval by the Township, and the facility owner shall be responsible for administrative, legal, and engineering costs incurred by the Township for such review.

9. The decommissioning security may be in the form of cash deposit, surety bond, irrevocable letter of credit, cashier's check, or escrow amount from a federal or Commonwealth chartered lending institution in the amount of 110% of the total proposed decommission cost estimate and in a form satisfactory to the Township and its solicitor.

10. In the event that the Township indicates its desire not to participate or enter into a binding decommissioning agreement with the facility owner, then the County may enter into a decommissioning agreement with the facility owner. In such a case, the facility owner shall submit a copy of a letter from the Township indicating the Township's desire not to enter into said agreement.

401.42 All OTHER USES *(amended 9/21/2026)*

Where a use is not listed as a permitted, conditional or special exception use, a landowner and/or developer may request special exception use approval, in which case the Zoning Hearing Board shall, upon consideration of a recommendation from the Planning Commission, determine if the characteristics of the proposed use are similar in nature to any other use listed. In order to receive approval, the Zoning Hearing Board must determine that the impact of the proposed use on the environment and adjacent streets and properties is equal to or less than any use specifically listed in the applicable zoning district. In making such determination, the Board shall consider at least the following characteristics of the proposed use:

A. The floor area of the building or gross area of the lot devoted to the proposed use.

B. The number of employees, visitors, customers, etc. resulting from the proposed use.

C. The type of products, materials and equipment and/or processes involved in the proposed use.

D. Traffic and environmental impacts and the ability of the proposed use to comply with the criteria set forth within the Township Ordinances.

E. The proposed use shall comply with all applicable area and bulk regulations of the zoning district in which it is located. An application for approval as such a use shall be accompanied by a site plan in accordance with the Subdivision and Land Development Ordinance.

F. In the MUR District, residential uses of land and buildings shall uphold the highest attainable standards of health, safety, and general welfare; and furthermore, all residential activities shall be carried out in strict compliance with any related laws of the Township, County, and/or State as applicable.

G. In the IND District, non-residential uses of land and buildings shall uphold the highest attainable standards of health, safety, and general welfare; and furthermore, all residential activities shall be carried out in strict compliance with any related laws of the Township, County, and/or State as applicable.

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ARTICLE 5

SUMMIT TOWNSHIP INDUSTRIAL PARK ZONING

501 PURPOSE

The Industrial Park District is created as areas to be developed exclusively for industrial activity but with more restrictions than an Industrial designation. These districts encourage the use of industrial park development. Such development treats a large expanse of land as an industrial subdivision by planning, constructing, servicing and maintaining it in a manner that will make resourceful use of the land, increases the compatibility and attractiveness of these uses to each other, and protects the township's advantage in attracting industry. All requirements in this ordinance shall govern for both the Industrial Park designation except where specific exceptions or additions are provided.

The intent and purposes of Summit Township in creating these districts are as follows:

A. To encourage the establishment of industries which are compatible with one another.

B. To establish standards for the height and size of buildings, the areas and dimensions of yards and open spaces.

C. To provide development and operational standards for yards, structures and equipment that will minimize traffic congestion, noise, glare, air pollution, fire and safety hazards and ensure adequate drainage.

D. To provide standards for off-street automobile parking and storage and loading facilities adequate in area, design, arrangement and development to properly serve the use for which such facilities are intended and sufficient to preclude the need for on-street parking or storage of automobiles or trucks.

E. To provide standards for the location and illumination of signs and advertising devices so as to minimize glare and distraction to motorists and neighboring residential districts.

F. To prohibit commercial uses except as such uses are purely accessory and incidental to the industrial uses they are intended to serve.

G. To prohibit industrial uses which, because of potential emission of dust, ash, smoke, noise, fumes, gas, odors or vibrations, are or may be inconsistent with the intent and purposes of this section.

H. To establish standards for environmental development including landscaping and requirement of open areas that will tend to result in healthful and productive working conditions.

I. Residences or any structures intended for living purposes are prohibited in this district.

502 PERMITTED USES

Only those industrial, manufacturing, compounding, processing, packaging or treatment uses and processes from the following listing are permitted when and if they do not represent a health or safety hazard to the community through air, water, and noise pollution including the production or emission of dust, smoke, refuse matter, toxic or noxious odors, explosives, gas and fumes, excessive noise or similar substances and conditions.

No use shall be permitted in an Industrial Park district which shall have noise levels sustained or periodic of sixty (60) decibels (dBA) or greater unsustained non-periodic noise levels of eighty (80) decibels (dBA) or greater measured at any property line and/or residential or agricultural district line.

See Section 311.11

503 ACCESSORY USES

See Section 311.11

504 PROHIBITED USES

A. All those uses not specifically stated as permitted uses in an Industrial Park District are prohibited.

505 MINIMUM LOT AREA AND LOT WIDTH

A. An Industrial Park District shall be required to contain a minimum of fifty (50) acres of land area unless it is an addition to existing Industrial Park District designated area.

B. All buildings or structures permitted in the Industrial Park District shall be located on a lot having a minimum area of one (1) acre and a minimum frontage on a public thoroughfare of one hundred (100) feet.

506 YARD REQUIREMENTS

A. Front Yards - There shall be a front yard of not less than one hundred (100) feet measured from the street right-of- way line on streets defined in Table 313.01.(A). Front yards on other streets shall be not less than fifty (50) feet, measured from the street right-of-way.

B. Side Yards - There shall be two (2) side yards, each having a width of not less than twenty-five (25) feet. Such yards shall be appropriately landscaped and maintained as per Section 513(B) of this Ordinance.

C. Rear Yard - There shall be a rear yard of not less than fifty (50) feet. Such yards shall be appropriately landscaped and maintained as per Section 513(B) of this Ordinance.

D. For those lots with lines abutting any Residential or Agricultural district, there shall be a yard setback of not less than one hundred (100) feet. The 100 feet abutting the Residential or Resources district as referenced in Sections 305 and 306 shall be appropriately landscaped and maintained as per Section 513(B) of this Ordinance. Such space shall remain open and unoccupied by any principal or accessory building or use.

507 BUILDING HEIGHT LIMITS

A. Except as provided in the following sub-section B, no building or structure shall exceed a height regulated by Section 313.01.

B. Other Structures - Chimneys, water tanks, communication towers and antennae, ventilators and other similar structures,light poles, utility poles, utility boxes, curbs, mail boxes, retaining walls, decorative walls, personal television reception, monuments, water and fire towers, stage towers, scenery lofts, cooling elevator bulkheads, smokestacks, conveyors and flagpoles whether or not accessory to building or appurtenant thereto may be erected to a height exceeding fifty (50) feet provided they are in compliance with the applicable Federal regulations relative to objects affecting navigable air space.

508 PERCENTAGE OF LOT COVERAGE

Not more than fifty (50) percent of the lot area shall be covered by any main and accessory buildings.

509 OFF-STREET PARKING

Space for off-street parking of employees, customers and visitors shall be required in the following manner and in accordance with other sections of this Zoning Ordinance

governing off-street parking. There shall be no on street parking permitted in an Industrial Park under this zoning classification.

A. Off-street parking space shall herein be interpreted to be an accessory use which must conform to all requirements as to side yard and rear yard clearances and shall provide one parking space in accordance with section 903.B.

B. All parking spaces provided in the District shall be located on the same property with the permitted use it is intended to serve and conform to the landscaping requirements described in Section 513(B) of this Ordinance.

C. Sufficient parking spaces for employees, customers and visitors shall be provided, except for lots along "main thoroughfares", visitor only parking shall be permitted to the front of the building but in all cases there shall be at least 50 feet from the front line of the parking lot to the street right-of-way. Parking to the front of the building shall not exceed ten (10) percent of the required spaces except for lots along “Main Thoroughfares” where this restriction shall not apply. All parking shall conform to Section 506 Yard Requirements, of this Ordinance.

D. Space also shall be provided for the parking of freight and delivery trucks during any time in which the off-street facilities prescribed in the Ordinance are insufficient to handle all such trucks waiting to use said facilities.

510 OFF-STREET LOADING/UNLOADING AND STORAGE

Space for off-street loading/unloading and storage shall be required in the following manner and in accordance with other sections of the Ordinance governing loading requirements.

A. Off-street loading/unloading and storage space shall herein be interpreted to be an accessory use and shall conform to all requirements as to front, side and rear yard clearances as specified in the Zoning Ordinance.

B. All loading/unloading and storage space shall be located on the same property with the permitted use it is intended to serve.

C. All open areas used for storage of any type shall be enclosed by a solid wall or fence. All solid walls or fences shall be a minimum of seven (7) feet and a maximum of (15) feet in height and in no case shall storage of materials be permitted to exceed the height of the fence. Storage shall be limited to materials in accordance with the standards of the Pennsylvania Department of Environmental Resources, the Environmental Protection Agency and State Fire Marshall regulations.

D. In no case shall storage spaces or loading/unloading facilities be permitted in the front of any main building.

E. All loading/unloading facilities shall be located a minimum of three hundred (300) feet from any Residential or Agricultural district boundary if operated between the Hours of 6 p.m. and 7 a.m. Where an Industrial designation exists and a buffer area is provided for in the adjoining Residential or Agricultural use district by deed covenant, the setback shall be 100 feet.

F. Sufficient area shall be provided for the loading and unloading and storage of motor vehicles used in the conduct of the business or industrial activity.

511 LIGHTING REQUIREMENTS

A. Signs – See also Article 8.

B. Glare and Light Standards.

1. The purpose of these provisions is to:

   a) Minimize light trespass from buildings, structures and lot improvements;

   b) Reduce night-time light pollution that causes sky-glow; and

   c) Reduce visibility impairing glare.

2. The Applicant shall submit a Photometrics Plan to measure the light impact of the exterior lighting improvements. The Photometrics Plan shall describe the maximum illumination values and average illumination value required herein as part of the submission.

3. Low voltage and light emitting diode (LED) lighting systems are encouraged.

4. Two (2) lighting zones and the applicable zoning district as well as the respective illumination levels for each zone are as follows:

   a) Light Zone 1 – Resource and Residential Zones.

      i. There shall be a maximum illumination value shall be one-tenth (0.10) horizontal and vertical footcandles at all lot lines when measured three (3) feet above the ground surface.

      ii. The maximum on-site illumination value shall be three (3) footcandles and the average on-site illumination value shall be less than or equal to one (1) footcandle when measured three (3) above the ground surface.

iii. No more than five (5) percent of the fixture's lumens shall be emitted at a ninety (90) degree angle or greater from nadir.

iv. Lights on motion sensors shall not be triggered by movement or activity located off the property on which the light is located.

b) Light Zone 2 – Non-Residential Zones.

i. There shall be a maximum illumination value of two-tenths (0.20) horizontal and vertical footcandles at all lot lines when measured three (3) feet above the ground surface.

ii. The maximum on-site illumination value shall be five (5.0) footcandles and the average on-site illumination value shall be less than or equal to one and one-half (1.5) footcandles when measured three (3) feet above the ground surface.

iii. No more than ten (10) percent of the fixture's lumens shall be emitted at a ninety (90) degree angle or greater from nadir.

iv. Lighting associated with any canopy constructed on the lot shall be installed as internal illumination of the canopy only.

5. All outdoor lighting shall be designed, installed. Located and maintained so that nuisance glare onto adjacent lots or streets shall be minimized and all direct illumination kept within the boundaries of the lot.

6. Installations producing disabling glare shall not be permitted within the Township.

7. Glare shall not exceed a rating of 3 on the DeBoer Scale.

512 STREETS

All streets in any Industrial Park District must be public streets and shall meet the following standards.

A. All streets shall have minimum right-of-way width of 60'.

B. All streets shall have a paved cartway meeting the requirements of the "Summit township Street and Storm Sewer Specifications".

513 SUPPLEMENTAL CONDITIONS

A. Solid Waste and Refuse Standards.

The disposal of solid waste and refuse must be in conformance with the requirements of the Pennsylvania Department of Environmental Resources.

B. Landscaping Standards.

The following landscaping standards shall be adhered to:

1. The landscaping shall be located on the street side of all walls, barriers, fences and other screening.

2. All areas not paved shall be screened by landscaping from public view with shrubs or trees and be properly sodded or seeded. All earthen areas shall be protected from erosion.

3. Landscaped yard areas may include the use of flagpoles, screens, terraces, fountains, pools and other water arrangements, and various types of trees and shrubs. All trees, plants and shrubs shall be varieties that are adaptable to the local soil and climate condition and which blend with natural growth and shall be compatible with adjacent landscaped areas, in the opinion of a qualified landscape architect or horticulturist.

   a. One street tree (Maple, Oak, Honey locust, etc.) shall be in place or planted for each fifty (50) feet of property abutting a public right-of-way. Trees shall be placed or planted adjacent to or in the right-of-way (depending on the location of utility easements).

   b. One small flowering tree (Dogwood, Crabapple, Hawthorn, etc.) or tall deciduous tree (Maple, Oak, Honey locust, etc.) shall be in place or planted for each one hundred (100) feet of building perimeter. These trees shall be located in the landscaped areas of the site.

   c. One small flowering or tall deciduous tree shall be in place or planted for each 12 parking spaces. These trees shall be planted adjacent to the parking area.

   d. The use of shrubs, additional trees (evergreen, deciduous and small flowering), annuals, perennials, spring flowering bulbs, and ground shall be at the owner's option.

   e. Minimum size plants which shall be counted in meeting the requirements of 1, 2 and 3 are as follows:

1.) Street or tall deciduous tree:
1 1/2" trunk diameter 1'1" above ground line.

2.) A small flowering tree: 4' to 5' plant.

f. The owner is encouraged to keep as many of the existing trees on the site as possible.

g. The owner may elect to treat portions of the site as natural landscaping by encouraging the Growth of native plants. Plants which can become a nuisance (Japanese Honeysuckle, Multi-flora Rose, Autumn Olive, etc.) shall not be planted on the site unless a part of designated wetlands.

4. All landscaped areas shall be perpetually maintained and in good condition at all times.

5. Landscaping devices shall not obscure the site distances in a manner that may create a traffic hazard.

C. Utility Standards.

1. Electrical and telephone service may be brought into the Park overhead but shall be brought underground into the individual sites and to the buildings from the nearest available source with the exception of rail served buildings where overhead service may be permitted. The purchaser or lessee will be responsible for the cost of such underground service. Pad-mounted electrical transformers shall be located and screened so as to prevent viewing from any public street or adjacent property.

2. Any Industrial Park district shall be provided with an adequate water supply for both industrial and fire protection use by service from an authorized water supplier. The water supply and system shall be constructed in conformance with the specifications and requirements of the supplier.

D. Fire Protection Standards.

1. Direct and unobstructed access to the perimeter of all buildings shall be provided for emergency vehicles as follows: For buildings under fifty thousand (50,000) square feet – fifty (50) percent of the perimeter; buildings over fifty thousand (50,000) square feet but less than one hundred thousand (100,000) square feet – seventy-five (75) percent; and buildings larger than one hundred thousand (100,000) square feet – one hundred (100) percent.

2. Any street or driveway shall be considered an access point if located not more than fifty (50) feet from the building served.

3. All means of access must be designated to sustain the weight of emergency vehicles and shall be not less than eighteen (18) feet in width.

4. No structure shall be more than 1,000 feet from a fire hydrant.

5. All permitted uses must conform to the Fire Prevention Code currently in effect in Summit Township.

E. Erosion and Sedimentation Control.

1. Prior to any earthmoving activities, the developer shall prepare an Erosion and Sedimentation Control Plan which shall meet the standards of Chapter 102 (Erosion Control) of Title 25 Rules and Regulations of the Pennsylvania Department of Environmental Resources and shall be reviewed and found adequate by the Erie County Conservation District.

F. Vibration Standards

Permitted uses shall not be permitted to provide vibration in excess of these standards:

1. Requirements: Every use shall be so operated that ground vibration inherently and recurrently generated is not perceptible without instruments.

2. Method of measurement: Any vibration recurrently generated that is perceptible to the normal senses without instruments is prohibited.

3. Locational Requirement: Vibration shall be determined along the property line of the property on which the use is located.

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ARTICLE 6

SUPPLEMENTAL REGULATIONS

601 RESERVED

602 STRUCTURES

All structures whether attached to the principal structure or not, and whether open or closed, including porches, carports, balconies, sheds, decks, patios, platforms, or swimming pools above normal grade level, shall not project into any minimum front, side, or rear yard.

603 VISIBILITY AT INTERSECTION

A. No building, structure, planting, or other obstruction shall be permitted which would endanger public safety along any street or public roadway by obscuring sight visibility along said street.

B. Intersections

1. No building, structure, planting or other obstruction shall be permitted which would endanger public safety by obscuring sight visibility at public street intersections
2. A 100 ft clear sight triangle shall be maintained at all street intersections. The clear sight triangle shall be established by measuring 100 feet from the intersection of the street centerline along said centerlines. Said clear sight lines shall be measured at a height of 3 feet above the surface of the street

604 TEMPORARY STORAGE FACILITIES

Temporary storage facilities (including but not limited to tractor trailer box units and covered and completely enclosed other trailer units), may receive a temporary zoning permit one time for up to 30 days with one renewal for the same length of time. When such permit is issued, a time schedule for removal and the reason for the temporary use must be provided. No permanent permit will be issued for such purpose. All such units must be kept in good repair and located in the rear yard of the property. All units must comply with all yard requirements of the district in which they are located. The use of former mobile homes, former semi rigs, former buses or similar vehicles for temporary or permanent storage is not permitted in any zoning district. *(amended 2/18/25)*

605 USE OF RIGHT OF WAYS

Fences of any kind, underground irrigation systems, underground electronic dog fences, signs, hedges, or other plantings, structures, or walls, except mail boxes and paper tubes placed at the risk of the resident, shall not be located in the street right of way. Driveway drainage pipes, boulevard with trees or shrubs, subdivision association signs may be permitted when location, size, and species are approved by the board of supervisors.

606 MINIMUM FLOOR AREA PER DWELLING UNIT

To ensure safety and health of residents, dwellings must have a minimum of seven hundred twenty (720) square feet of heated living space unless otherwise permitted by the International Building Code, as amended.

607 EASEMENTS

No structure, planting, or obstruction of any kind shall be placed or allowed to be placed in or on any underground public easement or access easement or interfere in any other way with any public easement.

608 DUMPSTER SCREENING AND LOCATION

A. If visible from a public road, dumpsters shall be screened on all sides. Such screening shall consist of decorative masonry walls, solid weather-resistant wood fencing, fencing of a similar appearance (including, but not limited to, vinyl vertical planks) or chain link fencing with privacy slats. The fence or wall shall include a self-latching door or gate.

B. Dumpsters and their enclosures shall not be located closer than twenty-five (25) feet to any front yard property line or closer than one (1) foot to any side or rear yard property line. However, dumpsters and their enclosures shall be a minimum of ten (10) feet from any Marginal Access Way.

C. Setback from Dwellings: An outdoor dumpster for commercial/industrial use shall be kept the maximum distance that is feasible away from any abutting dwelling (maximum distance shall be approved by the Board of Supervisors and/or Zoning Hearing Board).

D. Dumpsters shall be completely enclosed, and the lid shall be kept in place at all times. The locations of all dumpsters shall be shown on all site plans and land development plans submitted to the municipality.

E. This section shall not apply to dumpsters placed temporarily during actual construction or demolition on the premises.

609 LANDSCAPING AND TREE PRESERVATION

All Landscaping and Tree preservation must comply with the Subdivision and Land Development Ordinance.

610 FENCES AND WALLS

610.01 FENCES IN RESIDENTIAL DISTRICTS

A. Fences erected on lots in Residential Districts shall be subject to the following regulations:

1. Fences six feet or less are exempt from a zoning permit, building permit and shall be exempt from side and rear yard setbacks noted in the previous zoning districts.

2. Except as set forth in this section, a fence may be installed and located up to a property boundary and is not regulated as to which direction it faces. Fences on a street corner shall not obstruct the clear sight triangle area as defined *(amended 2/18/25)*

3. Fences, walls, hedges, or other plantings or walls shall not be located on a lot of record that interfere with the clear sight triangle corner lots.

   No building, structure, planting, or other obstruction shall be permitted which would endanger public safety along any street or public roadway by obscuring sight visibility along said street.

4. No fence, wall, or structure shall be permitted or erected in a public or private drainage, utility or access easement, unless otherwise required by this Ordinance or other Summit Township ordinance. Any such fence erected in violation of this section shall be removed or relocated at the owner's expense.

   a. No fence shall be built within an existing street right-ow-way.

   b. A fence may be built without a setback from a lot line; however, a small setback is recommended to provide future maintenance of the fence.

   c. No fence shall be constructed out of fabric, junk, junk vehicles, appliances, tanks, totes, or barrels.

610.02 FENCES IN ALL OTHER DISTRICTS:

Fences erected on lots in districts other than those classified as Residential Districts shall be subject to the following regulations:

A. The maximum height of a fence panel shall be ten (10) feet, except when the lot is located next to a Residential District or an alley, in which cases the maximum height shall be six (6) feet.

B. The bottom of a fence panel shall not extend more than four (4) inches above the surface or ground that supports the fence.

C. Fence posts shall not extend more than eight (8) inches from the top of the fence panels.

D. No fence shall be erected at such a location as to interfere with minimum sight distance specifications for street intersections and intersections of driveways and streets as established in the adopted subdivision and land development regulations of Summit Township.

E. Chain link fences may only be permitted in rear and side yards if the links, posts, and mounting fixtures are vinyl clad.

F. The Zoning Hearing Board may grant a special exception to erect fence panels on a lot in excess of the maximum height, if the applicant can demonstrate to the Zoning Hearing Board's satisfaction that due to topographical constraints or special needs related to the use of the lot in questions, fence panels of a greater height than normally prescribed are necessary. The Zoning Hearing Board shall also find that such fence panels exceeding the maximum permitted height will not have a significant negative impact on surrounding lots. The Zoning Hearing Board may attach reasonable conditions such as landscaping requirements or setback requirements when granting such a special exception.

610.03 RETAINING WALLS

Retaining walls necessary to support the geotechnical needs of a lot shall be permitted.

611 FILLING, GRADING, DREDGING, EXCAVATION AND EARTH MOVING

611.01 AN OPERATION PERMIT REQUIRED

For the following classes of excavation, grading, dredging, filling or earth moving:

A. Under provisions of a dually authorized building permit and zoning permit.

B. Any excavation and filling clearly incidental to the improvement of the property consisting of more than one acre in size.

C. This section shall be construed to prohibit piecemealing or tacking on additional parcels of land.

611.02 OPERATION APPLICATION REQUIREMENTS

An application for such an operation permit must be submitted to the Zoning Officer and shall set forth the following information:

A. Name of landowner.

B. Location, description and size of area to be filled, excavated, graded, dredged or moved.

C. Type of resources or materials to be used as fill or to be removed.

D. Estimated quantity of material to be graded, filled, excavated, dredged or moved.

E. Location and present status of any previously permitted excavation or fill operations on the property.

F. Estimated number of loads per day and estimated weight of load and time of day of proposed filling.

G. Name of the individual, firm or company in charge of the operation.

H. Details of soil replacement and of re-vegetation or other methods of soil erosion control.

I. Details of plans to control any changes in surface water flow and drainage.

611.03 AN OPERATION PERMIT NOT REQUIRED

A. Necessary grading removal or excavation for the purpose of constructing streets and other improvements in accordance with approved subdivision plans for which a permit has already been issued.

B. Farming, nurseries, gardening or similar agriculture or horticulture use where and as permitted by the zoning ordinance.

611.04 PERMIT SHALL BE DENIED

The permit shall be denied if any one or more of the following conditions are deemed to exist.

A. The resources or materials to be used as fill include any materials other than soil, rocks, stone, clay, sand, gravel and cement blocks. Trees, brush, stumps or other vegetation material generated on the site are also permitted fill.

B. The activity will create a hazard, or threat to the public safety, health and welfare.

C. The activity may damage Township roads.

D. The activity will interfere with surface water flow and/or drainage or cause erosion.

E. The Township Supervisors may impose such conditions or requirements upon the

issuance of a permit as they deem necessary or proper to assure faithful compliance with this Ordinance.

611.05 PERMIT ISSUED ON POSTING OF BOND

If a permit is denied because it is in violation of any Township Ordinance, the landowner may be permitted to file with the Township a cash bond or bond with corporate surety in an amount approved by the Township supervisors to assure that the landowner, agents and employees will save harmless the Township from any expense incurred through any damage to Township roads or to ensure completion of all work pursuant to conditions of approval. If a corporate bond is offered, it shall be executed by a company authorized to do business in Pennsylvania as a corporate surety.

611.06 OPERATION PERMIT FEES

The fee to apply for a permit shall be in accordance with the fee schedule in effect, said fee schedule to be adopted by the supervisors by resolution.

612 STEEP SLOPE LAND AND/OR FLOOD PLAINS

Land where development and the public health, safety and general welfare are threatened by special development problems, consisting of excessive slope or periodic flooding, shall conform to the following additional regulations.

612.01 STEEP SLOPE

Land having a slope in excess of twenty- four (24) percent slope shall be deemed steep slope land. For the purpose of determining compliance with the area requirements of this Ordinance, the area of steep slope land shall be computed at one-tenth (1/10) of the value of the land, that is, each ten (10) square feet of steep slope shall be counted as one (1) square foot in computing such compliance. The maximum area of land which may be developed, graded, and stripped of vegetation shall be as follows:

1. No greater that 40% of area with slopes ranging from 8% to 14.9% shall be developed, graded, or stripped of vegetation.

2. No greater than 30% of areas with slopes ranging from 15% to 24.9% shall be developed, graded, or stripped of vegetation.

3. No greater than 15% of areas with slopes greater than 25% shall be developed, graded, or stripped of vegetation.

613 FLOOD PLAINS

Must comply in accordance with the Summit Township Floodplain Ordinance.

614 AGRICULTURE

Agricultural uses shall comply with the following:

614.01 INTENSIVELY USED FACILITIES

Intensively used facilities for animal raising and care including but not limited to such facilities as feed lots, and pens shall not be constructed within one hundred fifty (150) feet of a neighboring property.

614.02 URBAN AGRICULTURE

A. The following types of urban agricultural activities may be permitted as accessory uses on residential lots in the RLD and RMD zoning districts:

   1. The keeping of domestic fowl;
   2. The keeping of miniature goats and sheep; and
   3. The keeping of bees.

B. The following types of urban agricultural activities may be permitted as accessory uses in the CL zoning district:

   1. Farmers markets.

C. The following types of urban agricultural activities may be permitted as accessory uses in the CC zoning district:

   1. Market gardens; and
   2. Farmer's markets.

D. The following types of urban agricultural activities may be permitted as accessory uses in the IND zoning district:

   1. Community garden;
   2. Market garden; and
   3. Farmer's market.

E. The keeping of domestic fowl shall be governed by the following regulations and the Summit Township Wild Animal Ordinance.

   1. Domestic fowl shall only be kept on a residential lot on which there is an occupied dwelling or on a lot abutting a school when the activity is for an educational purpose accessory to the school.

2. Domestic fowl may be kept in the following numbers:

    a. On lots smaller than twenty thousand (20,000) square feet but at least two thousand (2,000) square feet, up to six (6) fowl may be kept.

    b. On lots of twenty thousand (20,000) square feet in area or larger, up to twelve (12) fowl may be kept.

3. If a lot has more than one (1) dwelling unit, all adult residents and the owners of the lot must consent in writing to allow fowl on the property.

4. The fowl must be provided with a covered, predator-resistant coop that is properly ventilated, designed to be easily accessed, cleaned, and maintained. The coop must be at least three (3) square feet per fowl.

5. All animal feed shall be stored in a secured, rodent-proof container and housed within an enclosed structure.

6. Fowl shall be located at least ten (10) feet from any property line. In the instance of multiple contiguous lots under the same ownership, the lots shall be treated as one lot.

7. During daylight hours, fowl must have access to the coop and also have access to an outdoor area that is adequately fenced to protect them from predators and to prevent them from roaming onto neighboring properties.

8. Fowl must be closed in a coop from dusk to dawn to be further protected from predators.

9. Fowl may be humanely killed by or at the direction of the owner or keeper thereof in accordance with existing state and federal regulations.

10. No predatory birds, guinea fowl, or roosters may be kept.

F. The keeping of miniature goats and sheep shall be governed by the following regulations and the Summit Township Wild Animal Ordinance:

1. Miniature, pygmy, dwarf goats or sheep shall only be kept on a residential lot on which there is an occupied dwelling or on a lot abutting a school when the activity is for an educational purpose accessory to the school.

2. Two (2) miniature, pygmy, dwarf goats or sheep, plus any number of their offspring younger than twelve (12) weeks, may be kept. The keeping of only one (1) miniature, pygmy, dwarf goat or sheep is prohibited. Only female or altered male miniature, pygmy, or dwarf goats or female sheep shall be permitted. No bucks or larger breeds of rams shall be allowed.

3. Goats shall be located at least ten (10) feet from any property lines. In the instance of multiple contiguous lots under the same ownership, the lots shall be treated as one lot.
4. Goats must be provided with a covered, predator-resistant shelter that is properly ventilated, designed to be easily accessed, cleaned, and maintained.
5. All animal feed shall be stored in a secured, rodent-proof container and housed within an enclosed structure.
6. During daylight hours, goats must have access to the shelter and also have access to an outdoor area, which shall be in total at least one-hundred-fifty (150) square feet per goat, as well as adequately fenced to protect them from predators and private them from roaming onto neighboring properties.
7. Goats must be closed in the shelter from dusk to dawn.
8. Goats may be humanely killed by or at the direction of the owner or keeper thereof in accordance with existing state and federal regulations.

G. The keeping of bees (beekeeping) shall be governed by the standards of the Pennsylvania Department of Agriculture in addition to the following regulations and the Summit Township Wild Animal Ordinance:

1. Bee colonies shall only be kept on a residential lot on which there is an occupied dwelling or on a lot abutting a school when the activity is for an educational purpose accessory to the school.
2. Bee colonies shall consist of only European honey bees.
3. All bee colonies shall be kept in hives with moveable combs, which shall be kept in sound and usable condition.
4. In each instance in which a colony is situated within twenty-five (25) feet of a public or private property line of the tract upon which the apiary is situated, as measured form the nearest point on the hive to the property line, the beekeeper shall establish and maintain a flyway barrier at least six (6) feet in height, consisting of a solid wall, fence, dense vegetation, or combination thereof, which is parallel to the property line and extends ten (10) feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six (6) feet above ground level over the property lines in the vicinity of the apiary.
5. Each beekeeper shall ensure that a convenient source of water is available at all times to the bees so that the bees will not congregate at swimming pools, bibcocks, pet water bowls, birdbaths, or other water sources where they may come in contact with humans, birds, or domestic pets.

6. In any instance in which a colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition toward swarming, it shall be the duty of the beekeeper to requeen the colony.

7. It shall be unlawful to keep more than the following number of colonies on any lot, based upon the size or configuration of the lot on which the apiary is situated:

    a. On lots of at least two thousand (2,000) square feet, the resident is permitted to keep two (2) colonies. For every two thousand (2,000) additional square feet, the resident is permitted two (2) additional colonies.

    b. Regardless of lot size, where all hives are situated at least two hundred (200) feet in any direction from all properties of the tract on which the apiary is situated, there shall be no limit to the number of colonies.

8. For each two (2) colonies authorized under colony densities, there may be maintained upon the same tract one (1) nucleus colony in a hive structure not exceeding one (1) standard nine-and-five-eighths inch (9-5/8") depth, ten-frame hive body with no supers attached as required from time to time for management of swarms. Each such nucleus colony shall be disposed of or combined with an authority colony within sixty (60) days after the date it is acquired.

9. Honeybee apiaries are permitted by right as an accessory use in RR, RN and RLD when in compliance with the Pennsylvania Bee Law (3 Pa.C.S.A. § 2101-§ 2117) and, subject to the following regulations:

    a. Best Management Practices: Beekeeping facilities must be consistent with the Pennsylvania Department of Agriculture "Best Management Practices for Maintaining European Honeybee colonies in the Commonwealth of Pennsylvania".

    b. Registration: The apiary must be properly registered with the Pennsylvania Department of Agriculture, Bureau of Plant Industry, pursuant to applicable Pennsylvania state laws.

    c. Ownership and Care: Ownership, care and control of the honeybees shall be responsibility of a resident of the dwelling on the lot or the individual listed on the registration.

H. Community gardens shall be governed by the following regulations:

1. Operations using machinery may begin at sunrise or 7:00 a.m., whichever is earlier, on weekdays and at 9:00 a.m. on Saturday and Sunday. Operations using machinery must end at sunset or 9:00 p.m., whichever is later. Automatically functioning equipment, such as sprinklers, are exempted from hours of operation.

2. Community gardens may include any of the following features: raised and/or accessible planting beds, compost bins, picnic tables, garden art, rain barrel systems, restroom facilities or portable toilets, signage, storage sheds, and children's play areas.

3. All community gardens shall have suitable containers for waste and recyclables that are regularly serviced.

4. A community garden may include a seasonal farm stand only for the sale of items grown at the site or products made from items grown at the site. Sales for fundraising purposes and associated promotional materials are permitted at events held on the site. Stands shall be removed from the premises or stored inside a building on the premises or off-site when the garden is not in operation. Sales must occur on-site and only between 7:00 a.m. and 9:00 p.m.

5. Signage. Permitted signs, not to exceed nine (9) square feet in area per side and six (6) feet in height, shall be limited to identification (of gardens, individual plants, etc.), information, and directional signs, including sponsorship information where such information is clearly secondary to other permitted information on the sign.

6. Parking. If a community garden includes a seasonable farm stand, adequate off-street parking as determined by the Township must be provided and shall be either unpaved or surfaced with gravel or pervious paving material. Interior walkways shall be unpaved except as necessary to meet the needs of individuals with disabilities.

I. Market gardens shall be governed by the following regulations:

1. Operations using machinery may begin at sunrise or 7:00 a.m., whichever is earlier, on weekdays and at 9:00 a.m. on Saturday and Sunday. Operations using machinery must end at sunset or 9:00 p.m., whichever is later. Automatically functioning equipment, such as sprinklers, are exempted from hours of operation.

2. The area of a market garden includes the area under cultivation, the area covered by any structures associated with the garden, the compost pile, any off-street parking, and any other area associated with the activities of the garden.

3. The area of a market garden shall not exceed five thousand (5,000) square feet in all zoning districts other than the Industrial District. There shall be no maximum area for market gardens in the Industrial District.

4. Signage. Permitted signs, not to exceed nine (9) square feet in area per side and six (6) feet in height, shall be limited to identification (of gardens, individual plants, etc.), information, and directional signs, including sponsorship information

where such information is clearly secondary to other permitted information on the sign.

5. Off-site and on-site sales are subject to any existing Pennsylvania regulations for the sale of produce.

J. Farmer's markets shall be governed by the following regulations:

1. Market hours shall not exceed eight hours in duration.
2. At least half of the vendors shall sell produce from an agricultural operation or food, live plants, or cut flowers.
3. Must obtain the necessary environmental permits to conduct such use.

614.03 ACCESSORY KEEPING OF LIVESTOCK

The purpose of these regulations is to provide a definition of livestock; to set forth reasonable standards for the keeping and care of non-commercial livestock as an accessory use in residential areas; to give appropriate consideration to the property rights of citizens of Summit Township with non-commercial livestock; to help maintain neighborhood compatibility; and to protect the health, safety, and welfare of the general public. It is not the intent of this ordinance to regulate domestic animals (pets) which are typically kept inside the household. For parcels 50 acres of larger, these regulations do not apply. The following regulations do not apply to agriculture as a principal.

A. Accessory Keeping of Livestock as an accessory use, subject to the following regulations:

1. Lot Size and Density Restrictions.

a. Unless otherwise regulated by the Township of Summit, the minimum lot size of one (1) acre shall be required for the noncommercial keeping of livestock.

b. In the event any livestock, excluding chickens and fowl, gives birth, thereby exceeding the number of livestock animals allowed by the minimum set forth in this subsection, the owner of said livestock and/or the occupier of the premises shall conform to the number of livestock animals for the dimensional requirements within one year of the birth of the animal. Chickens and fowl shall conform to the number for the dimensional requirements within six (6) months of the birth of the animal.

c. Up to one (1) Animal Equivalent Unit for each acre or a portion thereof dedicated to the calculated using standard weight (pounds). Round up to the nearest whole animal.

d. Changes in animal types must still adhere to Animal Unit Densities.

2. Manure Management.

   a. Accessory Keeping of Livestock must comply with the Pennsylvania Nutrient Management Regulations, Pa. Code Title 25, Chapter 83, as required by the Department of Environmental Protection.

3. Animal Care.

   a. All Accessory Keeping of Livestock must comply with minimum standards of animal care as required by Pennsylvania law, Pa. Code Title 18, regarding animal cruelty provisions.

   b. An animal housing facility shall be provided as a shelter for the animal(s). The structure shall incorporate no less than three walls and a sufficient roof area to provide a weather-proof shelter.

   c. Animal housing facilities shall be of sufficient size to enable the animal to comfortably stand, turn around and lay down.

   d. Animal housing facilities shall be ventilated to avoid respiratory disease and infections, control ambient temperature, and prevent accumulation of toxic gases.

4. General Requirements.

   The disposal of dead animals shall be in accordance with the Domestic Animal Law, Pa. Code Title 3, Chapter 23, subsection 2352. Dead animals shall be disposed of within 48 hours after death.

614.04 ROADSIDE STANDS

Roadside stands for sale of agricultural products shall be permitted providing:

A. They are erected at least fifty (50) feet back from the center of any road, excepting state and federal highways.

B. Adequate parking spaces are provided off the road right-of-way.

C. They shall be used exclusively for products grown or produced on the premises or on other properties under the same ownership or management.

615 FACILITIES

All new dwellings and public patronage establishments must be fully equipped with modern inside toilet and bath facilities including piping for hot and cold running water, and modern heating and lighting.

616 SHORT TERM RENTALS

A. All activity at the short-term rental shall be subject to enforcement of any noise ordinance as well such related provisions found in Township regulations.

617 RESERVED *(amended 2/18/25)*

618 VEHICLE STORAGE

Motor vehicles without current, valid license plates and inspection stickers, or vehicles which have been accident or fire damaged shall not be parked or stored in any zoning district, unless stored within an enclosed building, or completely screened from view by a fence (including, but not limited to, solid weather-resistant wood fencing, fencing of a similar appearance, such as solid vinyl fencing, or chain link fencing with privacy slats) or screen planting. The following requirements shall also apply:

A. If a motor vehicle is screened from view by a stockade type fence or vegetation screening, the total area of the enclosure shall not exceed five hundred (500) square feet and the enclosure must conform to all setback requirements of the property's respective zoning district.

B. No parts salvage for commercial use will be permitted.

C. Any vehicle(s) stored in accordance to the above requirements must be titled in the resident's name and be for personal use only.

D. The requirements of this section shall not be applicable to farm implements and other farm vehicles not normally used as a means of conveyance on public streets.

E. Nothing in this section shall be interpreted to prevent the unenclosed storage of motor vehicles without current valid license plates and current valid inspection stickers, or vehicles that are accident or fire damaged if such storage is performed in conjunction with the legal operation of a motor vehicle sales establishment, a motor vehicle service or repair establishment, or a junkyard.

F. Except as provided for in other Township ordinances, no inoperative or non-operating motor vehicle shall be parked, kept or stored on any premises, and no vehicles shall at any time be in a state of major disassembly, disrepair or in the process of being stripped.

619 PRIVATE SWIMMING POOLS

A. Private swimming pools, as an accessory to a dwelling, are permitted only when located in the rear yard and must meet the minimum rear and side yard setbacks. A Zoning Permit is not required for an above ground pool, but a Zoning Permit shall be required for all in-ground pools and associated decks.

B. Above ground and in-ground swimming pools, as well as associated fences, walls, and decks, must comply with the requirements of the 2015 International Swimming Pool and Spa Code, as may be amended from time-to-time.

C. Prior to the construction of private swimming pools, a Building Permit must be obtained in accordance with the Township's Uniform Construction Code Ordinance, as may be amended from time-to-time.

620 OUTDOOR STORAGE

A. Outdoor Storage of Materials.

All outdoor storage of fuel, raw materials, and products, except for finished products for retail sale to the public for a commercial or industrial use in any Mixed Use, Commercial, or Industrial district shall be completely screened from view from any public right-of-way, any residential use or Residential District by a sight-obscuring evergreen planting, fence, or wall at least six (6) feet in height.

B. Outdoor Storage of Garbage.

1. All organic refuse or garbage stored outdoors shall be placed in watertight, vermin-proof containers.

2. All trash dumpsters, compactors, and other refuse storage containers, other than those for single-family or two-family dwellings and other curbside collection, must be completely screened from view on all sides. The screening to be installed must be sight-obscuring and shall be installed to at least the height of the dumpster, compactor, or refuse storage container. The permitted screening materials are as follows: a fence, evergreen plantings in combination with deciduous shrubs, or a wall. Plants installed for screening are required to be the height of the dumpster, compactor, or refuse storage container at the time of planting. Dumpsters, compactors, and refuse storage containers other than those for single-family or two-family dwellings and other curbside collection shall not be permitted in the front yard of any property.

C. Outdoor Storage of Trailer, Mobile Homes, and Recreational Vehicles.

1. The parking and storage of trailers, mobile homes, motor homes, campers, and recreational vehicles shall be prohibited within the right-of-way of any public street.

2. At no time shall such parked or stored vehicle be occupied or used as a dwelling.

621 OUTDOOR SEATING AREAS

Outdoor seating areas may be proposed for restaurants, bars or taverns, and brewpubs subject to the following provisions:

A. A clear pedestrian passageway of five (5) feet or greater shall be maintained. Street furniture, such as light poles, kiosks, mailboxes, tree pits, planters, public benches, and fire hydrants, shall not be located in the clear pedestrian passageway.

B. No part of the outdoor seating area, including canopy umbrellas, planters, barriers, signage, and freestanding menu displays, shall extend into the required clear pedestrian passageway or into/over the street.

C. A mobile freestanding menu display may be placed at the edge of the outdoor seating area in lieu of a sandwich board sign (as defined in this Ordinance and provided for in Article 8), but not both.

D. Chairs and tables shall be weather-resistant to sun, rain, and wind and must be freestanding.

E. Canopy umbrellas shall be between seven (7) and ten (10) feet in height and anchored.

F. Outdoor seating areas shall be subject to any noise, nuisance, and property maintenance ordinances as well such related provisions found in this Article.

G. No outdoor seating area shall be located closer than 100 feet from a Residential District.

622 FIRE PROTECTION STANDARDS

Direct and unobstructed access to the perimeter of all commercial buildings shall be provided for emergency vehicles as follows:

A. For buildings under 50,000 square feet - 50% of the perimeter; buildings over 50,000 square feet but less than 100,000 square feet - 75%; and buildings larger than 100,000 square feet - 100%.

B. Any street or driveway shall be considered as access point if located not more than fifty (50) feet from the building served.

C. All means of access must be designed to sustain the weight of emergency vehicles and shall be not less than eighteen (18) feet in width.

D. No structure shall be more than 500 feet from a fire hydrant if municipal water supply is available.

623 FUEL ISLAND

Must meet all structure setbacks and may only be an accessory structure to a principal building.

624 SOLAR ENERGY SYSTEMS, ACCESSORY

Said systems shall meet all structure setbacks and may only be an accessory structure to a principal building.

A. Intent.

It is the intent of this Section to promote the safe, effective, and efficient use of installed solar energy systems that reduce on-site consumption and demand of utility-supplied energy while protecting the health, safety, and welfare of adjacent and surrounding land uses and lots. This Section seeks to:

1. Provide property owners and businessowners/operators with flexibility in satisfying their energy needs;

2. Reduce overall energy demands within the community and to promote energy efficiency; and

3. Integrate alternative energy systems seamlessly into the community's neighborhoods and landscapes without diminishing the quality of life of the community.

B. Applicability.

1. This Section applies to building-mounted and ground-mounted accessory solar energy systems installed and constructed after the effective date of this Ordinance.

2. Accessory solar energy systems constructed prior to the effective date of this Ordinance are not required to meet the requirements of this Section.

3. Any upgrade, modification, or structural change that materially alters the size and placement of an existing accessory solar energy system shall comply with the provisions of this Section.

4. Building-integrated accessory solar energy systems are not considered an accessory use and are not subject to the requirements of this Section.

5. This Section does not apply to principal solar energy systems (PSES), as defined in this Ordinance.

C. Location on a Property.

1. Building-mounted accessory solar energy systems are permitted to face any front, rear, or side yard as defined in this Ordinance. Such systems may only be mounted on lawfully permitted principal and accessory buildings.

2. Ground-mounted accessory solar energy systems are permitted based on the requirements for accessory uses and structures in the property's zoning district.

D. Design and Installation Standards.

1. Accessory solar energy systems must be constructed to comply with the Pennsylvania Uniform Construction Code (UCC), Act 45 of 1999, as administered by the Pennsylvania Department of Labor and Industry (DLI).

2. All wiring must comply with the edition of the National Electrical Code (NEC) adopted by the Commonwealth of Pennsylvania. For ground-mounted accessory solar energy systems, all exterior electrical lines must be buried beneath the surface of the ground where possible or otherwise placed in a conduit.

E. Dimensional Requirements.

1. Setback Requirements for Ground-Mounted Accessory Solar Energy Systems.

   Ground-mounted solar energy systems are subject to the accessory use setback requirements in the zoning district in which the system is to be constructed. The

required setbacks are measured from the lot line to the nearest part of the system. No part of a ground-mounted accessory solar energy system shall extend into the required setbacks, including in the case of tracking systems or other adjustments of related equipment or parts.

2. Height Requirements.

   Notwithstanding the height limitations of the underlying zoning district:

   a. For a building-mounted accessory solar energy system installed on a sloped roof, the highest point of the system shall not exceed the highest point of the roof to which it is attached.

   b. For a building-mounted accessory solar energy system installed on a sloped roof that faces the front yard of a lot, the system must be installed at the same angle as the roof on which it is installed, with a maximum distance, as measured perpendicular to the roof, of 18 inches between the roof and the highest edge of or surface of the system.

   c. For a building-mounted accessory solar energy system installed on a flat roof, the highest point of the system shall be permitted to extend up to six (6) feet above the roof to which it is attached.

   d. Ground-mounted accessory solar energy systems may not exceed the permitted height of accessory structures in the zoning district where the system is to be installed.

F. Screening and Visibility.

   1. Building-mounted accessory solar energy systems installed on a sloped roof shall not be required to be screened.

   2. Building-mounted accessory solar energy systems mounted on a flat roof shall not visible from the public right-of-way within a 50-foot radius of the lot, exclusive of an alley, at a level of five (5) feet from the ground. Such systems shall be screened in a similar manner as other rooftop HVAC and mechanical equipment. This can be accomplished with architectural screening such as a building parapet or by setting the system back from the edge of the roof.

G. Impervious Lot Coverage Restrictions.

   The surface area of any ground-mounted accessory solar energy system, regardless of the mounted angle of any portion of the system, shall be considered an impervious surface and shall be calculated as part of the lot coverage limitations for the zoning district. However, if the ground-mounted solar energy system is mounted above an

existing impervious surface, it shall not be calculated as part of the lot coverage limitations for the zoning district.

H. Nonconformance.

1. Building-Mounted Solar Energy Systems.

a. If a building-mounted accessory solar energy system is to be installed on any building or structure that is nonconforming because its height exceeds the maximum height limitations of the zoning district in which it is located, the building-mounted system shall be permitted so long as the system does not extend above the highest point of the roof to which it is mounted and so long as it complies with the other provisions of this Section.

b. If a building-mounted accessory solar energy system is to be installed on a building or structure on a nonconforming lot that does not meet the setback requirements or exceeds the lot coverage limits for the zoning district in which it is located, the building-mounted system shall be permitted so long as there is no expansion of any setback or lot coverage nonconformity and so long as it complies with the other provisions of this Section.

2. Ground-Mounted Solar Energy Systems.

a. If a ground-mounted accessory solar energy system is to be installed on a lot containing a structure that is nonconforming because the required minimum setbacks are exceeded, the proposed system shall be permitted so long as the system does not encroach into the required setback for the lot.

b. If a ground-mounted accessory solar energy system is to be installed on a lot that is nonconforming because it violates zoning district requirements other than setbacks, then a variance must be obtained for the proposed installation following the procedures found in Article 10.

I. Signage and/or Graphical Content.

No signage or graphical content may be displayed on the accessory solar energy system except for the manufacturer's badge, safety information, and equipment specification information. Said information shall be depicted within a graphical area no more than 36 square inches in size.

J. Performance Requirements.

All accessory solar energy systems are subject to compliance with any applicable performance standards found elsewhere in this Ordinance.

K. Permit Requirements.

Before any construction or installation of any accessory solar energy system shall commence, a permit issued by the Building Code Official shall be obtained to document compliance with this Section.

L. Inspection, Safety, and Removal.

1. Summit Township reserves the right to inspect an accessory solar energy system for fire or building code compliance and safety.

2. If upon inspection, the Township determines that a fire or building code violation exists or that the system poses a safety hazard to persons or property, the Township may order the property owner to repair or remove the system within a reasonable timeframe. Such an order shall be in writing, shall offer the option to repair or otherwise correct the issue, shall specify the code violation or safety hazard found, and shall notify the owner of his or her right to appeal such determination.

3. If the property owner fails to repair or remove an accessory solar energy system as ordered and any appeal rights have been exhausted, the Township may enter the property, remove the system, and charge the owner and/or operator for all costs and expense of removal, including reasonable attorney's fees, or pursue other legal action to have the system removed at the owner and/or operator's expense.

4. In addition to any other available remedies, any unpaid costs resulting from the Township's removal of a vacated, abandoned, or decommissioned accessory solar energy system shall constitute a lien upon the property against which the costs were charged. Legal counsel of the Township shall institute appropriate action for the recovery of such costs, plus attorney's fees, including but not limited to the filing of municipal claims pursuant to the Pennsylvania Municipal Claims and Tax Lien Act, 53 P.S. § 7101 et seq., for the cost of such work, 6% interest per annum, plus a penalty of 5% of the amount due plus attorneys' fees and costs incurred by the Township in connection with the removal work and filing of the municipal claim.

625 OFF-SITE AUTOMOBILE INVENTORY STORAGE

A. There shall be no sales activity off-site associated with vehicle inventory stored off-site.

B. A formal agreement between the landowner where off-site vehicle storage is being conducted and the owner of the vehicle sales use shall be submitted to the Township for record and references.

C. Any other permit requirements associated with off-site vehicle inventory storage shall apply.

D. Off-site Vehicle Inventory Storage shall only be permitted within zoning districts that permit Vehicle Sales as a permissible land use.

E. All off-site vehicle storage lots must comply with the Township parking requirements for space size and aisle width.

F. Any lighting applicable to the off-site vehicle inventory storage area shall be presented as part of a Photometrics Plan applicable to the lot. Lighting levels shall not exceed the maximums as otherwise defined by this Ordinance.

G. Performance standards applicable to the lot shall apply to any area utilized for off-site vehicle inventory storage.

H. All vehicle inventory shall be in operable condition; no storage of junk or abandoned vehicles shall be permitted to occur.

626 CAMPGROUND / CAMP PARK / TRAVEL TRAILER PARK

Lots and parcels of land which are designed for the temporary parking and occupancy of two (2) or more travel trailers used for human habitation may be located in areas zoned to permit such use; and shall be of adequate area to provide parking spaces, access lanes, utilities, and accessory buildings as herein required. Swimming pools, structures, and accessory buildings provided for any such park shall comply with applicable requirements of the Zoning Ordinance and the regulations of the building official and health official. Recreational vehicles (RVs), vacation home developments, and recreational camp parks are intended for the temporary use of individuals or families for recreational and camping purposes. Such developments are not intended for year-round or permanent occupancy *(amended 2/18/25)*. Places for year-round occupancy shall be constructed as mobile home parks or second home developments.

In addition to the rules and regulations specified in this chapter, the developer shall submit any needed permits or approvals for land development in accordance with Summit Township as well as from County and/or state agencies. In compliance with sedimentation and erosion control, drinking water and sanitary sewage facilities and solid waste disposal regulations will be required.

626.01 AREA OF TRAVEL TRAILER SPACES

Based upon the gross area of the trailer park, the number of individual unit spaces shall not be more than twenty (20) per acre. The minimum area of any space for travel trailer shall be no less than eight hundred (800) square feet with dimension less than twenty (20) feet. No such space shall be located less than twenty (20) feet from the street lot lines and alley lines and not less than five (5) feet from interior lot lines. Travel trailers shall be so located on each space so that there will not be less than ten (10) feet to any other trailer or building within the park.

626.02 ENCLOSURE OF PARKS

When abutting residentially developed properties, a buffer strip is required. Transient parks shall be enclosed with an approved fence or planted hedge, not less than seven (7) feet in height and with no openings to adjoining property other than the required entrances and exits to streets or public spaces.

626.03 INDIVIDUAL TRAVEL UNIT SPACE

Minimum area and arrangements of spaces for individual travel trailers shall comply with the applicable requirements of Section 626.01. The number of spaces allowed shall be based upon the gross area of the park. Gross area shall be defined as the entire area of the park property. When a park provides space for both travel trailers and mobile homes, the portions of the park allotted to each shall be governed by the requirements of the specific use of the respective areas.

626.04 STREETS AND WALKWAYS

Streets and driveways shall be provided within the park area to afford easy access to all parking spaces. They shall be constructed with a hard, dustless road surface and shall provide ready means of entrance and exit to the street in an approved manner. The minimum width of streets provided for two-way traffic shall be thirty-eight (38) feet when parking of vehicles is allowed on both sides, thirty (30) feet when parking is allowed on one side and twenty-two (22) feet when no parking of vehicles is allowed. Satisfactory means of drainage shall be provided with all streets and lanes draining into catch basins properly connected to the sewer system in accordance with applicable requirements for such facilities. Walkways shall be provided as necessary to all accessory building and service facilities of the park. Walks shall have a non-slip impervious surface and shall comply with the applicable requirements for public sidewalks. Streets and walkways shall be illuminated as required for streets.

626.05 SERVICE BUILDINGS

Office buildings and structures housing sanitary, service or similar equipment shall be constructed to meet the applicable requirements of the Zoning Ordinance. Motor fuel service stations shall be located adjacent to a public street and shall be not less than thirty (30) feet from spaces for parking of travel trailers or mobile homes or any building. Mobile homes, as defined in the Zoning Ordinance, may not be used for accessory uses in connection with any park except upon special permission in writing from the building official. Such structures may be mounted on permanent foundations for accessory uses when specifically permitted by the special permit.

626.06 WATER SUPPLY

An approved water supply system shall be installed with adequate water taps and connections for travel trailer parking space to supply running water for all sanitary and washing fixtures, drinking and domestic purposes as required by health authorities. Connections to individual units shall be arranged to prevent back siphoning into the main system.

626.07 SEWER SYSTEM AND SANITARY FACILITIES

Faucets for community use shall be installed in accessible locations in a manner to be safe and sanitary. Sanitary facilities consisting of water closets, urinals, showers or baths, shall be provided for community use in accordance with the fixture requirements of the health authorities. The developer shall provide facilities and show compliance with the appropriate regulations of the Erie County Department of Health or the Pennsylvania Department of Environmental Protection. Where permits are required, copies of same shall be presented to the Township. Such facilities shall be located so as to be accessible to all units in the park. Each space for a travel trailer shall be provided with a sewer outlet not less than four (4) inches in diameter connected to the main sewer system and properly trapped to receive waste from the fixtures in the mobile home unit. These shall be capped when not in use. The main sewer system shall be connected to the public sewer system or to other approved disposal plant. Provisions shall be made for the receipt, collection and disposal of all garbage and rubbish from each mobile unit in accordance with the requirements for dwelling occupancies. Garbage and waste receptacles shall be kept clean and in sanitary condition.

626.08 ELECTRICAL EQUIPMENT AND SYSTEMS

The main electric service to the park shall be of adequate capacity to serve the maximum connected load. Main service, fusing, switching, and distribution shall comply with the applicable requirements of the Pennsylvania Electric Company and shall be installed and maintained in accordance with applicable laws and ordinances governing such system. Each travel trailer space shall be provided with electric service having a grounded type supply receptacle with appropriate fuse or circuit breakers. The minimum service for a travel trailer shall be 115-volt AC ampere. Service shall be mounted in an approved manner adjacent to each mobile unit space.

626.09 GAS SUPPLY

Installations for use of natural gas or liquefied petroleum gas shall comply with all laws and ordinances of the community applicable to the use of such systems for dwellings, or compliance with governing public utilities.

627 WATER DISCHARGE

The discharge of sump pumps, footer drains, water softeners, roof drains, and other sources of surface water including driveway drainage resulting from the development of lots or parcels onto any roadways or cartways is prohibited.

628 SIDEWALKS

A. Provisions of the Summit Township Sidewalk Ordinance, No. 2019-04, as amended, are incorporated herein by reference, and shall control.

B. When a commercial building is to be constructed pursuant to a land development or subdivision application, the estimated costs of sidewalk construction shall be included within the developer's financial security tendered in accordance with the Subdivision and Land Development Ordinance and administered under that ordinance.

C. If the commercial building is not being constructed pursuant to a land development or subdivision application, the developer shall tender to the Zoning Officer financial security in a form authorized in the Subdivision and Land Development Ordinance in an amount equal to 110% of the estimated cost of construction as certified by a professional engineer. Such security shall be tendered prior to issuance of a Zoning Permit.

D. Required sidewalks shall be constructed prior to occupancy of the constructed building and prior to issuance of a UCC certificate of occupancy.

E. Failure to complete construction of required sidewalks within one year after issuance of the zoning permit or prior to occupancy of the constructed building, whichever

first occurs, shall constitute a default by the developer, in which event the financial security tendered for construction of sidewalks shall be taken by the Township and used to ensure the required sidewalk construction.

629 RECYCLING DROP-OFF SITE

A. No storage of recycling materials shall be located within a side or rear yard.

B. All stored materials shall be screened from adjoining streets and lots.

C. All machinery associated with operation shall be completely enclosed within a masonry fenced enclosure equipped with a self-latching door or gate.

630 STORAGE AND PARKING OF RECREATIONAL VEHICLES AND EQUIPMENT *(amended 2/18/25)*

A. Recreational Vehicles, including but not limited to RV homes, travel trailers, camping vehicles and trailers, pickup coaches, motorized homes, boats and boat trailers, and associated equipment may be stored and parked subject to the following requirements:

1. Recreational vehicles and equipment may only be parked or stored on a lot that has an established principal use, such as a Single-Family Dwelling.

2. Recreational vehicles and equipment must be operable, registered, and mobile.

B. At no time shall parked or stored recreational and/or camping vehicles or equipment be occupied or used for living or housekeeping purposes except as provided for under the following conditions:

1. The temporary parking and occupancy period shall not exceed 30 consecutive days or 30 days within one calendar year.

2. Adequate off-street parking must be provided for such recreational vehicles and/or trailers.

3. Recreational vehicles and equipment may only be parked or stored on a lot that has an established permitted principal use, such as a Single-Family Dwelling.

631 TEMPORARY USES

The following uses, and only these uses, are authorized temporarily (for a period from (1) day to(30) days in a calendar year), subject to the standards set forth below.

1. Produce, fireworks, agricultural and other related items incidental thereto may be sold at temporary stands on premises owned by third parties in only the following zoning districts: CL, MUR, MUN, subject to the following requirements:

   A. An application for permit must be submitted and a permit issued by the Zoning Administrator prior to commencement of such use. All information required to meet the regulations of this Section must be submitted with the application and any request for renewal or extension of the permit. Fees established by resolution adopted by the Board of Supervisors for permits and renewals shall be paid with submission of the application. The Zoning Administrator may impose reasonable conditions as are determined by the Zoning Administrator to be necessary.

   B. The stand's operator must have a written agreement with the property's owner authorizing such use and defining the stand's location on the property.

   C. Space for off-street parking must be available to the stand which is acceptable to the Zoning Administrator and does not result in the principal use of the property not meeting off-street parking requirements.

   D. The stand must be located off from a street or highway to facilitate exit from and entry onto the adjacent street, ensure there is no parking along such street, and not encroach upon the clear sight triangle..

   E. Such stand may operate between the hours of 7:00 a.m. and dusk/sunset during the months of June through October.

   F. Such stand may operate under a permit issued by the Zoning Administrator for a period up to thirty (30) days.

2. Christmas tree sales conducted on properties within the commercial district between Thanksgiving and Christmas with written permission of the property owner.

632 INDIVIDUAL MOBILE HOMES

Mobile homes may be constructed upon private lots provided that the proprietor complies with the following:

A. Each mobile home shall contain a minimum of 720 square feet of heated living area.

B. Must have a full perimeter masonry or poured concrete foundation, or the unit shall be permanently installed on piers or a foundation in a manner that complies with the manufacturer's recommendations. In cases where unit is installed on piers, skirting shall be provided.

C. The proposed lot shall meet all area and yard requirements of the district.

D. The installation of the mobile home shall comply with the Commonwealth of Pennsylvania Uniform Construction Code.

633 PERMANENT FOUNDATION

Every dwelling shall be placed on a permanent foundation in accordance with the Pennsylvania Uniform Construction Code, as may be amended from time-to-time. Prior to the construction of any Dwelling, a Building Permit must be obtained in accordance with the Township's Uniform Construction Code Ordinance, as may be amended from time-to-time.

634 PERFORMANCE STANDARD

No use of land or structure in any district shall involve any element, or cause any condition, that may be dangerous, injurious, or noxious to any other property or person in the Township. Furthermore, every use of land or structure in any district must observe the following performance requirements.

634.01 FIRE PROTECTION

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

634.02 ELECTRICAL DISTURBANCES

No activity shall cause electrical disturbances adverse to radio, television or other communication equipment in the neighboring area.

634.03 NOISE

No use shall cause or create noise in excess of the sound levels prescribed below:

A. The sound pressure level of sound radiated from an establishment, measured at the lot line of the site thereof, shall not exceed the values in any octave band of frequency that are specified in Table 1 or in Table 1 as modified by the correction factors set forth in Table 2. The sound pressure level shall be measured with a sound level meter and an associated octave band analyzer conforming to standards prescribed by the American Standards Association.

Table 1 Maximum Permissible Sound Pressure Levels Measured re 0.0002 dyne per CM^2	
Frequency Band: Cycles per Second	Decibels
20-75	74
75-150	62
150-300	57
300-600	51
600-1,200	47
1,200-2,400	42
2,488-4,800	38
4,800-10,000	35

Table 2 Correction Factors	
Condition	Correction in Decibels
On a site contiguous to or across a street from the boundary of any R District	Minus 5
Operation between the hours of 10:00 p.m. and 7:00 a.m.	Minus 5
Sound of impulsive character (e.g., hammering)	Minus 5
Sound of periodic character (e.g., hum or screech)	Minus 5
Sound source operated less than 20% in any 1-hour period	Plus 5*
Sound source operated less than 5% in any 1-hour period	Plus 10*
Sound source operated less than 1% in any 1-hour period	Plus 15*

* Note: Apply only one of these corrections.

B. No loud speakers or paging system emitting sound to the outdoors shall be permitted within the Township.

C. The following uses or activities shall be exempted from the noise regulations:

1. Noises emanating from construction or maintenance activities between 7:00 a.m. and 9:00 p.m.

2. Noises caused by safety signals, warning devices and other emergency-related activities or uses.

3. Noises emanating from public or private recreational uses between 7:00 a.m. and 11:00 p.m.

D. In addition to the above regulations, all uses and activities within the Township shall conform to all applicable County, State and Federal regulations. Whenever the regulations contained herein are at variance with any other lawfully adopted rules or requirements, the more restrictive shall govern.

634.04 SMOKE

The maximum amount of smoke emissions permitted shall be determined by the use of the Standard Ringelmann Chart issued by the United States Bureau of Mines. No smoke darker than No. 2 will be allowed.

634.05 VIBRATIONS

Vibrations detectable without instruments on neighboring property in any district except for the industrial district shall be prohibited. Vibrations detectable without instruments on neighboring property in the industrial district shall be permitted providing such vibrations do not endanger or in any way damage persons or properties on neighboring properties.

634.06 ODORS

In any district, except the industrial district, no malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.

634.07 AIR POLLUTION

No pollution of air by fly-ash, dust, vapors or other substances shall be permitted which is harmful to health, or to animals, vegetation or other property.

634.08 LIGHTING/GLARE

Where light fixtures are installed to provide exterior illumination, excluding overhead street lighting and warning, emergency, or traffic signals, the following restrictions shall apply.

A. A Lighting Plan that includes photometrics, fixture type, support, and footer details shall be provided at the Subdivision and/or Land Development Plan stage.

B. All outdoor lighting, whether or not required by this Ordinance, shall have intensities and uniformity ratios in accordance with the recommended practices of the Illuminating Engineering Society of North America ("IESNA"), as contained in the IESNA Lighting Handbook, as may be amended from time-to-time.

C. Street lighting fixtures, when required for safety considerations, may be controlled by photocells for dusk to dawn operation.

D. The lighting from any luminary source shall be shaded, shielded, or directed to prevent light from being distributed onto adjacent properties and/or surrounding areas. Unshielded lighting is not permitted, except for temporary holiday lighting. Lighting shall be designed so that glare or direct lamination does not exceed (0.2) footcandle beyond the property line on which the lighting originates.

E. Lighting on private property shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safety traverse roads and sidewalks in the Township.

F. Pole-mounted lamps shall be placed directly above the area to be illuminated and shielded at the top and sides; or positioned near the perimeter of the property and aimed toward the area requiring illumination, subject to applicable yard setback provisions contained within this Ordinance.

G. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of mounting height, wattage, aiming angle, fixture placement, etc.

H. The installation or erection of any lighting, which may be confused with warning signals, emergency signals, or traffic signals, shall not be permitted.

I. Lighting of parking lots shall be in accordance with the Ordinance.

J. Maintenance: Lighting fixtures shall be maintained so as to always meet the requirements of this Ordinance.

K. Nonconforming Lighting: Any Lighting fixture existing on the effective date of this Ordinance which does not conform with the requirements of this Ordinance shall be considered a lawful, nonconforming lighting fixture. A nonconforming lighting fixture shall be made to comply with the requirements of this Ordinance when such a fixture is replaced or relocated.

L. Timing of Lighting:

1. Except for safety and security lighting, or as permitted by condition of approval, outdoor lighting shall be controlled by automatic switching devices, such as time clocks or combination motion detectors and photocells, to permit extinguishing or reducing the number of light fixtures within a reasonable time after business hours.

2. Security lighting fixtures shall be designed to illuminate only the designated area.

M. Signs – See also Article 8.

634.09 EROSION

No erosion by wind or water shall be permitted which carries objectionable substances onto neighboring properties.

634.10 WATER POLLUTION

The discharge of all waste water shall be acceptable to the Summit Township Sewer Authority, or its successor, and comply with any and all applicable regulations of the State of Pennsylvania or the United States. Surface water discharges shall be acceptable under the provisions of Pennsylvania Act 537, and other State and Township regulations as the same may be amended from time to time.

635 EVENT VENUE *(amended 2/18/25)*

A. Event Venue shall be limited to no more than 225 maximum Occupancy

B. Event Venue use is generally restricted to the interior of the existing structure, unless otherwise authorized in the zoning permit.

C. Events may occur outside of the structure provided it is located on a single parcel of at least 10 acres.

D. Events shall take place only on Fridays, Saturdays, or Sundays between the hours of 9:00 a.m. and 11:00 p.m.

E. A parking and circulation plan shall be required and shall provide at least one off-street parking space for every two guests as well as one off-street parking space for every staff member. All off-street parking areas shall be screened on each side which faces any residential district.

F. Any proposed exterior lighting must comply with Section 634.08

G. Additional screening may be required at the discretion of the Zoning Administrator.

H. The event venue must comply with all applicable local, state, and federal regulations and obtain all necessary permits.

I. One 4’ x 8’ pole sign permitted or one 4’ x 8’ wall sign permitted on the subject accessory building. One 3’ x 3’ temporary sign permitted on day of event and posted on same parcel as event.

J. An Event Venue shall be used as an accessory use on a lot that has an established principal use.

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Article 7

NON-CONFORMING USES AND STRUCTURES

701 NON-CONFORMING USES AND STRUCTURES

701.01 INTENT AND STANDARDS

A. Within the districts established by this ordinance or amendments that may later be adopted there may exist lots, structures, and uses of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited under the terms of this ordinance or future amendment.

B. It is the intent of this ordinance to permit these non- conforming uses to continue until they are removed. Such uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. Non-conformities may be enlarged and expanded as determined by the Zoning Hearing Board.

C. A non-conforming use of a structure, a non-conforming use of land, or non-conforming use of a structure and land shall not be extended or enlarged after passage of this ordinance by:

1. The addition of other uses, if such additions are of a nature which would be prohibited generally in the district.

D. Nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been continuously carried on.

701.02 NON-CONFORMING LOTS OF RECORD

Any existing lot of record at the effective date of the Summit Township Zoning Ordinance of 1957, known as Ordinance II, enacted February 4, 1957, and acquired by the owner prior to the date of this ordinance and held in different ownership from the adjoining lots may be used for the erection of a structure conforming to the use regulations of the district in which it is located, even though its area and width are less than the minimum requirements of this ordinance. It is the intent of this section to grant relief from the area and width requirements of the ordinance only to those owners who have held title continuously since February 4, 1957. This section does not apply to any owner who might have acquired title after the passage of Ordinance II, adopted 2/4/57.

701.03 NON-CONFORMING USES OF LOTS

Where a lawful use of a lot exists at the effective date of this Ordinance that is made no longer permissible under the terms of this Ordinance as enacted or amended, such use may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No such nonconforming use shall be enlarged, increased, expanded or extended to occupy a greater area of land than was occupied at the effective date of this Ordinance, unless the Zoning Hearing Board should determine that the enlargement or expansion is necessary by the natural expansion and growth of trade of the nonconforming use. This subsection is not intended and shall not be interpreted to extend the principle of natural expansion to a private residence or other uses not recognized by courts as within its application.

B. No such non-conforming use shall be moved to any other portion of the lot occupied by such use at the effective date of this Ordinance.

C. If any such non-conforming use of land ceases, for any reason, for a period of more than twelve (12) months, any subsequent use of such land shall conform to the regulations for the district in which such land is located.

701.04 NON-CONFORMING STRUCTURES

Where a lawful structure exists that could not be built under the terms of this Ordinance, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. Enlargement and/or alteration. No such building or structure may be enlarged, increased in height or have any structural alterations made in a way which increases its nonconformity, unless the Zoning Hearing Board after finding that an undue hardship exists authorizes a reasonable modification and all applicable area, setback, parking and loading regulations are complied with.

B. Should such structure be destroyed by any means, it may be rebuilt provided the use and intensity of use is no more objectionable or no greater than existed prior to destruction. Application for permit to rebuild a non- conforming structure shall be filed within twelve months of the date of destruction otherwise it shall not be reconstructed except in conformity with the provisions of this Ordinance unless a variance is granted by the Zoning Hearing Board.

C. Should such structure be moved for any reason, it shall thereafter conform to the regulations for the district in which it is located after moved.

D. An owner of a structure, which is non-conforming due to a front yard setback requirement imposed after its erection, may, upon application to the zoning officer, be eligible for a Zoning Permit to expand such non-conforming structure to either side or rear provided that:

1. Such expansion does not violate existing side and rear yard requirements, and
2. The road abutting the front yard is not designated for widening within four years of application.
3. Otherwise, a variance from the Zoning Hearing Board is required.

701.05 NON-CONFORMING USES OF STRUCTURES

If a lawful use of a structure or of a structure and premises in combination exists that would not be allowed in the district, the lawful use may be continued subject to the following provisions:

A. An existing structure devoted to a use not permitted in the district in which it is located may be enlarged, extended, constructed, reconstructed, or structurally altered upon granting of a variance by the Zoning Hearing Board.

B. Any non-conforming use may be extended throughout any part of a building, but no such use shall be extended to occupy any land outside such building.

C. If no structural alterations are made, any non-conforming use of a structure, or structure and premises, may be changed to another non-conforming use provided that the Zoning Hearing Board, upon application thereto, shall find that the proposed use is equally or more appropriate to the district than the existing non-conforming use. In permitting such change, the Zoning Hearing Board may require additional conditions and safeguards.

D. Once a non-conforming use is superseded by a permitted use, the non-conforming use shall not be resumed.

701.06 ABANDONMENT

A nonconforming use of a building or land which has been abandoned shall not thereafter be returned to such a nonconforming use. A nonconforming use shall be considered abandoned when one or more of the following conditions exist:

A. When the intent of the owner to discontinue the use is apparent.

B. When the characteristic equipment and furnishings of the nonconforming use have been removed from the premises and have not been replaced by similar equipment

within 90 days of the equipment removal, unless other facts show an intention to resume the nonconforming use.

C. When a non-conforming use of a structure, or structure and premises in combination, is discontinued or abandoned for twelve consecutive months, they shall not thereafter be used except in conformance with the regulations of the district in which it is located.

D. When non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land.

E. When the nonconforming use has been changed to another use under approval of the Zoning Hearing Board.

F. When a nonconforming lot with a nonconforming use on the lot has been reduced to a size smaller than required in a zoning district where such lot or use is permitted, no new nonconforming lots may be created by the subdivision of property.

701.07 REPAIRS AND MAINTENANCE

On any building, devoted in whole or in part to any non- conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing without the requirement of a Building Permit or Zoning Permit.

701.08 UNSAFE STRUCTURES

Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official. Any such work shall be performed in a manner consistent with the requirements of the Pennsylvania Construction Code Act.

701.09 USES GRANTED UNDER SPECIAL EXCEPTION PROVISIONS

Any use for which a special exception is granted shall be deemed a conforming use.

ARTICLE 8

SIGNS

801 PURPOSE AND INTENT

Signs may be erected and maintained only in compliance with the provisions of this Section, other Sections of this Ordinance and any and all regulations of Summit Township relating in any way to the erection, location, size, height, use, number, lighting, operation, alteration or maintenance of signs, billboards, banners and other similar advertising devices as defined.

Signs perform an important function in identifying and promoting properties, businesses, services, residences, events and other matters of interest to the public. The intent of this article is to regulate all signs within the municipality to ensure that they are appropriate for their respective uses, and keeping with the appearance of the affected property and surrounding environment, and protective of the public health, safety and general welfare by:

A. Setting standards and providing uniform controls that permit reasonable use of signs and preserve the character of the municipality.
B. Prohibiting the erection of signs in such numbers, sizes, designs, illumination, and locations as may create a hazard to pedestrians and motorists.
C. Avoiding excessive conflicts from large or multiple signs, so that permitted signs provide adequate identification and erection while minimizing clutter, unsightliness, and confusion.
D. Establishing a process for the review and approval of sign permit applications.

802 DEFINITIONS SPECIFIC TO SIGNS

Abandoned Signs: A sign which has not identified or advertised a current business, service owner, product or activity for a period of at least one hundred and eighty (180) days.

Animation: The movement or change of lighting to depict action or create a special effect or scene in a sign.

Awning Sign: Any sign painted on or applied to an awning.

Banner Sign: A temporary sign having characters, letters, or illustrations commonly applied to cloth, canvas, vinyl, and other similar types of natural or man-made fabric.

Blade Sign: A temporary sign composed of fabric such as Poly-NET, nylon, or similar material, which is attached to a pole no greater than 2 inches in diameter and which is usually inserted into the ground or mounted by a removable stabilization structure placed directly on the ground.

Balloon Sign: A lighter than air, gas filled balloon, tethered and fixed location which contains a message on its surface or attached to the balloon in any manner.

Building Directory Sign: A permanent sign located inside a building or outside next to its entrance.

Canopy Sign: A sign that is part of or attached to a canopy.

Directional Sign: A sign designed to provide direction to pedestrian and vehicular traffic into and out of, or within a site.

Flag Sign: Any sign printed or painted on cloth, plastic, canvas or other like material with distinctive colors, patterns, or symbols attached to a pole or staff anchored along only one edge or supported or anchored at only two corners.

Freestanding Sign: A sign supported by structures or supports that are placed on, or anchored in, the ground; and that is independent and detached from any building or other structure. The following are sub types of freestanding signs:

A. Monument Sign: a sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or attached to any part of the building (also known as ground sign).

B. Pole Sign: A freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or base structure.

Hanging Sign: A permanent sign attached to a building or structure that hangs parallel from the wall or structure to which is attached.

Incidental Sign: A non-illuminated permanent sign on exterior surface of a building that conveys pertinent information to the public such as local events, specials, or restaurant menu. An incidental sign may be located on the same structure as an identification sign as a secondary component to that sign. Window signs are not covered by incidental sign guidelines.

Informational Signs: A permanent sign whose purpose is to convey in general information to the general public.

Interactive Sign: An electronic animated sign that reacts to the behavior or electronic signals of the motor vehicle driver.

Interpretive Sign: A permanent sign in which information is provided to visitors or passers-by at a public facility.

Pennant Sign: A triangular or irregular piece of fabric or other material commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

Real Estate Sign: A sign relating to the property upon which it is located.

Revolving Sign: A sign which revolves in a circular motion; rather than remain stationary on its supporting structure.

Roof Sign: A building mounted sign erected upon, against, or over the roof of a building.

Sandwich Board Sign: A temporary sign constructed in such a manner as to form an A shape, hinged or unhinged at the top and not secured or attached to the ground or surface upon which it is located.

Sculpture Feature Sign: A permanent three-dimensional sculpture feature resting or attached to the ground in which may hold a sign.

Shopping Center Sign: A permanent freestanding sign mounted at or near the ingress or egress point of a shopping center.

Snipe Sign: A sign tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, public benches, street lights, and other objects, or placed on any public property or in the public right away or on any private property without permission of the property owner.

Streamers: A display made of light weight, flexible materials, consisting of long, narrow, wavy strips hung individually or in series typically designed to move in the wind.

Wall Sign: A permanent sign attached to a wall and not projecting more than 12 inches from the wall.

Window Sign, Permanent: A permanent sign that is painted, suspended, or otherwise applied on or attached to a window or the glass on a door.

Yard Sign: a temporary freestanding sign typically constructed in an H frame or an I-frame structure and affixed to the ground.

Projecting Sign: A permanent sign attached to a building or structure that does not protrude more than 15 inches perpendicularly from the building to which it is attached.

Pylon Sign: A permanent freestanding sign in excess of 7 feet in height that is detached from a building and has clearance from the bottom of the sign to the ground below.

803 SIGNS PERMITTED IN ALL DISTRICTS AND EXEMPT FROM PERMIT REQUIREMENTS

The following signs are permitted in all districts and do not require a permit provided that the applicable conditions have been met:

A. Government/Regulatory signs.

B. Signs inside a building or other enclosed facility.

C. Nameplate Signs: indicating the name and address of the occupant of the premises may be erected and maintained, provided:

   1. No more than two (2) such signs are erected and maintained on a property in single or separate ownership of not more than two (2) square feet per sign.

D. Public signs. Signs erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification or directional signs for public facilities.

E. Legal notices.

F. No Trespassing Signs, signs indicating the prohibition or control of fishing, hunting, etc., or signs indicating the private nature of a road for public safety purposes, provided the area of any such sign does not exceed two (2) square feet.

G. Flags displayed through use of a permanent fixture, such as a flag pole, provided that such flags do not contain any commercial messaging. Flags and flagpoles shall not be located within any right-of-way and shall have a maximum height of thirty-five (35) feet.

H. Directional signs, provided that they do not contain any commercial messaging, which do not exceed five (5) square feet in area, do not exceed a maximum height of five (5) feet, and are not illuminated.

I. Window signs, provided that the total area of any such sign or all signs together does not exceed five (5) square feet.

J. Signs painted on or integral to vending machines, fuel dispensing pumps, or fuel storage tanks.

K. Signs which are a permanent architectural feature of a building or structure, such as a cornerstone or identifying letters carved into or embossed on a building, provided the letters are not made of a reflective material nor contrast in color with the building.

L. Any temporary sign that does not exceed five (5) square feet and meets the conditions and restrictions imposed in this Article.

804 PROHIBITED SIGNS IN ALL DISTRICTS

A. Abandoned Signs.

B. Snipe Signs.

C. Vehicular signs.

D. Mechanical movement signs.

E. Pennant strings and streamers.

F. Animated signs, flashing signs, or signs that scroll or flash text or graphics.

G. Inflatable devices or balloon signs.

H. Any signs that imitate, resemble, interfere with or obstruct official traffic lights, signs, or signals.

I. Signs which prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of a roof to another part.

J. Signs which emit smoke, visible vapors, particulate matter, sound, odor, or contain open flames.

K. Reflective signs or signs containing mirrors.

L. Interactive signs.

M. Any banner or sign of any type suspended across a public street without the permission of the owner of the property.

N. Roof signs.

O. Signs erected without the permission of the property owner.

P. Signs that exhibit statements, words, or pictures of obscene or pornographic subjects as determined by the municipality, applying contemporary community standards.

Q. Any sign that promotes illegal activity.

R. Off-site advertising signs are prohibited in all zoning districts, except when contractors are actively working on a site. *(amended 2/18/25)*

805 GENERAL REQUIREMENTS

Any sign erected, altered or maintained after the effective date of this ordinance shall conform to the following regulations: No signs shall be permitted except as herein provided;

A. Sign location.

1. No Sign shall be placed in such a position as to endanger pedestrians, bicyclists, or traffic on a street by obscuring the view or by interfering with official street signs or signals by virtue of position or color.

2. Signs and their supporting structures shall maintain clearance and non-interference with all surface and underground utility and communication lines or equipment.

3. They shall not be illuminated in any manner which will cause undue distraction, confusion, or hazard to vehicular traffic. No message center sign may contain text which flashes, pulsates, moves, or scrolls. The content of the message center sign must transition by changing instantly (e.g., no fade-out or fade-in). The sign shall contain a default design which shall freeze the sign message in one position if a malfunction should occur.

4. They shall not project over public right-of-way.

5. No sign, temporary or permanent, shall be erected or maintained on any lot which will in any way obstruct a view of any street intersection or otherwise create a traffic hazard.

B. Any freestanding permanent sign structure in excess of forty-eight (48) square feet must be placed behind the building set back line in any District. If the sign is greater than forty-eight (48) square feet, the excess square footage will be deducted from the available sign allowance.

C. Any permanent sign structure in front of the building set back line shall have a minimum of a ten (10) feet clear span, measured from the highest point of the cartway of the State highway or local street nearest the sign structure to the bottom of the sign, other than the supporting post, for visibility (clear line of sight under sign structure).

D. Sign materials and construction: every sign shall be constructed of durable materials, using non corrosive fastenings; shall be structurally safe and erected or installed in strict accordance with the PA Uniform Construction Code; and shall be maintained in safe condition and good repair at all times so that all sign information is clearly legible.

E. In the event that any use of a structure or lot is discontinued, all signage listing the name and/or business activity conducted on the premises shall be removed or covered within thirty (30) days from the date of discontinuance.

F. Sign area:

1. The total area of a sign face shall not exceed the total permitted area in the respective district in which it is placed. The square footage on sign requirements is defined to be the length (highest point) times the width (widest point). The length is determined by measuring top to bottom at the highest point and width is determined by measuring side to side at the widest point.

2. The total height of the sign from the ground level shall not be greater than the maximum height permitted in the respective district that it is placed, as shown in Table 313.01 Maximum Height allowed in each district.

3. Signs may be double sided.

a. On premise signs: only one side shall be considered when determining the sign area provided that the faces are equal in size.

G. Electrical Standards.

1. All work shall be completed in full compliance with the PA Uniform Construction Code.

H. Glare control: Light sources which cast a light on signs shall be shielded by opaque material so that the bulbs, flood lights, or tubes are not visible off the property on which the signs are located and shall also be achieved through application of fixture mounting height, wattage, aiming angle and fixture placement.

806 SIGNS IN RR, RN, RLD, RMD, AND RMF DISTRICTS

All signs are prohibited in residential districts except those signs enumerated in section 803 and those signs permitted by this Section.

Illuminated signs are prohibited in residential districts except signs necessary for public safety.

Temporary signs are permitted, provided the area of the sign does not exceed 12 square feet. No temporary signs shall be erected or displayed for more than sixty (60) days in any one calendar year.

A. Permanent signs erected shall not exceed 12 square feet in area.

B. Signs may not have a reflective surface and be illuminated from the front or rear directed towards the sign. No sign, permanent or temporary, shall be installed in the clear sight triangle area if it is in conflict with sight line and clear sight triangle area

requirement.

C. The bottom-most part of the sign shall not exceed two feet above ground grade if not attached to a structure.

D. Stationary signs and billboards shall be regarded as structures within the meaning of this chapter. Signs on an agricultural barn or other building or surface shall be included as stationary signs.

E. In addition to the other requirements of this section, every sign referred to herein must be constructed of durable materials, kept in repair and not allowed to become dilapidated. Each sign shall be removed when the circumstances leading to its erection no longer apply.

F. The use of signs with moving script, intermittent lighting or signs similar to traffic control devices is prohibited.

G. The total height of a sign from ground level shall not exceed 18 feet in height.

H. The sign shall not interfere with highway horizontal sight distances in an agricultural district.

I. Signs shall not be closer than two hundred (200) feet to a road intersection in an agricultural district.

J. Signs shall not be permitted closer than one thousand (1000) feet from another sign on the same side of the road and not closer than five hundred (500) linear road feet from another sign on the opposite side of the road in an agricultural district.

K. Signs shall not be permitted closer than one hundred (100) feet of any residential use, school, church, park, playground or cemetery in an agricultural district.

L. All persons who construct, install or use any sign shall comply with all other applicable provisions of this Ordinance. In the event of conflicting provisions between this subsection and any other provision of this Ordinance, the more restrictive provisions shall apply.

807 SIGNS IN CL, CC, MUN, MUR, IND, AND IP DISTRICTS

No sign shall be permitted except as herein provided;

A. The total area of a wall, awning, canopy, and projecting signs for non-residential uses shall be limited to one and a half (1.5) square feet per one (1) linear foot of building frontage that faces a public street or parking lot subject to maximum size limitations based on sign type. One 48 sq. ft. or smaller freestanding or pole business sign will be permitted and will not be deducted from the sign square footage allowance. The

freestanding or pole business sign must be in connection with any legal commercial use or structure on that property. The said sign contains no information beyond the name, symbol, and nature of the business activity conducted on the premises.

B. All signs located in the CL or CC Districts shall be located a minimum of 10 feet from the street right-of-way line.

C. The use of signs with moving script, intermittent lighting or signs similar to traffic control devices are prohibited. Signs with changing displays shall not be considered moving, provided they change no sooner than every five seconds.

D. Every sign referred to herein must be constructed of durable materials, kept in repair and not allowed to become dilapidated. Each sign shall be removed when the circumstances leading to its erection no longer apply.

E. In addition to the other requirements of this section, any Commercial, Industrial or MUN, District properties located within 1,000 feet of the intersection of Interstate 90 and Route 19 & 97 may have an additional high-rise sign not to exceed 100 feet in height and a cumulative total square footage of 1,200 square feet.

   1. Signs may only contain name, symbol, and nature of the business or services provided on the premises.

   2. Sign structure must be completely on premises of the advertising business and located behind the front building setback line.

   3. No high rise sign structure may be placed in such a position as to block visibility of an existing high-rise sign.

   4. Must have all Federal and State Permits.

   5. Must comply with State Act 160, Outdoor Advertising Control Act of 1971, and all rules and regulations thereunder.

   6. Total high-rise Signage shall generally be 400 square feet with a maximum of 600 sq. ft.

   7. Revolving, Rotating and Flashing High Rise signs are not permitted.

F. Signs for nonconforming uses shall comply with all requirements of other districts in which the use would be conforming.

G. Any permanent sign structure in front of the building set back line shall have a minimum of a ten (10) feet clear span, measured from the highest point of the cartway of the State highway or local street nearest the sign structure to the bottom of the sign, other than the supporting post, for visibility (clear line of sight under sign structure).

H. Directional signs may be permitted by the Zoning Officer Directional signs are permitted to have a maximum height of 3.5 feet and a maximum size of 3 square feet.

I. All persons who construct, install or use any signs shall comply with all other applicable provisions of this Ordinance. In the event of conflicting provisions between this subsection and any other provision of this Ordinance, the more restrictive provisions shall apply.

J. Entrance Sign - Multiple Listing.

1. One sign structure will be permitted at the entrance to a plaza type operation or a private no outlet road serving multiple properties.

2. Top sign may list the name of the plaza or development.

3. The multiple stack type signs will have a maximum of 25 square feet.

4. The sign structure shall be of a one or two post construction with a minimum of 10-foot clear span, other than the support posts, from the bottom of the lower listing to the ground for visibility.

808 SIGNS ON PRIMARY ROADS

Signs along roads designated as Interstate Highways and Federal Aid Primary Highways shall comply with State Act 160, "Outdoor Advertising Control Act of 1971" and all rules and regulations thereunder. These include interstates 79 and 90, and U.S. Routes 19 and State Route 97 in Summit Township.

809 TEMPORARY DIRECTIONAL SIGNS

A. In the event of major road construction requiring the closing of a road in excess of fourteen (14) days, denying normal access to businesses located on such road, temporary directional signs may be erected along a detour showing the location of such businesses. Upon the opening of the road the temporary directional signs must be removed within seven (7) days, at the cost of individual businesses.

810 TEMPORARY AND PORTABLE SIGNS *(amended 2/18/25)*

A. Temporary Signs
   1. General requirements
      a. Off-premises temporary signs are prohibited
      b. The maximum duration for a temporary sign is 60 days

   2. The total signage area of a Temporary Sign shall not exceed 5 sq. ft unless otherwise permitted within a specific zoning district in accordance with the requirements of this Article.

   3. Construction/Maintenance requirements
      a. Temporary Sign shall be made of durable material and firmly secured to the ground or to the building

b. Temporary Signs that are frayed, torn, broken or no longer legible will be considered unmaintained.

c. Illumination of temporary signs is Prohibited.

4. Signs not meeting the requirement of this section may be removed at any time by the Summit Township Code Enforcement Officer without notice to the owner

B. Portable Signs
1. General Provisions

a. No Portable Sign shall be larger than 32 sq. ft. in area and no sign shall be located less than 10 feet from a street Right-Of-Way Line.

b. Portable signs cannot rotate, be animated, or feature flashing lights

c. Each sale or event constitutes a separate use of a portable sign. The maximum duration for each portable sign is 45 days, with one renewal allowed per calendar year. A permit from the Zoning Administrator is required for each event.

d. Portable Signs may only advertise goods and services available on the premises

C. Sandwich-Board Signs
1. Sandwich-Board Signs that comply with the requirements in this subsection shall not be included in the determination of the sign allowance on the property.

2. Each sign shall have a maximum area of seven square feet per sign face.

3. The maximum height for sandwich-board signs is 3.5 feet.

4. Only one portable Sandwich-Board sign or similar per store frontage, per occupancy is permitted. A permit from the Zoning Administrator is required.

5. If a sign is located on a public or private sidewalk, a minimum of 36 inches of unobstructed sidewalk clearance must be maintained between the sign and building or other obstruction.

6. The sign must be located within 12 feet of the primary public entrance of the establishment it advertises.

7. Sandwich-Board Signs must be weighted, secured, or strategically placed to prevent being moved by strong winds.

8. Sandwich-Board Signs may only advertise goods and services available on the premises

811 DIRECTIONAL SIGN-MULTIPLE LISTING

A. One sign structure identifying the intersecting secondary highway or street and business, industrial and/or multi-family residential developments located on that

secondary highway or street and/or on any side street having no entrance other than from the secondary street will be permitted at the entrance to a secondary highway or street serving multiple properties at its intersection with the primary highway or street, subject to the regulations in this section.

B. As used in this Section:

1. A “primary” State highway or local street shall be that having the greater traffic volume, as determined by the Township Engineer;

2. A “secondary” State highway or local street shall be that having the lesser traffic volume, as determined by the Township Engineer.

C. Multiple listing directional signs authorized by this Section are intended to inform operators of vehicles on the primary highway or street of the identity of the intersecting secondary highway or street and of multiple business, industrial or multi-family residential developments located on that secondary highway or street, so as to assist the safe flow of traffic onto that secondary highway or street, and the authority and regulations established in this Section shall be interpreted so as to effectuate this intention.

D. The top of the sign structure shall identify the name of the intersecting secondary highway or street in letters not less than eight inches (8") in size.

E. All panels on such sign shall be of equal size, shall identify an eligible development in lettering not less than six inches (6") in size and shall not exceed ten (10) square feet of area per panel.

F. The sign structure shall be of a one- or two-post construction with a minimum clear span of ten (10) feet, measured from the highest point of the cartway at the intersection of the highway(s) and/or street to the bottom of the sign, other than the supporting post, for visibility.

G. The maximum height of the sign structure shall not exceed the maximum height for the use district as established in this Ordinance.

H. The maximum width of the sign structure and any portion of it shall be eight (8) feet.

I. The sign structure shall face traffic on the primary highway or street.

1. The Board of Supervisors is authorized to allow location of a sign lengthwise in a secondary Township street’s medial strip, if the width of the medial strip is not less than sixteen (16) feet, proper sight distance clearance is assured and the Board otherwise deems such location appropriate.

2. If a sign is authorized within a median strip, the sign owner shall be solely responsible for maintenance and landscaping of the medial strip in which the sign is located.

3. Any authorization of the location of such sign in a median strip shall be subject to the requirement that the owner(s) of such sign shall be responsible for removal and relocation of the sign at the owner(s)'s sole cost and expense and without any claim against the Township in the event the Township should in the future remove the median or reduce its width so as to render continued location of the sign inappropriate in the discretion of the Board of Supervisors.

J. Minimum setback requirements for such sign structure shall be as follows:

1. No sign structure shall be located within the Pennsylvania Department of Transportation right of way of a State highway, absent the express prior written consent of the Department and the approval of the Township Engineer.

2. No sign structure shall be located less than twelve (12) feet from the outside edge of the drive lane of a Township street.

3. The Board of Supervisors, upon recommendation of the Township Engineer, may increase one or both setbacks in a given case if deemed necessary to assure proper sight distance clearance at the intersection.

4. The Township's allowance of a sign within the right of way of a public street shall be subject to the express condition that, in the event the street or cartway in the future is widened or the Board of Supervisors should otherwise require, the sign owner shall at the owner's sole cost and expense shall relocate the sign to a location acceptable to the Township.

K. Business, industrial and multi-family residential developments within Summit Township located on the secondary highway or street, or on a highway or street whose sole entrance is from the secondary highway or street, shall be eligible for inclusion on the directional sign for the particular secondary highway or street, subject to the following requirements:

1. No development shall be entitled to inclusion on more than one (1) multiple listing directional sign for the intersection of the highway or street with a primary highway or street; and

2. A development located on a highway or street whose sole entrance is from the secondary highway or street served by a multiple listing directional sign shall be entitled, in addition to any panel on a multiple listing sign at the intersection with the primary highway or street, to a directional sign at the intersection of that secondary highway or street and the highway or street on which the development is located; provided, however, that

a. Such second directional sign shall not exceed three (3) square feet in area; and

b. The height of a second sign shall not exceed three and one-half (3½) feet; and

c. Such second sign shall contain only the name or logo of the development.

L. As conditions upon authorization of a multiple listing directional sign under this Section:

1. The sign owner shall maintain at all times general liability insurance on the sign structure, protecting the Township and third persons against personal injury, death and/or property damage and claims or causes of action therefor caused or resulting from such sign; and

2. The sign owner shall enter into a written agreement with the Township governing construction, use and maintenance of such sign, on a form adopted by the Board of Supervisors; and

3. The sign owner shall be responsible for compliance with the intentions and regulations of this Section and such agreement.

812 OTHER PROVISIONS

A. Lighting Requirements.

1. No free-standing sign shall be larger than forty-eight (48) square feet. No wall mounted sign shall be larger than one hundred (100) square feet.

   Identification signs shall generally be placed upon the outside walls of the buildings but shall not extend above the line of the roof meeting the wall. However, identification signs may be placed in the front yard set-back area when they are constructed and designed to be a part of a landscaping element. All other signs in the front yard set-back area, signs painted on exterior faces of buildings or on roofs and fences, flashing or moving signs are prohibited. Signs shall not be placed or externally illuminated in a manner which casts glare or is otherwise detrimental to neighboring occupancies or to the safe movement of traffic.

B. No sign shall be located within one hundred (100) feet of any intersection unless affixed to a building and not extending more than three (3) feet beyond same.

C. No sign shall be erected or maintained in any yard which will in any way obstruct a view of any street intersection or otherwise create a traffic hazard.

D. Sign Permits shall be required for any exterior signs.

Article 9

OFF-STREET LOADING AND PARKING

901 OFF-STREET LOADING AND PARKING

Off-street loading and parking spaces shall be provided in accordance with the specifications in this section in all districts whenever any new use is established, or an existing use is enlarged.

902 OFF-STREET LOADING

Every building which requires the receipt or distribution by vehicles of material or merchandise shall provide off-street loading berths in accordance with the table that follows:

OFF-STREET LOADING SPACE REQUIREMENTS

Required Uses	Square Feet of Floor Area	Off-Street Loading Berths
Schools	15,000 or more	1
Undertakers and Funeral Parlors	10,000 or more	1
	For each additional 5,000 or major fraction thereof	1 additional
Hotels and Offices	10,000 or more	1
Commercial, Wholesale, Manufacturing and Storage	10,000 - 25,000	1
	25,000 - 40,000	2
	40,000 - 60,000	3
	60,000 - 100,000	4
	For each additional 50,000 or major fraction thereof	1 additional

Each loading space shall not be less than twelve (12) feet in width, fifty-five (55) feet in length, and fourteen (14) feet in height clearance.

903 OFF-STREET PARKING

A. Size and Access: Each off-street parking space shall have an area of not less than 162 square feet - nine (9) feet in width and eighteen (18) feet in length - exclusive of access drives or aisles and be in usable condition. Except in the case of a dwelling, no parking area shall contain less than three spaces. There shall be adequate ingress

and egress to all parking spaces. Where a lot does not abut on a public or private alley or easement of access, there shall be provided an access drive to the parking or storage areas or loading spaces. Such access drive shall not be less than eighteen (18) feet wide. Access to off-street parking areas shall be limited to several well-defined locations, and in no case shall there be unrestricted access along the length of a street or alley.

B. Number of Parking Spaces Required: The number of off-street parking spaces required is set forth below. Where the use of the premises is not specifically mentioned, requirements for similar uses shall apply.

OFF-STREET PARKING SPACE REQUIREMENTS

(See Parking Ratio Matrix)

Parking Ratio Matrix

	PRINCIPAL LAND USE	Parking Ratio (Minimum Spaces)	Parking Ratio (Maximum Spaces)
1	Adult-Oriented Establishment	1 per 2 people of designated building capacity	Same as minimum
2	Agricultural Marketing Enterprise	Not Applicable	Not Applicable
3	Community-Supported Organization (CSO) delivery station	1	Not Applicable
4	Farm Stand	2	Not Applicable
5	Farmers Market	2 per market stall	Not Applicable
6	"Pick your own" Operation	5	Not Applicable
7	Agriculture	None	Not Applicable
8	Airport	5 per hangar	20 per hangar
9	All Other Uses, Non-Residential	1 per 500 sf of floor area	1 per 300 sf of floor area
10	All Other Uses, Residential	1 for each 2 beds	Same as minimum
11	Artisan, craft, exercise or performing arts studio	1 per 500 sf of floor area	1 per 300 sf of floor area
12	Auditorium	1/each 3.5 seats in an Auditorium and meeting room	1/each 2.5 seats in an Auditorium and meeting room
13	Auto, boat and/or mobile/manufactured home sales or rental	1/each 400 sq. ft of floor area	1/each 200 sq. ft of floor area
14	Automobile Services	1/each 400 sq. ft of floor area	1/each 200 sq. ft of floor area
15	Bank or Financial Services	1 per teller window/service lane + 1 per employee on peak shift	3 per teller window/service lane + 1.5 per employee on peak shift
16	Bar or Tavern	1 for each 4 seats	1 for each 2 seats
17	Bed and Breakfast	1 per bedroom	Same as minimum
18	Beverage Production Establishment	1 for each 750 sq. ft of floor area	1 for each 350 sq. ft of floor area
19	Billboards	1 per Billboard	Same as minimum
20	Boarding House	1 for each 2 beds	Same as minimum
21	Bottle Club	1 for each 4 seats	1 for each 2 seats
22	Bulk Fuel Storage	1 per employee on peak shift	2 per employee on peak shift
23	Bus Shelter	None	Not Applicable
24	Business Service Establishment	1/each 400 sq. ft of floor area	1/each 200 sq. ft of floor area
25	Campground	1 per each campsite	2 per each campsite
26	Car and Truck Wash	1 per service bay	3 per service bay
27	Cemetery	None	Not Applicable
28	Commercial Recreation Use, Outdoor	1 per 4 people of designated capacity	1 per 2 people of designated capacity
29	Commercial Recreation Use, Indoor	1 per 4 people of designated building capacity	1 per 2 people of designated building capacity
30	Communication Building	1 per Building	Same as minimum
31	Community Center	1/each 3.5 seats in an Auditorium and meeting room, or 1 for each 17 class-room seats, whichever is greater	1/each 2.5 seats in an Auditorium and meeting room, or 1 for each 17 class-room seats, whichever is greater
32	Community Garden	1 per 6 beds/plots	1 per 2 beds/plots

	PRINCIPAL LAND USE	Parking Ratio (Minimum Spaces)	Parking Ratio (Maximum Spaces)
33	Concentrated Animal Feeding Operation	None	Not Applicable
34	Convenience Store	1 per 200 sf	1 per 150 sf
35	Crematorium	None	Not Applicable
36	Crop Farming	None	Not Applicable
37	Cultural Center	1/each 3.5 seats in an Auditorium or meeting room whichever is greater	1/each 2.5 seats in an Auditorium or meeting room whichever is greater
38	Data Center *(added 9/21/2026)*	1 parking space per 2 guests plus 1 parking space per employee on the largest shift	Not Applicable
39	Day/Night Care Facility/ Day Care Center, Child	1 per 5 people as permitted by facility license capacity	1 per 5 people as permitted by facility license capacity
40	Distribution Center Type 1	1 for each 2 employees on maximum shift.	The total parking area shall not be less than 10% of the building floor area.
41	Distribution Center Type 2	1 for each 2 employees on maximum shift.	The total parking area shall not be less than 10% of the building floor area.
42	Drop Off Center	1 per employee on peak shift	Same as minimum
43	Emergency Response Facility (ERF)	1 per employee on peak shift	Same as minimum
44	Emergency Services	1 per employee on peak shift	Same as minimum
45	Essential Services	None	Not Applicable
46	Family or Group Homes	1 per 2 beds and 1 per employee on peak shift	1 per 1 bed and 1 per employee on peak shift
47	Forestry	None	Not Applicable
48	Funeral Homes/Crematorium	2 for each parlor	5 for each parlor
49	Gasoline Service Station	3 for each service bay	Same as minimum
50	Golf Course/Country Club	1 per tee	4 per tee
51	Heavy Manufacturing	1 for each 750 sq. ft of floor area	1 for each 500 sq. ft of floor area
52	Home Occupations, No-Impact	None	Not Applicable
53	Home Occupations, Low-Impact	1 per non-family employee	Same as minimum
54	Hospital	1 per 4 beds and 1 per employee on peak shift	1 per 2 beds and 1 per employee on peak shift
55	Indoor Entertainment Facility	1 per 2.5 people of designated building capacity	1 per 2 people of designated building capacity
56	Injection Wells	1	Not Applicable
57	Junkyard	1 per employee + 2 per building	Same as minimum
58	Kennels	1 per employee on peak shift + 1 space per 10 animals at capacity	1 per employee on peak shift + 1 space per 5 animals at capacity
59	Laundromat	1 per 2 washers	1 per 1 washer
60	Library	1/each 3.5 seats in an Auditorium and meeting room, or 1 for each 17 class-room seats, whichever is greater	1/each 2.5 seats in an Auditorium and meeting room, or 1 for each 17 class-room seats, whichever is greater
61	Life Care Facility/ Nursing Home/ Personal Care Home	1 per 4 beds and 1 per employee on peak shift	1 per 2 beds and 1 per employee on peak shift
62	Light Manufacturing/Machine Shop	1 for each 750 sq. ft of floor area	1 for each 500 sq. ft of floor area
63	Medical and Dental Clinics and Laboratories	2 per examination room	3 per examination room

	PRINCIPAL LAND USE	Parking Ratio (Minimum Spaces)	Parking Ratio (Maximum Spaces)
64	Medical Marijuana Dispensary	1 per 400 sq. ft. of retail space	1 per 200 sq. ft. of retail space
65	Medical Marijuana Grower Processor	None	Not Applicable
66	Membership Club, Lodge, or Fraternal Organization	1 per 4 seats of designated building capacity	1 per 2 seats of designated building capacity
67	Mineral Extraction/Open Pit Mining	1 per employee on peak shift	Not Applicable
68	Mixed Use Building	1 per Dwelling Unit plus 1 per 400 sf of commercial space	2 per Dwelling Unit plus 1 per 200 sf of commercial space
69	Mobile Home Park	2.5 per dwelling unit	Same as minimum
70	Motels and Hotels	1 per 2 rooms	1 per room
71	Multi-Family Dwellings	2.5 per dwelling unit	3 per dwelling unit
72	Municipal Buildings/Government Services	1 per 500 sf of floor area	1 per 200 sf of floor area
73	Museum	1/each 3.5 seats in an Auditorium and meeting room	1/each 2.5 seats in an Auditorium and meeting room
74	Nature Reserve	None	2 per acre
75	Nightclub	1 per 2 people of designated building capacity	Same as minimum
76	Non-family residential facility, type 1/type 2	1 per 3 beds and 1 per employee on peak shift	1 per 2 beds and 1 per employee on peak shift
77	Nursing Home	1 per 3 beds and 1 per employee on peak shift	1 per 2 beds and 1 per employee on peak shift
78	Office, Professional	1 per 400 sf	1 per 200 sf
79	Outdoor Entertainment Facility	1 per 2 people of designated capacity	1 per 2 people of designated capacity
80	Outside Storage	1 per 200 SF of Building/Office	1 per 200 SF of Building/Office
81	Park, public or private	None	Not Applicable
82	Parking Lot or Garage	None	Not Applicable
83	Personal Service Establishment	1 per 200 sf	1 per 200 sf
84	Places of Assembly or Worship	1/each 3.5 seats in an Auditorium and meeting room, or 1 for each 17 class-room seats, whichever is greater	Same as minimum
85	Plant Nursery	None	Not Applicable
86	Public Utility building/structure	1	1
87	Railroad Freight Facilities	None	Not Applicable
88	Raising of Livestock	None	Not Applicable
89	Recreation, Indoor (Physical Activities Only)	1 per 2 people of designated building capacity	Same as minimum
90	Recreation, Outdoor (Physical Activities Only)	1 per 2 designated seats in seating areas	Same as minimum
91	Recycling / Transfer Facility	1 per 2 employees	Same as minimum
92	Research and Testing Laboratory	1 for each 750 sq. ft of floor area	1 for each 500 sq. ft of floor area
93	Residential Accessory building, structure or use	1 per dwelling	Same as minimum
94	Restaurants	1 per 2.5 designated seats in seating areas	1 per 1.5 designated seats in seating areas
95	Retail Establishment	1 per 400 sf	1 per 200 sf

	PRINCIPAL LAND USE	Parking Ratio (Minimum Spaces)	Parking Ratio (Maximum Spaces)
96	Satellite Antenna	None	Not Applicable
97	School, public or private	1/each 3.5 seats in an Auditorium or 1 for each 17 class-room seats	Whichever ratio is greater
98	Self-Storage Facility	1 per 4 storage units	1 per 2 storage units
99	Sewage Treatment Plants	None	Not Applicable
100	Shopping Center	Ratios applicable to the combination of uses	Ratio applicable to the use with the greatest demand and applied to all sq. footage
101	Short Term Rental	1 space per bed rented/reserved	Same as minimum
102	Single Family Dwellings	2.5 per dwelling	3 per dwelling
103	Solar Energy System, principal *(amended 12/15/2025)*	1	2
104	Solar Energy System, accessory *(amended 12/15/2025)*	1	2
105	Solid Waste Disposal Facility	The total parking area shall not be less than 10% of the building floor area.	Not Applicable
106	Specialized Animal Raising and Care	None	Not Applicable
107	Stables and Riding Academy	1 per 3 stalls	1 per 1 stall
108	Tank Farm	1 per employee on peak shift	1.5 per employee on peak shift
109	Tattoo Parlor	1 per chair/bed established for service	1.5 per chair/bed established for service
110	Taxi, bus or passenger train terminal	None	Not Applicable
111	Theater	1/each 3.5 seats	1/each 2.5 seats
112	Transitional Dwelling or Halfway House	1 for each 2 beds	1 for each 1.5 beds
113	Truck Stop	None	Not Applicable
114	Truck Terminal	None	Not Applicable
115	Veterinary Clinic	1.5 per examination room	2 per examination room
116	Warehousing Establishment	1 space per employee on peak shift.	Not Applicable
117	Wholesale Establishment	1 space per employee on peak shift.	Not Applicable
118	Wholesale food processing	1 space per employee on peak shift.	Not Applicable
119	Wind Energy System, Principal/Community Scale	1 per service building	Same as minimum
120	Wireless Communications Facility, Tower Based	1 per Tower	Same as minimum

904 LOCATION OF PARKING AREAS

Required parking spaces shall be located on the same lot with the principal use.

905 MINIMUM DISTANCES AND SETBACKS

No off-street loading or parking area for more than five vehicles shall be closer than twenty (20) feet to any adjoining property containing a dwelling, school, hospital, or similar institution.

906 SURFACING

All parking and loading areas and access drives shall have a hard surface, graded and drained to dispose of all surface water, and designed to provide for orderly and safe loading and parking.

907 LIGHTING

See Section 634.08.

908 DRIVE-THRU

The use shall provide adequate stacking space in aisles for drive-in facilities for at least eight (8) autos.

The use shall provide evergreen screen planting along any yard that abuts a residential use.

909 PARKING REDUCTION

For any development that contains a mixture of uses, the total number of parking spaces shall be reduced by fifteen percent (15%) from the sum of all required parking on the lot.

910 RESERVED *(amended 2/18/25)*

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ARTICLE 10

ADMINISTRATION, PERMITS, ENFORCEMENT AND APPEALS

1001 ZONING ADMINISTRATOR

The Governing Body shall appoint the Zoning Officer who shall administer and enforce the provisions of this Ordinance and shall do so in accordance with the provisions of this Ordinance and of the Pennsylvania Municipalities Planning Code.

1002 POWERS AND DUTIES OF THE ZONING OFFICER

The Zoning Administrator is hereby designated as the Township official responsible for the administration and enforcement of this Ordinance. The zoning administrator and such assistants and subordinates as are designated by the Board of Supervisors shall have the powers as are necessary to administer and enforce this Ordinance, including but limited to the following, which shall apply to the zoning administrator and all other authorized employees. As may be required, the Zoning Officer shall make reports to the Governing Body at the close of each month's business. In addition, the Zoning Officer's duties, obligations and responsibilities include the following:

A. To receive and act upon applications for zoning permits to authorize the erection, reconstruction, alteration or repair of and additions to buildings and structures, use certificates, construction of foundations, and other matters addressed in this Ordinance, and to enforce compliance with the provisions of this ordinance.

B. To inspect properties to determine compliance with all provisions of this Ordinance as well as conditions attached to the approval of variances and special exceptions.

C. To receive and refer to the zoning hearing board all applications for a variance, special exception use and other matters within the jurisdiction of the said board.

D. To receive and refer the Planning Commission and Board of Supervisors all petitions requesting rezoning or properties.

E. To make such investigations as they deem necessary.

F. Such officials shall issue stop work orders which may be necessary in event of violations of this Ordinance or any issued permit or certificate.

G. Authorized to register non-conforming lots, structures and uses.

H. To be responsible for keeping this Ordinance and zoning map up to date, including any amendments thereto;

I. To revoke a permit or approval issued under this provision of this Ordinance in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based or for any cause set forth in this Ordinance, or otherwise permitted by law;

J. To review proposed subdivisions and land development for compliance with this Ordinance; and

K. To take enforcement actions as provided by the PA Municipalities Planning Code as amended.

1003 APPLICATION FOR ZONING PERMITS

A Zoning Permit application shall be filed prior to the start of Construction/development by a developer. The application shall describe the proposed activity in sufficient detail to determine whether or not it meets the requirements of this and other applicable Township regulations. The proposed activity may be verified by a site visitation by the Zoning Officer or an agent designated by the governing body, prior to the issuance of the Zoning Permit. All applications for construction/development that conform to zoning ordinances shall be approved; those not conforming to zoning ordinances shall be denied.

A. Denial of Permits:

1. When the Zoning Officer is not satisfied that the applicant's proposed construction/development will meet the requirements of this Ordinance, the Zoning Officer shall refuse to issue a Zoning Permit. The applicant may appeal the Zoning Officer's decision to the Zoning Hearing Board.

2. The permit may be denied and/or revoked, if it is in violation of any Township Ordinance. The landowner may be permitted to file with the Township a cash bond or bond with corporate surety in an amount approved by the Township supervisors to assure that the landowner, agents and employees will save harmless the Township from any expense incurred through any damage to Township roads or to ensure completion of all work pursuant to conditions of approval. If a corporate bond is offered, it shall be executed by a company authorized to do business in Pennsylvania as a corporate surety.

1004 REGISTER NON-CONFORMING USES AND STRUCTURES

The Zoning Officer shall prepare, and keep up-to-date, a register of all non-conforming uses, structures and signs.

1005 PERMITS, APPLICATIONS, APPEALS AND CERTIFICATES

The Zoning Administrator shall issue or deny such permits or certificates as required by this Ordinance where no other body is involved; shall receive all applications for Special Exceptions, Conditional Uses, and Variances and forward the same to the appropriate body. In addition, the Zoning Officer shall receive all applications for appeals prior to forwarding the same to the Zoning Hearing Board.

1006 REVOCATION OF PERMITS

If it shall appear, at any time, to the Zoning Officer, that the application or accompanying information is in any material respect false or misleading, or that work is being done upon the premises differing materially from that called for in the application on file with the Zoning Officer under existing laws or ordinances, the Zoning Officer may forthwith revoke the Zoning Permit, whereupon it shall be the duty of the person holding the same to surrender it and all copies thereof to the Zoning Officer.

1007 PERMITS AND APPLICATION

1007.01 ZONING PERMITS

A. Permit requirement.

1. An application for a zoning permit shall be submitted to the Zoning Administrator for the following activities, and it shall be unlawful and a violation of this chapter for any of the following activities to commence without a zoning permit first being issued in accordance with this article:

   a. Construction or installation of any roofed structure unless otherwise exempted.

   b. Construction or installation of any structure requiring a permanent foundation under the Pennsylvania Construction Code.

   c. Construction or installation of an addition or alteration to a building that creates floor space including decks and porches.

   d. Demolition of a residential dwelling, commercial or industrial building or structure.

      Service Connections (Demolition) - Before a building or structure is demolished or removed, the owner or owner's agent shall notify all utilities having service connections within the structure. A Zoning Permit authorizing the demolition or removal of a building or structure shall require that prior to

Issuance of a UCC permit, the owner shall submit to the UCC building code official and zoning administrator a certification that all service utilities and adjacent property owners have been notified of the proposed demolition and that service connections have been removed.

e. Making or effecting a change of a previously authorized zoning use of vacant and or any building or structure.

f. Construction or alteration of signs except as exempted.

g. Any tower or structure with a height such that it exceeds the maximum building height for that zoning district.

h. Any tower or structure that requires a permit by any federal, state or local statute or regulation.

i. Exterior remodeling or improvement of existing buildings that does not alter the basic structure, create additional lot area coverage or change the use of the parcel or building.

2. Stormwater Management Plan - If required, a stormwater management plan for the premises shall be submitted, reviewed, certified and implemented at the applicant's cost in accordance with the Stormwater Management Ordinance and the Subdivision and Land Development Ordinance prior to issuance of any Zoning Permit.

3. Access to State Highways and Township Streets - No permit authorizing access to a State highway shall be issued until the applicant submits to the Zoning Administrator a highway occupancy permit issued by the Department of Transportation authorizing the access as proposed. No permit proposing access to a Township street by a use greater than minimum traffic volume shall be issued until such proposed access has been authorized by the Board of Supervisors in its approval of a subdivision plan or land development plan or otherwise.

4. A permit issued by the building code official under the Uniform Construction Code Ordinance (UCC), indicating that proposed construction, alteration or reconstruction of a structure or other work regulated by the Uniform Construction Code is in accordance with the UCC as adopted by the Township and authorizing the applicant to proceed with such work or activity. This term shall be deemed to include "building permit" or "UCC permit." Such permit is distinct from a "Zoning Permit".

B. Permit exemptions.

1. No zoning permit shall be required for the following (however, a permit may be required under the Pennsylvania Construction Code or other ordinance):

   a. Steps not exceeding 32 square feet.

   b. Stoops not exceeding 32 square feet.

   c. Chimneys not exceeding 32 square feet.

   d. Handicap ramps.

   e. Any unheated addition, storage building, or deck under 100 sq. ft. and must comply with all other sections of this ordinance including setbacks.

   f. Overhangs provided they do not extend more than 24 inches beyond the outside wall.

   g. Ground level pads and sidewalks.

   h. Mailboxes, Flagpoles, Light Poles, Utility Boxes, Curbs, Retaining Walls, Decorative walls, and Fences.

   i. Temporary sign structures shall still meet the setback requirements of this chapter for the district in which the temporary sign structure is located. *(amended 2/18/25)*

   j. Roof-mounted cupolas, roof-mounted wind turbines, roof-mounted solar panels and roof-mounted antennas.

C. Form of application.

   a. The application for a zoning permit shall be submitted in written form and must be accompanied by the fee as required under resolution(s) adopted by the Board of Supervisors. An applicant shall provide all documents and information required under this or any other Summit Township ordinance, including but not limited to the Stormwater Ordinance, Floodplain Ordinance, Sign Ordinance, Construction Code Ordinance, Driveway Ordinance, Subdivision Ordinance and Land Development Ordinance.

   b. By whom application made. Application for a zoning permit shall be made by the owner, the lessee, or authorized agent of either with written authorization from the owner to make application, or by the building contractor or design professional employed or retained by such owner or lessee in connection with such work. The following information shall be provided.

c. The full name, address, phone number and email of the owner and applicant and contractor.

D. Application requirements.

In addition to other requirements imposed under this article or other ordinance of the Township, all applications for a zoning permit shall include the following:

a. Description of work.

A general description of the proposed work, the location of the proposed work, the occupancy prior to and after the proposed work of all the building and/or structure.

b. Proper zoning.

The applicant shall establish that the land is zoned properly and may be used as proposed, and that the proposal complies with all regulations of this chapter. No permit shall be issued unless the use proposed is expressly permitted in this ordinance.

c. Site plan.

1. An application for a zoning permit for any building or structure shall be accompanied by a site plan showing to scale the actual dimensions of each lot to be built upon, the size and location of all new construction and all existing buildings or structures on the site, distances from lot lines, and established street grades together with such additional information as may be mandated by law. If the Zoning Officer determines that the requirements of this section can be met without the requirement of an accurate boundary line survey, none shall be required.

2. An application for a zoning permit proposing construction, alteration, reconstruction or other action as to a single-family dwelling or shall set forth a plot plan showing the property lines, the location of all new or proposed construction and all existing buildings or structures on the site, distances from lot lines and such additional information as may be mandated by law.

3. In cases of proposed construction activity other than single family dwellings, data from approved land development plans or plan amendments may be incorporated in the permit application in lieu of a new site plan.

4. In cases of proposed construction activity involving additions or renovations to buildings that do not require a land development plan or amendment, the

Zoning Administrator shall be authorized to require a plot plan generally required for one- and two-family residential dwellings when deemed necessary under the circumstances.

5. If a building or structure is to be serviced by public sewer, a copy of the issued permit to connect the sewer system is required. Where public sewer is not available, the site plan shall indicate the location of the private sewage disposal system to serve the property and a copy of the Erie county Department of Health's septic approval for the proposed building and structure and/ or use is required.

6. If a building or structure is to be serviced by public water and water mains do not abut the premises, written confirmation by the water authority that is prepared to extend such mains must be provided. Where public water is not available, the site plan shall indicate the location of the private water supply to serve the property and obtain a water permit from the Water Authority.

7. In the case of demolition, the site plan shall show all construction to be demolished and the location and size of all existing buildings and structures that are to remain on the site or lot after demolition.

8. The site plan as set forth in the zoning permit as issued shall be the same as that submitted and approved for construction. No deviations from the site plan included in the approved zoning permit shall be allowed without prior written approval by the Zoning Administrator.

9. Construction and/or alterations as authorized by an approved permit shall begin within the period of 2 years of the date of issuance; otherwise the permit is null and void. An approved zoning permit shall be valid for a period of 2 years, with a one-year renewal, unless the project has been phased with an approved land development plan.

1007.02 SIGN PERMITS

It shall be unlawful for any person, firm or corporation to erect, alter, repair or relocate any sign within the municipality without first obtaining a sign permit, unless the sign is specifically exempt from the permit requirements as outlined in Article 8.

A. Application for a sign permit shall be made in writing to the Zoning Officer and shall contain all information necessary for such Officer to determine whether the proposed sign, or the proposed alterations, conform to all requirements of this Ordinance.

B. No sign permit shall be issued except in conformity with the regulations of this Ordinance, except after written order from the Zoning Hearing Board or a court of competent jurisdiction.

C. All applications for sign permits shall be accompanied by plans or diagrams in duplicate, drawn approximately to scale, showing the following:

1. Exact dimensions of lot or building upon which the sign is proposed to be erected.
2. The exact size, dimensions and location of the sign on lot or building.
3. Any other lawful information which may be required by the Zoning Officer.

D. In order to apply for a sign permit the applicant must provide the following information, in writing, to the zoning administrator:

1. The name of the organization and location.
2. The name, address, and telephone number of the property owner.
3. Contact person and contact information.
4. Description of the activities occurring on the site where the sign will be installed.
5. Description of any existing signage that will remain on the site.
6. Identification of the type of signs to be erected by the applicant.
7. Site Plan depicting the locations of proposed signage and existing remaining signage.
8. A plan drawn to scale depicting:
    a. Lot dimensions, building frontage, right of ways, and driveways.
    b. The design of each sign face and sign structure, including dimensions, total area, sign height, depth, structural details and proposed location.
    c. Building elevations, existing and proposed facades, eve line and the location and size of all proposed and existing permanent signage.

E. A permit fee established by the resolution of the municipality shall be paid.

F. In the instance that substantial repair or replacement of the sign becomes necessary, the organization must apply for a new sign permit, and pay an additional fee if required.

G. All illuminated signs shall demonstrate continued compliance with the brightness requirements set forth in Article 8. This will allow the municipality to adjust standards as needed based on changing technology and evaluation of impacts. The municipality reserves the right to assess the brightness of any sign at any time to ensure compliance with illumination requirements.

H. Permits shall be granted or refused within fifteen (15) days from date of application.

1008 SUMMIT TOWNSHIP CERTIFICATE OF COMPLETION/USE

A. New Uses: Upon completion of the whole building or structure for which a Zoning Permit was previously issued, the owner or developer thereof shall apply for a Summit Township Occupancy/Use Permit upon a form furnished by the Zoning Officer setting forth such facts that are required for issuance of the permit. Occupancy/Use of the completed building or structure is expressly prohibited until an Occupancy/Use Permit has been issued by Summit Township.

The Zoning Officer shall verify the facts and information set forth on the application and, upon finding the facts and information to be true and accurate, shall issue in duplicate, a Summit Township Occupancy/Use Permit. This Occupancy/Use Permit shall signify only that the use of the building or structure is in compliance with the provisions of the ordinance and may be used for the purpose set forth in the permit upon completion of the structure as described in the Zoning Permit. A Summit Township Occupancy/Use Permit, once granted, shall continue in effect as long as there is no change of use, regardless of change in ownership, tenants, or occupants.

A copy of the Summit Township Occupancy/Use Permit shall be kept and/or displayed upon the premises affected. A record shall be kept by the Zoning Officer for all Summit Township Occupancy/Use Permits issued and the original applications for Zoning Permits.

Any change in structure or land to a different use requires a new Summit Township Occupancy/Use Permit prior to such use, to ensure that the new use is in compliance with the Zoning Ordinance.

B. Existing Uses: Any use of a building, structure and/or lot existing at the enactment date of this Ordinance shall require a Summit Township Occupancy/Use Permit prior to any change to a different use, to ensure that the new use is in compliance with the Zoning Ordinance.

C. Conditional Summit Township Occupancy/Use Permits may be issued by the Zoning Officer, upon approval of the supervisors, provided such applicant provides to the

Township sufficient security to ensure the faithful performance of all incomplete improvements and to cover administrative, legal and engineering costs of the Township. The amount of such security, and the duration of the conditional permits, shall be determined by the supervisors and agreed to by the applicant.

Approval by the supervisors will only be granted if proper and sufficient justification is provided by the applicant; otherwise, the request for conditional Summit Township Occupancy/Use Permit will be denied.

1009 DUTIES OF THE OWNER/DEVELOPER

It shall be the duty of the owner/developer to apply for and secure all permits and certificates as required by this Ordinance. Failure to secure necessary permits or certificates or failure to apply for same in a timely fashion shall be a violation of this Ordinance.

1010 APPEALS, VARIANCES, SPECIAL EXCEPTIONS

The Zoning Officer shall receive all applications for appeals, variances, and special exceptions. Said applications shall be on forms as approved by the Governing Body for the Board, as appropriate, and shall be accompanied by a fee as set by these respective bodies. It is the intent of this Ordinance that all appeal processes should follow the Pennsylvania Municipalities Planning Code or other appropriate State law. The filing of appeals, variances and special exceptions shall be within such time limits as shall be set by the Board. These applications shall be filed by the last Monday of the month. A hearing shall be held within 60 days from the date of applicant's request unless the applicant has agreed in writing to an extension of time.

1011 VIOLATIONS

Failure to comply with any provision of this Ordinance or to secure a Zoning Permit, or Zoning Hearing Board permit, when required, prior to the erection, construction, extension, alteration, or addition to a structure shall be a violation of this Ordinance. Failure to secure a Summit Township Occupancy/Use Permit prior to occupying a building, structure or lot shall also be a violation of this Ordinance.

1011.01 NOTICE OF VIOLATION

When a violation of this Ordinance occurs, the Zoning Officer shall provide a written notice of violation to the offending party. When such written notice of violation has been served, the owner, agent or occupant, contractor or builder, shall correct such violation within the time provided in the notice of violation.

1011.02 PENALTIES

A. Any person, partnership or corporation who or which has violated or permitted violation of the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding, pay a judgment of not more than $500 plus all court costs, including reasonable attorney fees incurred by a Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of the violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

B. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of zoning ordinances shall be paid over to the municipality whose ordinance has been violated.

C. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

D. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the municipality the right to commence any action for enforcement pursuant to this section.

1012 PLANNING COMMISSION

The governing body shall appoint a Planning Commission consisting of five members (including alternates). All members of the Commission shall be residents of Summit Township and shall serve without compensation but may be reimbursed for necessary and reasonable expenses. The organization and operating procedures of the Commission shall be in accordance with the Township Code and the Pennsylvania Municipalities Planning Code, as applicable.

1013 REPORT TO TOWNSHIP SUPERVISORS

Following the enactment of this Ordinance, the Planning Commission may, from time to time, prepare and file with the Township supervisors, a report on the operation of this Ordinance, including recommendations on the enactment of amendments, supplements, or changes thereto.

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ARTICLE 11

ZONING HEARING BOARD

1101 CREATION

There is hereby created a Zoning Hearing Board, herein referred to as the "Board", consisting of three (3) regular members and three (3) alternate members. All such members shall be residents of the Township, who shall be appointed by resolution of the Township Board of Supervisors pursuant to the Pennsylvania Municipalities Planning Code, as amended. Said Board shall perform all the duties, and exercise all powers prescribed by said Code and as herein further provided.

1102 APPOINTMENT

The terms of office of the Board shall be three (3) years and shall be so fixed that the term of office of one regular member and one alternate member shall expire each year. The Board shall promptly notify the Board of Supervisors of any vacancies which occur. The Board of Supervisors may appoint an individual to fill such vacancies, for the unexpired portion of the term, or the Board may direct that any of the alternate members perform the duties of the vacant member's position. Members of the Board shall hold no other office in the Township.

1103 REMOVAL OF MEMBERS

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

1104 ORGANIZATION OF BOARD

The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing or the taking of any action, a quorum shall be not less than the majority of all the regular members of the Board, but where two (2) members are disqualified to act in a particular matter, the remaining member may act for the Board. The Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the Board as provided in Section 1106. The Board may make, alter and rescind rules and forms for its procedure, consistent with Township ordinances and laws of the Commonwealth. The Board shall keep full public records of its business and shall submit a report of its activities to the Board of Supervisors once a year.

1105 EXPENDITURES FOR SERVICES

Within the limits of funds appropriated by Board of Supervisors, the Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services. Members of the Board may receive compensation for the performance of their duties, as may be fixed from time to time by Board of Supervisors, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the Board of Supervisors.

1106 HEARINGS

The Summit Township Zoning Hearing Board shall hear variances and/or appeals from the written determinations and orders of the Zoning Officer regarding applications, enforcement notices, cease and desist orders, and other matters, and shall also hear substantive and procedural challenges to the validity of this Ordinance.

The Board shall conduct hearings and make decisions in accordance with the following requirements:

A. Notice shall be given to the public by notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days or less than seven (7) days from the date of the hearing. Written notice shall be given to the applicant, residents within 500 feet of the subject property, the Zoning Officer and to any person who has made timely request for the same. Personal notices shall be given at such time and in such manner as shall be provided herein, notice of said hearing shall be conspicuously posted on the affected tract of land at least one (1) week prior to the hearing.

B. The hearing shall be conducted by the Board or the Board may appoint any member as a hearing officer. The decision, or where no decision is called for, the findings shall be made by the Board, but the parties may waive decision or findings by the Board and accept the decision or findings of the hearing officer as final.

C. The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.

D. The chairman or acting chairman of the Board or the Hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the Attendance of witnesses and the production of Relevant documents and papers, including witnesses and documents requested by the parties.

E. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross- examine adverse witnesses on all relevant issues.

F. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.

G. The Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or hearing officer, or shall be paid by the person appealing the decision of the Board if such appeal is made, and in either event, the cost of additional copies shall be paid by the person requesting such copies or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.

H. The Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate; shall not take notice of any communication, reports, staff memoranda, or other materials unless the parties are afforded an opportunity to contest the material so noticed; and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.

I. The Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Board or hearing officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons, therefore. Conclusions based on any provisions of this Ordinance, or any rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer, and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available to the parties and the parties shall be entitled to make written representations thereon to the

Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than thirty (30) days after the decision of the hearing officer. Where the Board fails to render the decision within the period required by this subsection or fails to hold the required hearing within sixty (60) days from the date of the applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as hereinabove provided, the Township shall give public notice of said decision within ten (10) days in the same manner as provided in subsection (A) of this section.

J. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

K. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide by mail or otherwise, a brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

1107 BOARD'S FUNCTION

A. Appeals from the Zoning Officer: The Board shall hear and decide appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of this ordinance or map or any valid rule or regulation governing the action of the Zoning Officer. Nothing contained herein shall be construed to deny to the appellant the right to proceed directly in court, where appropriate, pursuant to rules of civil procedure relating to mandamus.

B. Challenge to the Validity of Ordinance or Map: The Board shall hear challenges to the validity of this Ordinance or map except as provided by law. In all such challenges, the Board shall take evidence and make a record thereon as provided in Section 1106. At the conclusion of the hearing, the Board shall decide all contested questions and shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court.

C. Variances: The Board shall hear requests for variances where it is alleged that the provisions of this Ordinance inflict unnecessary hardship on the applicant. The Board may by rule prescribe the form of application and may require preliminary

application to the Zoning Officer. The Board may grant a variance provided the following findings are made where relevant in a given case:

1. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions generally created by the provisions of this ordinance in the neighborhood or district in which the property is located.

2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

3. That such necessary hardship has not been created by the applicant.

4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

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

D. Special Exceptions: Special Exceptions are to be approved or expressly denied by the Board pursuant to the granted standards and criteria listed in Article 4. The Board shall hear and decide requests for special exceptions in accordance with such standards and criteria. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it may deem necessary to implement the purposes of this Ordinance.

1108 UNIFIED APPEALS

Where the Board has jurisdiction over a zoning matter pursuant to Section 1107, the Board shall also hear all appeals which an applicant may elect to bring before it with respect to any Township ordinance or requirement pertaining to the same development

plan or development. In any such case, the Board shall have no power to pass upon the non-zoning issues but shall take evidence and make a record thereon as provided in Section 1106. At the conclusion of the hearing, the Board shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court.

1109 PARTIES APPELLANT BEFORE BOARD

Appeals under Section 1107 (A) and proceedings to challenge the Ordinance under Section 1107 (B) may be filed with the Board in writing by the landowner affected, any officer or agency of the Township, or any person aggrieved. Requests for a variance under Section 1107 (C) and for special exception under Section 1107 (D) may be filed with the Board by any landowner or any tenant with the permission of such landowner.

1110 TIME LIMITATIONS

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

B. All appeals from determinations adverse to the landowners shall be filed by the landowner within thirty (30) days after notice of the determination is issued.

1111 STAY OF PROCEEDINGS

Upon filing of any proceeding referred to in Section 1107 and during its pendency before the Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action thereunder shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body.

ARTICLE 12

AMENDMENTS

1201 GENERAL

Township Board of Supervisors may introduce and/or consider amendments to this Ordinance, the Zoning Map, or the Transportation Map, as proposed by a member of the Township Board of Supervisors, the Planning Commission, or by a petition of a person or persons residing or owning property within the Township.

1202 PETITIONS

Petitions for amendments shall be filed with the Board of Supervisors and the petitioners, upon such filing, shall pay an advertising deposit and a filing fee, in accordance with a schedule affixed by the Township.

A. When a petition to amend this Zoning Ordinance is presented to the Supervisors, the Zoning Officer shall send notice to the owner of the subject property and to all property owners within one thousand five hundred feet (1,500 ft) in any direction of the subject property within seven (7) calendar days from the date on which the petition is presented to the supervisors. The Zoning Officer shall also post a notice upon the subject property to inform the general public of the amendment petition, said notice to be posted within the same seven (7) calendar days specified above. If a petition to amend is presented by the owner of the subject property, notice to such owner shall not be required. In such cases, the Zoning Officer shall comply with all other notice requirements outlined above.

B. The notice shall identify the nature of the proposed amendment and the date on which it was presented, identify the subject on which it was presented, identify the subject property, and identify the individual or entity petitioning for such amendment. The notice shall also contain a brief description of the zoning ordinance amendment process. This notice shall be sent by United States mail, first class postage prepaid and shall be deemed effective upon mailing.

1203 REFERRAL

Any proposed amendment presented to the Township Board of Supervisors without written findings and recommendations from the Summit Township Planning Commission and the Erie County Department of Planning and Community Development shall be referred to these agencies for review prior to the public hearing by the Township Board of Supervisors. The Board of Supervisors shall not hold a public hearing on such

amendments until required reviews are received or the expiration of thirty (30) days from the date that such proposed amendments were submitted to the Township and Erie County Planning Department.

1204 ACTION

Before acting upon a proposed amendment, the Board of Supervisors shall, as required by law, hold a public hearing thereon. Notice of such hearing, containing a brief summary of the proposed amendment and reference to the place where copies of the same may be examined, shall be published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. Such a notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days, and the second publication not less than seven (7) days from the date of the hearing.

1205 CURATIVE AMENDMENTS

Any landowner who desires to challenge on substantive grounds, the validity of this Zoning Ordinance or map or any provision thereof, which prohibits or restricts the use or development of land in which he has an interest, may submit a curative amendment along with the substantive validity challenge to the Zoning Ordinance to the governing body with a written request that his challenge and proposed amendment be heard and decided as provided in Section 909.1 (b) (4) of the Pennsylvania Municipalities Planning Code. As with other proposed amendments the curative amendment shall be referred to the Summit Township Planning Commission and the Erie County Department of Planning and Community Development at least thirty (30) days before the hearing is conducted by the Board of Supervisors. Public notice shall be given, and the hearing conducted in accordance with applicable provisions of the Pennsylvania Planning Code, Act 247, as amended by Act 170.

ORDAINED AND ENACTED THIS 21ST DAY OF JUNE 2021

ATTEST:

_____

Lisa A. Vallimont, Secretary

SUMMIT TOWNSHIP SUPERVISORS

_____

Anthony W. Davis, Chairperson

_____

Mark A. Welka, Supervisor

_____

Jack F. Lee, Jr., Supervisor

I certify that the above is a true copy of the Summit Township Ordinance No. 2021-02, adopted by the Supervisors of Summit Township on June 21, 2021, and advertised in the Erie Times on June 12, 2021.

_____

Secretary