

ARTICLE IV DISTRICT REGULATIONS

401 Designation of Districts

401.1 Designation

For the purposes of this Ordinance, Falls Township is hereby divided into the following Zoning Districts:

R	Residential District
RA	Rural Agricultural District
C	Commercial District
I	Industrial District

401.2 Intent

The intent of each District and the uses permitted in each District are set forth on the District Use Schedules contained in §404 of this Ordinance or in the specific sections establishing any overlay district. Bulk and density standards for each District are set forth on the Schedule of Development Standards contained in §404 of this Ordinance.

401.3 Floodplain Overlay District

The Floodplain Overlay District is hereby created to be coterminous with the areas which are subject to the one hundred (100) year flood, as identified in the most current *Flood Insurance Study* and the accompanying *FIRM - Flood Insurance Rate Map* issued by the Federal Emergency Management Agency. In addition to all other applicable standards of this Zoning Ordinance the floodplain regulations in the Township Floodplain Ordinance shall apply in the Floodplain Overlay District.

401.4 Optional Conservation Subdivision Design Overlay District -- Developer's Option

The Optional Conservation Subdivision Design Overlay District is hereby created to promote the conservation of open lands in the Township. Based on the request of the Developer, the District shall apply to all areas of the Township in Districts where residential development is permitted, and in addition to all the applicable standards of this Zoning Ordinance, the requirements of §601 of this Zoning Ordinance shall apply.

402 Official Zoning Map

The location and boundaries of said districts are hereby established as shown on the Official Zoning Map of Falls Township; which is hereby adopted by reference and declared to be a part of this Ordinance together with all amendments thereto.

403 District Boundaries

403.1 Establishment

District boundary lines are intended to follow or be parallel to the center line of streets, streams and railroads, and lot or property lines as they exist on a recorded deed or plan of record in the Wyoming County Recorder of Deed's Office and on the Wyoming County Tax Maps at the time of the enactment of this Ordinance, unless such district boundary lines are fixed by dimensions or otherwise as shown on the Official Zoning Map.

403.2 Interpretation

Where district boundaries are indicated as approximately following the center lines of streets or highways, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Official

Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning Map. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.

403.3 Uncertainty

In the event of uncertainty as to the true location of a district boundary line in a particular instance, the Zoning Officer is authorized to determine the correct district boundary in accord with the guidelines of this Zoning Ordinance. Any decision of the Zoning Officer may be appealed to the Zoning Hearing Board.

404 District Regulations

District regulations are of two types, Use Regulations and Development Standards, which shall apply to any proposed new use, expansion of an existing use or change of use of any land or structure.

404.1 Use Regulations

District Use Regulations are provided in the following Schedule of Uses.

- A. Permits for principal permitted uses and accessory uses shall be issued by the Zoning Officer provided such uses comply with the standards in this Ordinance.
- B. Conditional uses and special exception uses shall be subject to the additional review procedures and criteria as specified in this Ordinance.
- C. No land and no structure in a particular zoning district shall be used for any use which is not specifically listed on the Schedule of Uses for that particular district, and only in accord with all other requirements of this Ordinance. Larger lot sizes, greater setbacks, buffers and other more restrictive standards may be required by other provision of this Ordinance. In cases where this Ordinance provides different requirements for the same use, the most restrictive requirement shall apply.

404.2 Uses Not Specified in Schedule of Uses

- A. Jurisdiction - Whenever a use is neither specifically permitted nor specifically denied in any zoning district established under this Ordinance and an application is made to the Zoning Officer for such use, the application shall be submitted to the Zoning Hearing Board which shall have the authority to permit the use or deny the use as a special exception.
- B. Findings - The use may be permitted only if the Zoning Hearing Board makes all of the following findings; and, the burden of proof shall be upon the applicant:
 - 1. The use is similar to and compatible with the uses listed for the subject zoning district by the Schedule of Use Regulations.
 - 2. The use in no way conflicts with the intent of the zoning district and the general purpose and intent of this Zoning Ordinance.
 - 3. The use is not permitted in any other zoning district.
- C. Planning Commission Review - At the time the application is submitted to the Zoning Hearing Board, the Zoning Officer shall also provide a copy to the Township Planning Commission for its recommendation. The Zoning Hearing Board shall not conduct a public hearing on the application until the comments from the Planning Commission are received or thirty (30) days have passed from the time the application was referred to the Planning Commission.

- D. Conditions - The Zoning Hearing Board may attach reasonable conditions and safeguards to any special exception approval granted for a use not specified in the Schedule of Uses, incorporating standards in this Zoning Ordinance for similar uses in the district and such other conditions as the Zoning Hearing Board may deem necessary to protect and promote the public health, safety, morals and welfare and to implement the purposes of this Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

404.3 Development Standards

The Schedule of Development Standards which follows establishes minimum standards for lot area; lot depth, average lot width and front, side and rear yards; and establishes maximum standards for building height and lot coverage. The standards also establish specific standards and criteria that apply to the use as may be appropriate to protect the public health, safety and welfare. Larger lot sizes, increased setbacks and other more restrictive standards may be required in accord with other Ordinance sections.

404.4 Table of Uses Permitted by District

The Table of Uses by District which follows summarizes the various uses according to the classification of the use in the zoning districts. The Table is for reference only and the Schedule of Uses and all underlying Zoning Ordinance sections shall be the final determinant for regulation.

R - RESIDENTIAL DISTRICT -- SCHEDULE OF USES

INTENT: To provide areas adequate to accommodate the Township’s single-family housing needs and recognize existing residential communities. To limit unnecessary intrusions of incompatible uses which might pose a threat to the health, safety, or welfare of families and individuals occupying said housing, and to allow certain public and semi-public uses compatible with residential neighborhoods.

<p style="text-align: center;">PRINCIPAL PERMITTED USES (Zoning Officer)</p> <ul style="list-style-type: none"> - Crop production - Forestry enterprises - Group homes - Livestock operations on a minimum of five (5) acres - Retail sales of agricultural / forestry products produced and/or processed on the premises - Retail sales limited to 1,000 sq. ft. of agricultural / forestry related products and produce in association with an active agriculture / forestry use - Single-family detached dwellings <hr/> <p style="text-align: center;">ACCESSORY USES (Zoning Officer)</p> <ul style="list-style-type: none"> - Accessory uses customary to approved uses - Barns, silos, sheds, and similar agricultural buildings - Day care, adult and child as a home occupation - Essential services - Home gardens and home nurseries - Home greenhouses - Pets, keeping of - Private garages, carports, sheds - Private swimming pools - Required parking areas - Signs accessory to approved uses - Satellite dish antennae - Stables, private in association with a single-family detached dwelling - Yard sales 	<p style="text-align: center;">SPECIAL EXCEPTIONS (Planning Commission / Zoning Hearing Board)</p> <ul style="list-style-type: none"> - Bed and breakfast establishments - Day care, adult - Day care, child - Home occupations* - Places of worship - Public and semi-public buildings and uses - Public parks and playgrounds - Recreational facilities, public - Schools, public or private primary or secondary - Stables, private, in association with a single-family detached dwelling <p>*See §503 which classifies certain home occupations as accessory uses.</p> <hr/> <p style="text-align: center;">CONDITIONAL USES (Planning Commission /Board of Supervisors)</p> <p>none</p> <hr/> <p>NOTE: Uses not specifically listed by this schedule shall not be permitted in the R District except as approved in accord with §404.2.</p>
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RA - RURAL AGRICULTURAL DISTRICT -- SCHEDULE OF USES

INTENT: To permit, protect and encourage the continued use of land for agriculture and forestry enterprises, while concurrently allowing residential development, limited recreational uses and certain institutional uses. A number of other commercial uses are permitted as conditional uses or special exceptions in accord with performance standards.

PRINCIPAL PERMITTED USES

(Zoning Officer)

- Art studios
- Commercial greenhouses and nurseries
- Crop production
- Forestry enterprises
- Group homes
- Livestock operations
- Retail sales of agricultural / forestry products produced and/or processed on the premises
- Retail sales limited to 1,000 sq. ft. of agricultural / forestry related products and produce in association with an active agriculture / forestry use
- Single-family detached dwellings
- Two-family dwellings

ACCESSORY USES

(Zoning Officer)

- Accessory uses customary to approved uses
- Barns, silos, sheds, and similar agricultural buildings
- Day care, adult and child as a home occupation
- Essential services
- Home gardens and home nurseries
- Home greenhouses
- Pets, keeping of
- Private garages, carports, sheds
- Private swimming pools
- Required parking areas
- Signs accessory to approved uses
- Satellite dish antennae
- Stables, private in association with a single-family detached dwelling
- Yard sales

SPECIAL EXCEPTIONS

(Planning Commission / Zoning Hearing Board)

- Archery ranges, outdoor
- Bed and breakfast establishments
- Cemeteries
- Colleges and universities
- Contractor's yards
- Day care, adult
- Day care, child
- Health facilities
- Home based businesses
- Home occupations*
- Kennels
- Nursing homes
- Places of worship
- Public and semi-public buildings and uses
- Public parks and playgrounds
- Recreational facilities, public
- Schools, public or private primary or secondary
- Stables, commercial, and horses for hire
- Storage yards for forest products and minerals
- Veterinary clinics

*See §503 which classifies certain home occupations as accessory uses.

CONDITIONAL USES

(Planning Commission /Board of Supervisors)

- Agricultural products processing only for products raised on the premises
- Campgrounds and recreational vehicle parks
- Commercial communication device sites
- Concentrated animal feeding operations
- Mineral extraction
- Mineral processing in association with mineral extraction per §825.3
- Mobile home parks
- Multi-family dwellings
- Wind farms

NOTE: Uses not specifically listed by this schedule shall not be permitted in the RA District except as approved in accord with §404.2.

C - COMMERCIAL DISTRICT -- SCHEDULE OF USES

INTENT: To provide for the development of all types of commercial trades and service activities and light manufacturing in areas close to major highways.

PRINCIPAL PERMITTED USES

(Zoning Officer)

- Automobile rental operation, accessory
- Banks
- Bed and breakfast establishments
- Boarding and lodging houses
- Contractor yards
- Clubs/lodges, private
- Crop production
- Day care, adult and child
- Exercise clubs
- Forestry enterprises
- Hotels
- Medical clinics
- Motels
- Nursing homes
- Office buildings
- Places of worship
- Professional offices
- Public and semi-public buildings and uses
- Public parks and playgrounds
- Recreational facilities, commercial
- Recreational facilities, public
- Restaurants, traditional
- Retail businesses
- Retail home heating fuel distributors
- Schools, public or private primary or secondary
- Service establishments
- Storage facilities
- Storage yards for forest products and stone
- Taverns
- Theaters, indoor
- Trade schools
- Vehicle or equipment sales or rental operations
- Veterinary clinics- Wholesale businesses

NOTE: Uses not specifically listed by this schedule shall not be permitted in the C District except as approved in accord with §404.2.

ACCESSORY USES

(Zoning Officer)

- Accessory uses customary to approved uses
- Barns, silos, sheds, and similar agricultural buildings
- Day care, adult and child as a home occupation
- Essential services
- Home gardens and home nurseries
- Home greenhouses
- Pets, keeping of
- Private garages, carports, sheds
- Private swimming pools
- Required parking areas
- Signs accessory to approved uses
- Satellite dish antennae
- Stables, private in association with a single-family detached dwelling
- Yard sales

SPECIAL EXCEPTIONS

(Planning Commission / Zoning Hearing Board)

- Amusement arcades
- Animal hospitals
- Car and truck washes
- Convenience stores
- Funeral homes
- Group quarters
- Health facilities
- Home based businesses
- Home occupations*
- Indoor shooting ranges
- Kennels and pounds
- Manufacturing, light
- Mobile and manufactured home sales
- Outdoor entertainment
- Treatment centers/clinics
- Vehicle or equipment repair operation

*See §503 which classifies certain home occupations as accessory uses.

CONDITIONAL USES

(Planning Commission /Board of Supervisors)

- Abused person shelter
- Betting uses
- Bus terminals
- Central water systems
- Commercial communication device sites
- Restaurants, drive-in
- Shopping centers and malls
- Warehouses

I - INDUSTRIAL DISTRICT -- SCHEDULE OF USES

INTENT: To reserve those areas in the Township best suited for manufacturing and industry, uses with potential for greater community impact, and other offensive uses based on location, existing uses and facilities, and the relationship to other land uses.

<p style="text-align: center;">PRINCIPAL PERMITTED USES (Zoning Officer)</p> <ul style="list-style-type: none"> - Crop production - Forestry enterprises - Livestock operations - Manufacturing, light - Recycling collection facilities, large and small - Recycling units, mobile - Retail sales of agricultural / forestry products produced and/or processed on the premises - Retail sales limited to 1,000 sq. ft. of agricultural / forestry related products and produce in association with an active agriculture / forestry use - Self-storage facilities - Single-family detached dwellings - Wholesale businesses - Warehouses <hr/> <p style="text-align: center;">ACCESSORY USES (Zoning Officer)</p> <ul style="list-style-type: none"> - Accessory uses customary to approved uses - Barns, silos, sheds, and similar agricultural buildings - Day care, adult and child as a home occupation - Essential services - Home gardens and home nurseries - Home greenhouses - Pets, keeping of - Private garages, carports, sheds - Private swimming pools - Required parking areas - Signs accessory to approved uses - Satellite dish antennae - Stables, private in association with a single-family detached dwelling - Yard sales 	<p style="text-align: center;">SPECIAL EXCEPTIONS (Planning Commission / Zoning Hearing Board)</p> <ul style="list-style-type: none"> - Bulk fuel storage - Home based businesses - Home occupations* - Manufacturing and industry - Recyclable processing facilities - Sawmills - Slaughter houses - Truck terminals / distribution facilities <p>*See §503 which classifies certain home occupations as accessory uses.</p> <hr/> <p style="text-align: center;">CONDITIONAL USES (Planning Commission /Board of Supervisors)</p> <ul style="list-style-type: none"> - Adult businesses - Agricultural products processing - Aircraft sales, repair or modification - Airports, private and public - Bus terminals - Commercial communication device sites - Crematoria - Detention facilities - Heliports, accessory - Heliports, commercial - Junkyards - Mineral processing - Race tracks - Sawmills - Shooting ranges, outdoor commercial - Solid waste facilities and staging areas <hr/> <p>NOTE: Uses not specifically listed by this schedule shall not be permitted in the I District except as approved in accord with §404.2.</p>
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SCHEDULE OF DEVELOPMENT STANDARDS				
NOTE: Larger lot sizes, setbacks or other standards may be required by other sections of this Ordinance. In any case the most restrictive shall apply.				
Minimum lot size and density				
Type of Sewage Disposal and Water Supply	Minimum Lot Size (acres)		Minimum Land Area for Multi-Family Dwellings (acres/dwelling unit)	
	single-family dwellings and non-residential uses	two-family dwellings		
on-site sewage disposal and on-site water	1.00	1.50	(central sewage and central water required) See §603	
on-site sewage disposal and central water	1.00	1.50		
central sewage and on-site water	1.00	1.50		
central sewage and central water	0.50	0.75		
Lot dimensions for lots proposed in a standard subdivision (See §601 for Conservation Design)				
	Lot size equal to or greater than (acres)			
	1.00	0.75	0.50	
Minimum width (feet)	125	100	75	
Maximum depth to width ratio (no lot need exceed a width of 300 ft)	4:1	4:1	4:1	
Minimum street frontage (feet)	not less than 50% of required lot width except for flag lots as provided by the SALDO			
Minimum building setback requirements for all uses (See §601 for Conservation Design)				
	Lot size equal to or greater than (acres)			nonconforming lots less than 0.75 acres
	1.00	0.75	0.50	
Front - from edge of each right-of-way (feet)	30	25	25	20
Each side - from property line (feet)	20	20	15	15
Rear - from property line (feet)	20	20	15	15
Residential maximum lot coverage (percent)	25	25	30	30
Non-residential maximum lot coverage (percent)	commercial and institutional - 50 light manufacturing; manufacturing and industry - 60			
Maximum building height (feet) -- see §501.4 for exceptions				
residential	35			
commercial and institutional	40			
light manufacturing; manufacturing and industry	50			

TABLE OF USES PERMITTED BY DISTRICT
(See §404.4)

The Table of Uses by District which follows summarizes the various uses according to the classification of the use in the zoning districts. The Table is for reference only and the Schedule of Uses and all underlying Zoning Ordinance sections shall be the final determinant for regulation.

TABLE OF USES PERMITTED BY DISTRICT						
CODES: P = principal permitted use S = special exception		C = conditional use N = not permitted		ZONING DISTRICTS		
TYPE OF USE						
ACCESSORY USES		section	R	RA	C	I
Accessory uses customary to approved uses		--	P	P	P	P
Barns, silos, sheds and similar agricultural buildings		--	P	P	P	P
Day care, adult and child as a home occupation		--	P	P	P	P
Essential services		--	P	P	P	P
Home gardens and home nurseries		503.5	P	P	P	P
Home greenhouses		503.5	P	P	P	P
Pets, keeping of		806	P	P	P	P
Private garages, carports, sheds		503.4	P	P	P	P
Private swimming pools		503.6	P	P	P	P
Required parking areas		504	P	P	P	P
Satellite dish antennae		503.13	P	P	P	P
Signs accessory to approved uses		--	P	P	P	P
Stables, private in association with a single family detached dwelling		806.2	P	P	P	P
Yard sales		503.8	P	P	P	P
RESIDENTIAL USES		section	R	RA	C	I
Boarding and lodging houses		--	N	N	P	N
Campground and recreational vehicle parks		--	N	C	N	N
Group homes		605	P	P	N	N
Group quarters		--	N	N	S	N
Mobile home parks		607	N	C	N	N
Multi-family dwellings		603	N	C	N	N
Nursing homes		--	N	S	P	N

Single family detached dwellings	--	P	P	N	P
Two-family dwellings	602	N	P	N	N
COMMERCIAL and MANUFACTURING USES					
Retail, Service and Health Related Commercial Uses	section	R	RA	C	I
Abused person shelter	--	N	N	C	N
Animal hospitals	--	N	N	S	N
Banks	--	N	N	P	N
Car and truck washes	856.1	N	N	S	N
Convenience stores	--	N	N	S	N
Day care, adult	--	S	S	P	N
Day care, child	--	S	S	P	N
Exercise clubs	--	N	N	P	N
Funeral homes	--	N	N	S	N
Health facilities	853	N	S	S	N
Kennels	806.1	N	S	N	N
Kennels and pounds	806.1	N	N	S	N
Medical clinics	853	N	N	P	N
Mobile and manufactured home sales	--	N	N	S	N
Office buildings	--	N	N	P	N
Professional offices	--	N	N	P	N
Restaurants, drive-in	--	N	N	C	N
Restaurants, traditional	--	N	N	P	N
Retail businesses	--	N	N	P	N
Retail sales limited to 1,000 sq. ft. of agricultural/forestry related products and produce in association with an active agriculture/forestry use	--	P	P	N	P
Retail sales of agricultural/forestry products produced and/or processed on the premises	--	P	P	N	P
Self-storage facilities	841	N	N	N	P
Service establishments	--	N	N	P	N
Shopping centers and malls	845	N	N	C	N
Storage facilities	841	N	N	P	N
Taverns	--	N	N	P	N

Treatment centers/clinics	853	N	N	S	N
Vehicle or equipment repair operation	856	N	N	S	N
Vehicle or equipment sales or rental operations	856	N	N	P	N
Veterinary clinics	--	N	S	P	N
Recreation Related Commercial Uses	section	R	RA	C	I
Amusement arcades	--	N	N	S	N
Archery ranges, outdoor	844	N	S	N	N
Bed and breakfast establishments	610	S	S	P	N
Hotels	611	N	N	P	N
Motels	611	N	N	P	N
Outdoor entertainment	--	N	N	S	N
Race tracks	856.4	N	N	N	C
Recreational facilities, commercial	--	N	N	P	N
Recreational facilities, private	--	N	N	N	N
Shooting ranges, indoor	--	N	N	S	N
Shooting ranges, outdoor commercial	844	N	N	N	C
Stables, commercial and horses for hire	806.3	N	S	N	N
Theaters, indoor	--	N	N	P	N
Manufacturing, Warehousing and Similar Uses	section	R	RA	C	I
Agricultural products processing	--	N	N	N	C
Agricultural products processing only for products raised on the premises	--	N	C	N	N
Bulk fuel storage	808	N	N	N	S
Bus terminals	--	N	N	C	C
Contractor's yards	--	N	S	P	N
Manufacturing, light	--	N	N	S	P
Manufacturing and industry	--	N	N	N	S
Recyclable processing facilities	--	N	N	N	S
Recycling collection facilities, large and small	--	N	N	N	P
Recycling units, mobile	--	N	N	N	P
Retail home heating fuel distributors	--	N	N	P	N
Truck terminals/distribution facilities	--	N	N	N	S
Warehouses	--	N	N	C	P

Wholesale businesses	--	N	N	P	P
Miscellaneous Uses	section	R	RA	C	I
Adult businesses	801	N	N	N	C
Aircraft sales, repair or modification	--	N	N	N	C
Airports, private and public	804	N	N	N	C
Art studios	--	N	P	N	N
Automobile rental operation, accessory	--	N	N	P	N
Betting uses	--	N	N	C	N
Central water systems	--	N	N	C	N
Commercial communication device sites	809	N	C	C	C
Crematoria	--	N	N	N	C
Detention facilities	813	N	N	N	C
Heliports, accessory	503.11	N	N	N	C
Heliports, commercial	804	N	N	N	C
Home based businesses	503.3	N	S	S	S
Home occupations	503.3	S	S	S	S
Junk yards	820	N	N	N	C
Solid waste facilities and staging areas	848	N	N	N	C
PUBLIC, SEMI-PUBLIC, COMMUNITY RELATED USES	section	R	RA	C	I
Cemeteries	--	N	S	N	N
Clubs/lodges, private	--	N	N	P	N
Colleges and universities	--	N	S	N	N
Places of worship	--	S	S	P	N
Public and semi-public buildings and uses	--	S	S	P	N
Public parks and playgrounds	--	S	S	P	N
Recreational facilities, public	--	S	S	P	N
Schools, public or private primary or secondary	--	S	S	P	N
Trade schools	--	N	N	P	N
AGRICULTURAL AND NATURAL RESOURCE USES	section	R	RA	C	I
Commercial greenhouses and nurseries	--	N	P	N	N
Concentrated animal feeding operations	810	N	C	N	N
AGRICULTURAL AND NATURAL RESOURCE USES	section	R	RA	C	I

Crop production	803	P	P	P	P
Forestry enterprises	815	P	P	P	P
Livestock operations	803	N	P	N	P
Livestock operations on a minimum of five (5) acres	803	P	N	N	N
Mineral extraction	825	N	C	N	N
Mineral processing	826	N	N	N	C
Mineral processing in association with mineral extraction	825.3	C	N	N	N
Sawmills	--	N	N	N	C
Slaughter houses	--	N	N	N	S
Storage yards for forest products and minerals	850	N	S	N	N
Storage yards for forest product and stone	850	N	N	P	N
Wind farms	858	N	C	N	N