

ORDINANCE 05- 05

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF PENN FOREST TOWNSHIP, CARBON COUNTY, PENNSYLVANIA ENTITLED, "PENN FOREST TOWNSHIP ZONING ORDINANCE OF 1991" ("ZONING ORDINANCE").

BE IT ENACTED AND ORDAINED by Penn Forest Township, Carbon County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same, that the following additions, deletions and amendments be made to the Zoning Ordinance (unless otherwise indicated all references are to sections in the Zoning Ordinance):

1. The term "Roof signs" shall be deleted from section 9.402

(Prohibited Signs) and shall be replaced by the following:

Roof signs that exceed either (a) the maximum building height, or (b) the highest point of the highest roof of the building, whichever is lesser.

2. The last sentence of the definition of "Free-Standing Sign" contained in section 9.101 (Definitions) shall be deleted in its entirety and replaced by the following:

If it is not specifically indicated whether a particular sign can be a wall sign, a roof sign, or a free standing sign, the sign shall be a free-standing sign.

3. The following shall be added to the definition of "Projecting Signs" contained in Section 9.101 (Definitions):

except that a roof sign may extend more than twelve (12") inches above the roof on which it is erected or maintained, provided it does not exceed either (a) the maximum building height, or (b) the highest point of the highest roof of the building, whichever is lesser.

4. The following definition shall be added to Section 9.101(Definitions):

**Elevation View** - A two dimensional scaled drawing showing the width of a building, including any offsets, and the height above finished grade including the roof. If roof view depicts the gable end view, the roof pitch must be included.

5. Section 9.301(A)(2)(a) (On-Premise Permanent Signs) shall be deleted in its entirety and replaced by the following:

One non-illuminated or internally illuminated business wall sign or business roof sign, except that where the use abuts two or more streets, additional wall signs or roof signs, one oriented toward each abutting street, shall be permitted, and

6. A new section 9.301(A)(2)(d) shall be added and shall provide as follows:

The size of one of the business wall sign(s) or business roof sign(s) permitted under subsection (A)(2)(a) above may be increased to an area no greater than ten (10) percent of the area of the elevation view of the side of the building to which the sign is affixed less the area of the other signs permitted under subsections (A)(2)(a), (A)(2)(b), (A)(2)(c) and (B)(2) and actually erected. In calculating the area of the elevation view of the building, non-structural features including facades, decorative walls, and the like, shall not be included.

Example: If the area of the elevation view of the side of the building to which the business wall sign or business roof sign is affixed is twelve hundred (1,200) square feet, the sign may have an area up to one hundred twenty (120) square feet; provided, no other signs permitted under subsections (A)(2)(a), (A)(2)(b), (A)(2)(c) and (B)(2) are erected. If the Applicant also desires to erect a freestanding sign pursuant to subsection (A)(2)(b) having an area of twenty (20) square feet, the maximum area of the aforesaid business wall sign or business roof sign (i.e. one hundred twenty (120) square feet) would be reduced to one hundred (100) square feet. Similarly, if the Applicant also desired to erect an additional business wall sign(s) or business roof sign(s), (where the use abuts two or more streets) the maximum size of the aforesaid business wall sign or business roof sign (i.e. one hundred twenty (120) square feet) would be reduced by the size of such additional business wall sign(s) or business roof sign(s).

7. Section 9.301(A)(3)(a) (On-Premise Permanent Signs) shall be deleted in its entirety and replaced by the following:

One non-illuminated or internally illuminated business wall sign or business roof sign for each principal tenant, except that where a tenant abuts two or more streets, additional wall signs or roof signs, one oriented toward each abutting street, shall be permitted. The area of any one such sign shall not exceed ten (10) percent of the tenant's

proportionate share of the building wall or roof to which the sign is affixed, or twenty (20) square feet, whichever is smaller, and

8. A new section 9.301(A)(3)(e) shall be added and shall provide as follows:

The size of one of the business wall sign(s) or business roof sign(s) permitted under subsection (A)(3)(a) above may be increased to an area no greater than ten (10) percent of the tenants proportionate share of the area of the elevation view of the side of the building to which the sign is affixed less the area of the other signs permitted under subsections (A)(3)(a), (A)(3)(b), (A)(3)(c), (A)(3)(d), and (B)(2) and actually erected. For the purpose of calculating the tenant's proportionate share of the area of the elevation view of the side of the building to which the sign is affixed, non-structural features including facades, decorative walls, and the like, shall not be included.

9. In Section 9.101 (Definitions), the definition of the term "Neon or Other Gas Tube Illumination" shall be deleted in its entirety and replaced by the following:

Illumination affected by a light source consisting of a neon or other gas tube (or some other light source or technology which creates the appearance of a neon or other gas tube), which is bent to form letters, symbols or other shapes.

10. In Section 9.501(F) (Incidental Sign) the phrase "credit cards excepted" shall be deleted and replaced by the phrase "credit cards accepted."

11. Section 4.303, Use Class 20(Self-Service Storage Facility), subsection (5)(b)(Set Backs) is amended by adding the phrase, "except in accordance with subsection 2(a) above.

12. Section 4.303, Use Class 20(Self-Service Storage Facility) subsection 6(c) is amended by deleting the following:

and shall be constructed of opaque materials (except that portion of said fence adjacent to the front yard) that will prevent the passage of light and debris, such as brick, stone, architectural tile, masonry units, wood or similar materials, but expressly prohibiting woven wire.

13. Section 4.303, Use Class 20 (Self-Service Storage Facility), subsection 10(i) is deleted in its entirety and replaced by the following:

No business activity other than the rental of storage units shall be conducted within the perimeter of the development (i.e. the barrier referred to in subsections 6(b) and (c) above).

14. Section 7.305 (Private Outdoor Swimming Pools) shall be deleted in its entirety and replaced by the following:

A single private outdoor swimming pool per dwelling unit is permitted as an accessory use to a residential structure, provided that such swimming pool is for the private use of the residents of the dwelling unit or for their guests, and provided that such pool is not located closer than ten (10) feet to any property line and does not occupy more than ten (10) percent of the lot area.

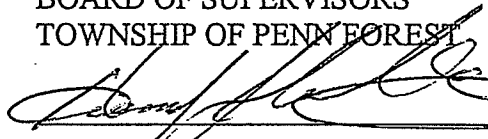
15. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

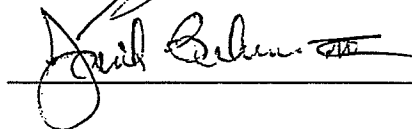
16. The Penn Forest Zoning Ordinance is amended in no other way.

17. This ordinance shall become effective five (5) days after its enactment.

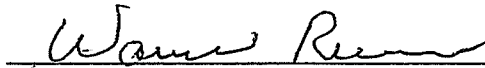
THIS ORDINANCE IS ENACTED AND ORDAINED this 7<sup>th</sup> day of November, 2005.

BOARD OF SUPERVISORS  
TOWNSHIP OF PENN FOREST

  
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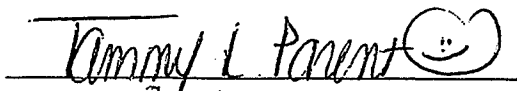
  
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ATTEST:

  
Secretary