

**AMHERST
TOWNSHIP
ZONING
RESOLUTION**

**September 16, 1998
(Amended October 12, 2006)**

| TABLE OF CONTENTS | | REV. DATE |
|--------------------------|--|------------------|
| INTRODUCTION | | 10/12/06 |
| ARTICLE 100 | TITLE, PURPOSE, INTERPRETATION | 07/10/01 |
| 101 | Title. | |
| 102 | Purpose. | |
| 103 | Interpretation. | |
| 104 | Validity and Separability. | |
| 105 | Repealer. | |
| 106 | Effective Date. | |
| ARTICLE 200 | DEFINITIONS | 10/12/06 |
| 201 | Interpretation of Terms and Words. | |
| 202 | Definitions. | |
| ARTICLE 300 | GENERAL PROVISIONS | 11/24/05 |
| 301 | Purpose. | |
| 302 | Compliance with Zoning Regulations. | |
| 303 | Compliance with Other Regulations. | |
| 304 | Lots to Front on a Street. | |
| 305 | Required Lot Area to be Maintained. | |
| 306 | Required Yards to be Maintained. | |
| 307 | Visibility at Intersections. | |
| 308 | Yard Exceptions. | |
| 309 | Access to Other Districts Prohibited. | |
| 310 | Accessory Buildings and Uses. | |
| 311 | Temporary Buildings. | |
| 312 | Performance Standards. | |
| 313 | Prohibited Uses. | |
| 314 | Driveway Location. | |
| 315 | Rear House. | |
| 316 | Adult Entertainment/Sexually Oriented Businesses | |
| ARTICLE 400 | NONCONFORMING USES, BUILDINGS, LOTS AND STRUCTURES | 07/10/01 |
| 401 | Purpose. | |
| 402 | Nonconforming buildings or structures. | |
| 403 | Nonconforming use of buildings and land. | |
| 404 | Nonconforming parking facilities. | |
| 405 | Nonconforming Signs. | |
| 406 | Nonconforming Lots. | |
| 407 | Nonconforming use due to reclassification. | |
| 408 | Change from Nonconforming Use. | |
| 409 | Existing Use Deemed Conditional Use; Permit Required for Change. | |
| 410 | Completion of Construction with Zoning Certificate. | |

| TABLE OF CONTENTS | | REV. DATE |
|--------------------------|--|------------------|
| ARTICLE 500 | DISTRICTS AND THEIR BOUNDARIES | 10/12/06 |
| 501 | Purpose. | |
| 502 | Establishment of Districts. | |
| 503 | Zoning Map. | |
| 504 | Interpretation of District Boundaries. | |
| ARTICLE 600 | SINGLE-FAMILY RESIDENTIAL DISTRICT REGULATIONS | 09/07/06 |
| 601 | Purpose. | |
| 602 | Permitted Uses. | |
| 603 | Minimum Lot Requirements. | |
| 604 | Minimum Yard Requirements. | |
| 605 | Height Requirements. | |
| 606 | Dwelling Unit Square Foot Requirements. | |
| 607 | Accessory Use Regulations. | |
| 608 | Regulations for Home Occupations. | |
| 609 | Family Day Care Home, Type "B". | |
| 610 | Agricultural Uses in Residential Districts. | |
| 611 | General Regulations. | |
| 612 | Design Review. | |
| ARTICLE 700 | MULTI-FAMILY RESIDENTIAL REGULATIONS | 11/24/05 |
| 701 | Purpose. | |
| 702 | Permitted Uses. | |
| 703 | Development Area and Density Regulations. | |
| 704 | Site Development Regulations. | |
| 705 | Dwelling Unit Requirements. | |
| 706 | Height Regulations. | |
| 707 | Accessory Use Regulations. | |
| 708 | Landscaping and Screening Requirements. | |
| 709 | General Regulations. | |
| 710 | Site Plan and Design Review. | |
| ARTICLE 900 | CONSERVATION DEVELOPMENT REGULATIONS | 06/09/05 |
| 901 | Purpose. | |
| 902 | Conformity to Standards. | |
| 903 | Minimum Project Area. | |
| 904 | Dwelling Types and Permitted Land Uses. | |
| 905 | Density. | |
| 906 | Common Open Space Requirements. | |
| 907 | Development Standards. | |
| 908 | Street Requirements. | |

TABLE OF CONTENTS

REV. DATE

- 909 Homeowners Associations.
- 910 Phased Development.
- 911 Procedures and Approval Criteria.
- 912 Development Plan Review Criteria.

ARTICLE 1000 BUSINESS DISTRICT REGULATIONS 11/24/05

- 1001 Purpose.
- 1002 Permitted Uses.
- 1003 Minimum Lot Requirements.
- 1004 Required Yards.
- 1005 Minimum Parking Setbacks.
- 1006 Height Regulations.
- 1007 Accessory Use Regulations.
- 1008 Landscaping and Screening Requirements.
- 1009 Permitted Signs.
- 1010 Supplemental Requirements for Service Stations.
- 1011 General Regulations.
- 1012 Site Plan and Design Review.

ARTICLE 1100 MIXED-USE DISTRICT REGULATIONS 10/12/06

- 1101 Purpose.
- 1102 Permitted Uses.
- 1103 Minimum Lot Requirements.
- 1104 Required Yards.
- 1105 Minimum Parking Setbacks.
- 1106 Height Regulations.
- 1107 Accessory Use Regulations.
- 1108 Landscaping and Screening Requirements.
- 1109 Permitted Signs.
- 1110 General Regulations.
- 1111 Site Plan and Design Review.

ARTICLE 1150 MIXED-USE OVERLAY DISTRICT REGULATIONS 10/12/06

- 1151 Purpose.
- 1152 Area Requirements.
- 1153 Use Regulations.
- 1154 Determination of Similar Uses.
- 1155 Use Definitions.
- 1156 Required Setbacks from the Perimeter of the District.
- 1157 Minimum Parking Setbacks from the Perimeter of the District.
- 1158 Height Regulations.
- 1159 Accessory Use Regulations.
- 1160 Land Planning Principles.

| TABLE OF CONTENTS | | REV. DATE |
|--------------------------|---|------------------|
| 1161 | Landscaping and Screening Requirements. | |
| 1162 | Permitted Signs. | |
| 1163 | General Regulations. | |
| 1164 | Procedures. | |
| 1165 | Submission Requirements. | |
| 1166 | Final Development Plan Approval Criteria. | |
| 1167 | Conflict with Other Regulations. | |
| | | |
| ARTICLE 1200 | PLANNED DEVELOPMENT DISTRICT | 04/21/05 |
| 1201 | Purpose. | |
| 1202 | Area Requirements. | |
| 1203 | Establishment of Planned Development District. | |
| 1204 | Use Regulations. | |
| 1205 | Determination of Similar Uses. | |
| 1206 | Use Definitions and Limitations. | |
| 1207 | Development Standards. | |
| 1208 | Accessory Use Regulations. | |
| 1209 | Parking Standards. | |
| 1210 | Buffering Standards. | |
| 1211 | Procedures. | |
| 1212 | Submission Requirements. | |
| 1213 | Final Development Plan Approval Criteria. | |
| 1214 | Conflict with Other Regulations. | |
| | | |
| ARTICLE 1300 | INDUSTRIAL DISTRICT REGULATIONS | 11/24/05 |
| 1301 | Purpose. | |
| 1302 | Permitted Uses. | |
| 1303 | Minimum Lot Requirements. | |
| 1304 | Required Yards. | |
| 1305 | Minimum Parking Setbacks. | |
| 1306 | Regulations for Outdoor Storage of Fleet Vehicles. | |
| 1307 | Height Regulations. | |
| 1308 | Accessory Use Regulations. | |
| 1309 | Landscaping and Screening Requirements. | |
| 1310 | Permitted Signs. | |
| 1311 | General Regulations. | |
| 1312 | Site Plan and Design Review. | |
| | | |
| ARTICLE 1400 | FLOODPLAIN ZONE REGULATIONS | 07/10/01 |
| 1401 | Purpose. | |
| 1402 | Applicability. | |
| 1403 | Permitted uses. | |
| 1404 | Specific conditions for uses in 100 year flood zones. | |

TABLE OF CONTENTS

REV. DATE

| | | |
|---------------------|--|-----------------|
| 1405 | Township liability. | |
| 1406 | Permitted signs. | |
| 1407 | Off-street parking and loading. | |
| 1408 | General regulations. | |
| 1409 | Construction requirements. | |
| ARTICLE 1500 | CONDITIONAL USE REGULATIONS | 11/24/05 |
| 1501 | Purpose. | |
| 1502 | General Criteria for all Conditional Uses. | |
| 1503 | Specific Standards for Conditional Uses in Residential Districts. | |
| 1504 | Schedule of Regulations for Conditional Uses in Residential Districts. | |
| 1505 | Specific Standards for Conditional Uses in Business, Mixed Use, and Industrial Districts. | |
| 1506 | Schedule of Regulations for Conditional Uses in Business, Mixed Use, and Industrial Districts. | |
| 1507 | Supplemental Regulations for Specific Uses. | |
| ARTICLE 1600 | SIGN REGULATIONS | 07/10/01 |
| 1601 | Purpose. | |
| 1602 | Classification of Signs. | |
| 1603 | Computations. | |
| 1604 | Maximum Sign Area Permitted. | |
| 1605 | Maximum Height and Minimum Setback for Freestanding Signs. | |
| 1606 | Regulations For Projecting Signs. | |
| 1607 | Supplemental Regulations. | |
| 1608 | Temporary Signs. | |
| 1609 | Signs Exempt from Regulation. | |
| 1610 | Criteria for the Illumination and Construction of Signs. | |
| 1611 | Maintenance. | |
| 1612 | Prohibited Signs. | |
| 1613 | Sign Approval Procedures. | |
| 1614 | Regulations for Nonconforming Signs. | |
| ARTICLE 1700 | OFF-STREET PARKING AND LOADING FACILITIES | 07/23/02 |
| 1701 | Purpose. | |
| 1702 | Parking Facilities Required. | |
| 1703 | Units of Measure. | |
| 1704 | Required Off-Street Parking Standards. | |
| 1705 | Parking Spaces for Persons with Disabilities. | |
| 1706 | Allowance for Shared Parking. | |
| 1707 | Deferred Construction of Required Spaces. | |
| 1708 | Off-Street Waiting Spaces for Drive-thru Facilities. | |
| 1709 | Parking Design Standards. | |

TABLE OF CONTENTS

REV. DATE

| | | |
|--------------|--|----------|
| 1710 | Regulations for Access Drives. | |
| 1711 | Off-Street Loading Requirements. | |
| 1712 | Improvement and Maintenance Standards. | |
| 1713 | Parking Lot Landscaping and Screening. | |
| 1714 | Site Plan and Design Review. | |
| | | |
| ARTICLE 1800 | LANDSCAPING, BUFFERING AND SCREENING REQUIREMENTS | 07/10/01 |
| 1801 | Purpose. | |
| 1802 | Front Yard Landscaping. | |
| 1803 | Screening and Buffering When Lot Abuts a Residential District. | |
| 1804 | Screening And Landscaping of Parking Lots. | |
| 1805 | Landscaping and Maintenance of Yards. | |
| 1806 | Approval Process for Required Landscaping, Fences, and Walls. | |
| | | |
| ARTICLE 1900 | WIRELESS TELECOMMUNICATION TOWER REGULATIONS | 10/12/06 |
| 1901 | Purpose. | |
| 1902 | Definitions. | |
| 1903 | Permitted Locations. | |
| 1904 | Locations Requiring Variance Approval. | |
| | | |
| ARTICLE 2000 | ADMINISTRATIVE AUTHORITY | 07/10/01 |
| 2001 | Purpose. | |
| 2002 | Zoning Inspector. | |
| 2003 | Powers and Duties of Zoning Inspector. | |
| 2004 | Establishment of Zoning Commission. | |
| 2005 | Zoning Commission Composition and Appointment. | |
| 2006 | Quorum. | |
| 2007 | Meetings. | |
| 2008 | Zoning Commission Proceedings. | |
| 2009 | Powers and Duties of the Zoning Commission. | |
| 2010 | Establishment of Board of Zoning Appeals. | |
| 2011 | Board of Zoning Appeals Composition and Appointment. | |
| 2012 | Organization and Rules. | |
| 2013 | Meetings. | |
| 2014 | Witnesses. | |
| 2015 | Board of Zoning Appeals Proceedings. | |
| 2016 | Minutes and Records. | |
| 2017 | Powers and Duties of the Board of Zoning Appeals. | |

| TABLE OF CONTENTS | | REV. DATE |
|--------------------------|--|------------------|
| ARTICLE 2100 | ZONING PERMITS | 07/10/01 |
| 2101 | Zoning Permit Required. | |
| 2102 | Agricultural Uses Exempt. | |
| 2103 | Zoning Permit Application Requirements. | |
| 2104 | Action on a Zoning Permit. | |
| 2105 | Approval of Zoning Permit. | |
| 2106 | Submission to Director of Transportation. | |
| 2107 | Health Board Approval. | |
| 2108 | Expiration of Zoning Permit. | |
| 2109 | Zoning Permit to be Posted. | |
| 2110 | Failure to Obtain Permit. | |
| 2111 | Appeal of Zoning Inspector Denial of Zoning Permit. | |
| 2112 | Schedule of Fees, Charges, Expenses. | |
| ARTICLE 2200 | SITE PLAN AND DESIGN REVIEW | 07/23/02 |
| 2201 | Purpose of Site Plan and Design Review. | |
| 2202 | Site Plan And Design Review Required. | |
| 2203 | Site Plan And Design Review For Non-Single-Family Uses. | |
| 2204 | Design Review For Single-Family Structures. | |
| 2205 | Environmental Standards and Criteria Applicable to all Developments. | |
| ARTICLE 2300 | CONDITIONAL USE CERTIFICATES | 07/10/01 |
| 2301 | Purpose. | |
| 2302 | Submission of Application. | |
| 2303 | Review for Completeness. | |
| 2304 | Distribution of Application. | |
| 2305 | Public Hearing and Notice by Zoning Board of Appeals. | |
| 2306 | Review Criteria. | |
| 2307 | Action by Zoning Board of Appeals. | |
| 2308 | Terms and Duration of Conditional Use Permit. | |
| 2309 | Reapplication. | |
| 2310 | Expiration of Conditional Use Permit. | |
| ARTICLE 2400 | APPEALS AND VARIANCES | 10/12/06 |
| 2401 | Appeals to the Board of Zoning Appeals. | |
| 2402 | Initiation of Appeal. | |
| 2403 | Public Hearing by the Board. | |
| 2404 | Stay of Proceedings. | |
| 2405 | Decision of the Board. | |
| 2406 | Variance as a Type of Appeal. | |
| 2407 | Appeals to the Court of Common Pleas. | |

| TABLE OF CONTENTS | | REV. DATE |
|--------------------------|---|------------------|
| ARTICLE 2500 | AMENDMENTS | 10/12/06 |
| 2501 | Authority for Amendments. | |
| 2502 | Initiation of Zoning Amendments. | |
| 2503 | Map Amendments Initiated by Property Owner(s). | |
| 2504 | Amendments Initiated by Zoning Commission. | |
| 2505 | Amendments Initiated by Trustees. | |
| 2506 | Guidelines when Considering Amendments to the Zoning Map. | |
| ARTICLE 2600 | ENFORCEMENT AND PENALTY | 07/10/01 |
| 2601 | Zoning Inspector to Enforce Resolution. | |
| 2602 | Construction and Use to Comply with Approved Plans, Permits and Certificates. | |
| 2603 | Complaints Regarding Violations. | |
| 2604 | Actions to Bring about Compliance with Zoning Regulations. | |
| 2605 | Penalty. | |
| ARTICLE 2700 | PONDS | 07/10/01 |
| 2701 | Definition. | |
| 2702 | Standards and Specifications. | |
| 2703 | Procedures. | |
| 2704 | Variances and Existing Ponds. | |

TABLE OF CONTENTS

REVISION HISTORY

| <u>Date</u> | <u>Changed Article #</u> | <u>Date</u> | <u>Changed Article #</u> | <u>Date</u> | <u>Changed Article #</u> |
|-------------|--------------------------|-------------|--------------------------|-------------|--------------------------|
| 7/10/01 | ALL | 11/24/05 | 1000 | | |
| 7/23/02 | Introduction | 11/24/05 | 1100 | | |
| 7/23/02 | 200 | 11/24/05 | 1300 | | |
| 7/23/02 | 500 | 11/24/05 | 1500 | | |
| 7/23/02 | 600 | 11/24/05 | 2500 | | |
| 7/23/02 | 1700 | 09/07/06 | 600 | | |
| 7/23/02 | 1900 | 10/12/06 | Introduction | | |
| 7/23/02 | 2200 | 10/12/06 | 200 | | |
| 11/12/02 | 1500 | 10/12/06 | 500 | | |
| 12/25/03 | 300 | 10/12/06 | 1100 | | |
| 12/25/03 | 1000 | 10/12/06 | 1150 | | |
| 12/25/03 | 1300 | 10/12/06 | 1900 | | |
| 12/25/03 | 1500 | 10/12/06 | 2400 | | |
| 3/11/04 | Introduction | 10/12/06 | 2500 | | |
| 3/11/04 | 200 | | | | |
| 3/11/04 | 1000 | | | | |
| 3/11/04 | 1500 | | | | |
| 4/21/05 | 1200 | | | | |
| 6/9/05 | 900 | | | | |
| 11/24/05 | 300 | | | | |
| 11/24/05 | 600 | | | | |
| 11/24/05 | 700 | | | | |