

PART 6

OVERLAY ZONING DISTRICTS

Section 601. Overlay Zoning Districts.

- A. Purpose and Intent. The purpose of this Part 6 of this Chapter is to:
1. Provide a framework for enabling legislation to aid in the creation of various overlay zoning districts each with special regulations, requirements, and standards;
 2. Provide a description of special regulations, requirements, and standards associated with each overlay zoning district; and
 3. Provide guidelines for the application of each overlay zoning district created to assure conformity with the purpose and development objectives of the applicable overlay zoning district.
- B. General Provisions.
1. This Part 6 of this Chapter establishes overlay zoning districts that include additional specific regulations, requirements, and standards of limited application to certain designated areas within Camp Hill Borough.
 2. Overlay zoning districts provide additional considerations for development within specific designated areas of Camp Hill Borough, that are identified as possessing special and/or unique conditions, characteristics, circumstances and/or resources of importance, interest, and/or value to Camp Hill Borough. Such overlay zoning districts are established for the purposes of protecting the health, safety and general welfare, and furthering the community development objectives set forth in Part 1 of this Chapter relating to *Purpose of Enactment*.
 3. Overlay zoning districts may encompass one (1) or more applicable underlying or base zoning districts, and impose additional or different regulations, requirements, and standards than those which are required by the applicable underlying or base zoning districts.
 4. Applications for development are subject to the provisions of both the applicable underlying or base zoning district and the overlay zoning district.
 5. Although overlay zoning districts may be more or less restrictive than the applicable underlying or base zoning district, unless otherwise specified in this Part 6 of this Chapter, wherever and whenever the regulations, requirements, and standards of overlay zoning districts are at variance with the regulations, requirements, and standards of applicable underlying or base zoning districts, the most restrictive, or that imposing the higher standards shall govern development.
- C. Overlay Zoning Districts Established. The following overlay zoning districts as set forth in Table 6-1 and associated special regulations, requirements, and standards are hereby established, and the respective overlay zoning districts are shown on the map(s) listed in Part 1 of this Chapter relating to *Zoning Districts and Map*.

**TABLE 6-1
 OVERLAY ZONING DISTRICTS**

PART 6, SPECIFIC SECTION REFERENCE	OVERLAY ZONING DISTRICT NAMES
Section 602	Floodplain Overlay Zoning District (FPO).
Section 603	Airport Overlay Zoning District (APO).
Section 604	Development Compatibility Standards Overlay Zoning District (DCSO).
Section 605	Heritage Conservation Overlay Zoning District (HCO).
Section 606	Natural Resources Overlay Zoning District (NRO).

Section 602. Floodplain Overlay Zoning District (FPO).

A. Purposes. The purpose and intent of this Section shall be the following:

1. Promote the general health, welfare, and safety of the community;
2. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future;
3. Minimize danger to public health by protecting water supply and natural drainage;
4. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding;
5. Comply with federal and state floodplain management requirements;

B. Specific Objectives. This Section is intended to serve the following objectives:

1. To prevent loss of life and destruction and damage of property;
2. To avoid government expenditure for flood protection, rescues and reconstruction;
3. To avoid public health and safety hazards; to avoid increases in flood levels, frequencies and velocities;
4. To reduce the numbers of persons unknowingly investing in new property that is prone to flooding;
5. To require any uses permitted to occur in flood-prone areas to be constructed in a way to seek to minimize flood damage;
6. To ensure that inappropriate development does not occur along previously unstudied segments of waterways, such as areas of alluvial soils that were not studied in-depth; and

7. To permit certain uses which can be appropriately located in such areas and which will not impede the flow of flood waters, or otherwise cause danger of life and property at, above or below their locations along the flooding.

C. Building Permits.

1. Building permits shall be required before any construction or development is undertaken within any area of the Borough.
2. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within the Borough, unless a building permit has been obtained from the Building Codes Official. Building permits shall be obtained for construction/modification to existing structures and construction of new structures and all land development projects.

D. Issuance of Building Permit.

1. The Building Codes Official shall issue a building permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.
2. Prior to the issuance of any zoning permit, the Zoning Officer shall review the application for the permit to determine if all other necessary government permits required by State and Federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, Section 404, 33, U.S.C. 1344. No permit shall be issued until this determination has been made.
3. In the case of existing structures, prior to the issuance of any building permit, the Building Codes Official shall review the history of repairs to the subject building, so that any repetitive loss issues can be addressed before the permit is issued.
4. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the Borough and until all required permits or approvals have been first (1st) obtained from the Pennsylvania Department of Environmental Protection (PA DEP) Regional Office.

In addition, the Federal Emergency Management Agency (FEMA) and the Pennsylvania Department of Community and Economic Development (PA DCED), shall be notified by the Borough prior to any alteration or relocation of any watercourse.

E Application Procedures and Requirements.

1. Application for such a building permit shall be made, in writing, to the Building Codes Official on forms supplied by the Borough. Such application shall contain the following:
 - a. Name and address of applicant.
 - b. Name and address of owner of land on which proposed construction is to occur.
 - c. Name and address of contractor.

- d. Site location including address.
 - e. Listing of other permits required.
 - f. Brief description of proposed work and estimated cost, including a breakout of the flood-related cost and the market value of the building before the flood damage occurred.
 - g. A plan of the site showing the exact size and location of the proposed construction, as well as, any existing buildings or structures.
2. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for building permits shall provide all the necessary information in sufficient detail and clarity to enable the Building Codes Official to determine that:
 - a. All such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
 - b. All utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage is provided so as to reduce exposure to flood hazards.
 3. Applicants shall file the following minimum information plus any other pertinent information as may be required by the Building Codes Official or Camp Hill Borough to make the above determination:
 - a. A completed Building Permit Application Form.
 - b. A plan of the entire site, clearly and legibly drawn at a scale of one (1) inch being equal to one hundred (100) feet or less, showing the following:
 - (1). North arrow, scale, and date;
 - (2). Topographic contour lines, if available;
 - (3). All property and lot lines including dimensions, and the size of the site expressed in acres or square feet;
 - (4). The location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and land development;
 - (5). The location of all existing streets, drives, and other access ways; and
 - (6). The location of any existing bodies of water or watercourses, identified floodplain areas, and, if available, information pertaining to the floodway, and the flow of water including direction and velocities.
 - c. Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:

- (1). The proposed lowest floor elevation of any proposed building based upon North American Vertical Datum of 1988;
- (2). The elevation of the one hundred (100) year flood;
- (3). If available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a one hundred (100) year flood;
- (4). Detailed information concerning any proposed floodproofing measures; and
- (5). Supplemental information as may be necessary under 34 PA Code, Chapter 401-405 as amended, and Sec.1612.5.1, Section 104.7 and 109.3 of the 2003 IBC and Section R106.1.3 and R104.7 of the 2003 IRC.

D. The following data and documentation:

1. Documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within a Special Floodplain Area, when combined with all other existing and anticipated development, will not increase the elevation of the one hundred (100) year flood more than one (1) foot at any point.

2. A document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the one hundred (100) year flood.

Such statement shall include a description of the type and extent of flood proofing measures which have been incorporated into the design of the structure and/or the development.

3. Detailed information needed to determine compliance with Section 602.N.6., and Section 602.P., including:
 - a. The amount, location and purpose of any materials or substances referred to in Sections 602.N.6. and 602.P. which are intended to be used, produced, stored or otherwise maintained on site.
 - b. A description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in Section 602.P. during a one hundred (100) year flood.

4. The appropriate component of the PA DEP's "Planning Module for Land Development."

5. Where any excavation or grading is proposed, a plan meeting the requirements of the PA DEP, to implement and maintain erosion and sedimentation control.

F. Identification of Lands Within the Floodplain Zone. The identified floodplain area shall be any areas of the Borough of Camp Hill, subject to the one hundred (100) year flood, which is identified as Zone A (Area of Special Flood Hazard) in the Flood Insurance Study (FIS) dated March 16, 2009, and the accompanying maps or the most recent revision thereof as issued by the Federal Emergency Management Agency, including all digital data developed as part of the Flood Insurance Study.

G. Description of Floodplain Areas. The identified floodplain area shall consist of the following specific areas:

1. FW (Floodway Area): The areas identified as "Floodway" in the AE Zone in the Flood Insurance Study prepared by the FEMA. The term shall also include floodway areas which have been identified in other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study.
2. FF (Flood-Fringe Area): The remaining portions of the one hundred (100) year floodplain in those areas identified as an AE Zone in the Flood Insurance study, where a floodway has been delineated.

The basis for the outermost boundary of this area shall be the one hundred (100) year flood elevations as shown in the flood profiles contained in the Flood Insurance Study.

3. FA (General Floodplain Area): The areas identified as Zone A in the FIS for which no one hundred (100) year flood elevations have been provided. When available, information from other Federal, State, and other acceptable sources shall be used to determine the one hundred (100) year elevation, as well as a floodway area, if possible. When no other information is available, the one hundred (100) year elevation shall be determined by using a point on the boundary of the identified floodplain area which is nearest the construction site in question.

In lieu of the above, the municipality may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Borough.

- H. Changes in Identification of Area. The identified floodplain area may be revised or modified by Borough Council where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change, approval must be obtained from the Federal Emergency Management Agency (FEMA).
- I. Boundary Disputes. Should a dispute concerning any identified floodplain boundary arise, the initial determination of the Zoning Officer may be appealed to the Zoning Hearing Board in accordance with Part 12 of this Chapter relating to *Zoning Hearing Board*. The burden of proof in such an appeal shall be on the applicant and all hearings and procedures shall follow requirements of Part 12 of this Chapter relating to *Zoning Hearing Board*.
- J. Floodplain Applicability. The provisions of this Section create an overlay zoning district which is applicable within floodplains in all other zoning districts established by this Chapter. To the extent the provisions of this section are applicable and more restrictive, they shall supersede conflicting provisions within all other sections of this Chapter and all other ordinances of the Borough of Camp Hill. However, all other provisions of all other Parts of this Chapter and all other codes and ordinances of the Borough of Camp Hill shall remain in full force.
- K. Permitted Uses in the Floodplain.
 1. Permitted uses in the one hundred (100) year floodplain shall be limited to those uses that will not adversely affect the one hundred (100) year flood levels, velocities and drainage patterns.
 2. Buildings are prohibited within the one hundred (100) year floodway. Structures are prohibited within the one hundred (100) year floodway except for structures that are not buildings, such as bridges, culverts and similar structures, provided that such structures are designed to pass over

the one hundred (100) year floodplain or to carry stormwater or to float over floodwaters or to allow floodwaters to easily pass through them without causing debris to block the flood channel.

3. Permitted uses in the one hundred (100) year floodway shall be limited to the following uses and uses that the applicant proves to the satisfaction of the Zoning Officer do not include buildings and would be closely similar to the following uses:
 - a. Nature preserves and publicly-owned recreation;
 - b. Golf courses, picnic grounds, boat launches, swimming areas, archery ranges, trails and fish hatcheries;
 - c. Parking areas meeting the creek setbacks of Part 6 relating to Natural Features Overlay Zoning District and elsewhere in this Chapter;
 - d. Open yard areas;
 - e. Crop farming and plant nurseries;
 - f. Necessary utilities, and road and driveway crossings; and
 - g. Agriculture and forestry, not involving buildings.
 4. Permitted uses in the one hundred (100) year flood-fringe shall be those allowed in the underlying zoning district, provided that all uses, activities and/or development shall be undertaken in strict compliance with the floodproofing and related provisions contained in all other applicable codes and ordinances, including the Chapter 79 relating to building construction, Chapter 90 relating to construction code, uniform, and Chapter 179 relating to subdivision and land development. See also uses prohibited by Section 602.L. below.
- L. Prohibited Uses in Floodplain. The development or expansion of any of the following buildings are prohibited in the one hundred (100) year floodplain:
1. Newly placed or replacement manufactured homes as set forth in Section 602.R.;
 2. Manufactured home parks;
 3. Jails or prisons;
 4. Nursing homes; or
 5. Hospitals.
- M. Elevation and Floodproofing Requirements.
1. Residential Structures. Within any identified floodplain area, any new construction or substantial improvement of a residential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation. The design and construction standards and specifications contained in the 2003 IBC (Sec. 1612.4, 1602.1.6 and 3403.1) and in the 2003 IRC (Sec. R323.1,4, R323.2.1, and R323.2.2) and ASCE 24 (Sec. 2.4 and 2.5, Chap. 5) and 34 PA Code (Chapters 40 1-405 as amended) shall be utilized.
 2. Non-residential Structures

- a. Within any identified floodplain area, any new construction or substantial improvement of a non-residential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation, or be designed and constructed so that the space enclosed by such structure shall remain either completely or essentially dry during any flood up to that height.
 - b. Any non-residential structure, or part thereof, having a lowest floor which is not elevated to at least one and one half (1 ½) feet above the one hundred (100) year flood elevation, shall be floodproofed in a completely or essentially dry manner in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972, as amended March 1992) or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.
 - c. The design and construction standards and specifications contained in the IBC (Sec. 1602.1.2, 1602.1.6, 1605.2.2, 1606.5, 1612.5.1 and 3403.1. and ASCE 24 (Secs. 2.4 and Chap. 7) and 34 PA Code (Chapters 40 1-405 as amended) shall be utilized.
3. Space below the lowest floor.
- a. Fully enclosed space below the lowest floor (including basement) is prohibited.
 - b. Partially enclosed space below the lowest floor (including basement) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "partially enclosed space" also includes crawl spaces.
- Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
- (1). A minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
 - (2). The bottom of all openings shall be no higher than one (1) foot above grade.
 - (3). Openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- c. Consideration may be given to the requirements of 34 PA Code (Chapters 401 - 405 as amended) and the 2003 IRC (Secs. R323.2.2 and R323.1.4) and the 2003 IBC (Secs. 1612.4, 1612.5, 1202.3.2 and 1203.3.3).
4. Accessory Structures. Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:
- a. The structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.

- b. Floor area shall not exceed 600 square feet.
 - c. The structure will have a low damage potential.
 - d. The structure will be located on the site so as to cause the least obstruction to the flow of flood waters.
 - e. Power lines, wiring, and outlets will be at least one and one-half (1 ½) feet above the one hundred (100) year flood elevation.
 - f. Permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers, etc. are prohibited.
- g. Sanitary facilities are prohibited.
- h. The structure shall be adequately anchored to prevent flotation or movement and shall be designed to automatically provide for the entry and exit of floodwater for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
- (1). A minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
 - (2). The bottom of all openings shall be no higher than one (1) foot above grade.
 - (3). Openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of flood waters.
- N. Design and Construction Standards. The following minimum standards shall apply for all construction and development proposed within any identified floodplain area:
- 1. Fill. If fill is used, it shall:
 - a. Extend laterally at least fifteen (15) feet beyond the building line from all points;
 - b. Consist of soil or small rock materials only - Sanitary Landfills shall not be permitted;
 - c. Be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
 - d. Be no steeper than one (1) vertical to two (2) horizontal, feet unless substantiated data, justifying steeper slopes are submitted to, and approved by the Building Codes Official; and,
 - e. Be used to the extent to which it does not adversely affect adjacent properties. The provisions contained in the 2003 IBC (Sec. 1801.1 and 1803.4) shall be utilized.
 - 2. Drainage Facilities. Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall insure proper drainage along streets, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties. The provisions contained in the 2003 IBC (Appendix G401.5) shall be utilized.

- a. All new or replacement water and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
 - b. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
 - c. No part of any on-site sewage system shall be located within any identified floodplain area except in strict compliance with all State and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
 - d. The design and construction provisions of the UCC and 34 PA Code (Chapters 401-405 as amended) and contained in the 2003 IBC (Appendix G. Secs. 401.3 and 401.4), the 2003 IRC (Sec. 323.1.6), the ASCE 24-98 (Sec. 8.3), FEMA #348, Protecting Building Utilities From Flood Damages and The International Private Sewage Disposal Code (Chapter 3) shall be utilized.
4. Other Utilities. All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
 5. Streets. The finished elevation of all new streets shall be no more than one (1) foot below the Regulatory Flood Elevation.
 6. Storage. All materials that are buoyant, flammable, explosive or, in times of flooding, could be injurious to human, animal, or plant life, and not listed in Section 602.P., shall be stored at or above the Regulatory Flood Elevation and/or flood proofed to the maximum extent possible.
 7. Placement of Buildings and Structures. All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water.
 8. Anchoring
 - a. All buildings and structures shall be firmly anchored in accordance with accepted engineering practice to prevent flotation, collapse, or lateral movement.
 - b. All air ducts, large pipes, storage tanks, and other similar objects or components located below the Regulatory Flood Elevation shall be securely anchored or affixed to prevent flotation.
 - c. The design and construction requirements of the UCC pertaining to this subsection as referred to in 34 PA Code (Chapters 401-405 as amended) and contained in the 2003 IBC (Secs. 1605.2.2, 1605.3.1.2, 1612.4 and Appendix G50 1.3), the IRC (Secs. R301 .1 & R323.1.D and ASCE 24-98 (Sec. 5.6) shall be utilized.
 9. Floors, Walls and Ceilings
 - a. Wood flooring used at or below the Regulatory Flood Elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.

- b. Plywood used at or below the Regulatory Flood Elevation shall be of a "marine" or "water-resistant" variety.
 - c. Walls and ceilings at or below the Regulatory Flood Elevation shall be designed and constructed of materials that are "water—resistant" and will withstand inundation.
 - d. Windows, doors, and other components at or below the Regulatory Flood Elevation shall be made of metal or other "water-resistant" material.
 - e. The provisions of the UCC pertaining to this subsection and referenced in the 34 PA Code (Chapters 401-405 as amended) and contained in the 2003 IBC (Sees. 801.1.3, 1403.2, 1403.4, 1403.6 and 1404.2), the 2003 IRC (Secs. R323.1.7 & R501.3) and ASCE 24-98 (Chapter 6) shall be utilized.
10. Paints and Adhesives.
- a. Paints and other finishes used at or below the Regulatory Flood Elevation shall be of "marine" or "water-resistant" quality.
 - b. Adhesives used at or below the Regulatory Flood Elevation shall be of a "marine" or "water-resistant" variety.
 - c. All wooden components (doors, trim, cabinets, etc.) shall be finished with a "marine" or "water-resistant" paint or other finishing material.
 - d. The standards and specifications contained in 34 PA Code (Chapters 40 1-405, as amended) the 2003 IBC (Secs. 801.1.3, 1403.7 and Appendix G) and the 2003 IRC (Secs. R323. 1.7) shall be utilized.
11. Electrical Components.
- a. Electrical distribution panels shall be at least three (3) feet above the one hundred (100) year flood elevation.
 - b. Separate electrical circuits shall serve lower levels and shall be dropped from above.
 - c. The provisions pertaining to the above provisions and referenced in the UCC and 34 PA Code (Chapters 401-405) as amended and contained in the 2003 IBC (Sec. 1612.4), the IRC (Sec. R323.I.5), the 2000 IFGC (Secs. R301.5 and 81601.3.8) and ASCE 24 (Chapter 8) shall be utilized.
12. Equipment.
- a. Water heaters, furnaces, air conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the Regulatory Flood Elevation.
 - b. The provisions pertaining to the above provision and referenced in the UCC and 34 PA Code (Chapters 40 1-405), as amended and contained in the 2003 1BC (Sec. 1612.4), the 2003 IRC (Secs. R323.1.5) the 2000 IFGC (Secs. R301.5 and R1601.3.8) and ASCE 24 (Chapter 8) shall be utilized.

13. Fuel Supply Systems. All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters, Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

- O. Uniform Construction Code Coordination. The Standards and Specifications contained 34 PA Code (Chapters 401-405), as amended and not limited to the following provisions shall apply to the above and other sections and subsections of this Chapter, to the extent that they are more restrictive and/or supplement the requirements of this Chapter.
 1. International Building Code (IBC) 2003 or the latest edition thereof: Secs. 801, 1202, 1403, 1602, 1605, 1612, 3402, and Appendix G.
 2. International Residential Building Code (IRC) 2003 or the latest edition thereof: Secs. R104, R105, R109, R323, Appendix AE101, Appendix E and Appendix J.

- P. Development Which May Endanger Human Life.
 1. In accordance with the Pennsylvania Flood Plain Management Act, and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which:
 - a. Will be used for the production or storage of any of the following dangerous materials or substances; or,
 - b. Will be used for any activity requiring the maintenance of a supply of more than five hundred fifty (550) gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or,
 - c. Will involve the production, storage, or use of any amount of radioactive substances;
 - d. Shall be subject to the provisions of this section, in addition to all other applicable provisions. The following list of materials and substances are considered dangerous to human life:
 - (1). Acetone
 - (2). Ammonia
 - (3). Benzene
 - (4). Calcium carbide
 - (5). Carbon disulfide
 - (6). Celluloid
 - (7). Chlorine
 - (8). Hydrochloric acid
 - (9). Hydrocyanic acid
 - (10). Magnesium

- (11). Nitric acid and oxides of nitrogen
 - (12). Petroleum products (gasoline, fuel oil, etc.)
 - (13). Phosphorus
 - (14). Potassium
 - (15). Sodium
 - (16). Sulphur and sulphur products
 - (17). Pesticides (including insecticides, fungicides, and rodenticides)
 - (18). Radioactive substances, insofar as such substances are not otherwise regulated.
2. Within any FW (Floodway Area), any structure of the kind described in Subsection A., above, shall be prohibited.
 3. Within any FE (Special Floodplain Area) or FA (General Floodplain Area), any new or substantially improved structure of the kind described in Subsection A., above, shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.
 4. Where permitted within any floodplain area, any new or substantially improved structure of the kind described in Subsection A., above, shall be:
 - a. Elevated or designed and constructed to remain completely dry up to at least one and one half (1 ½) feet above the one hundred (100) year flood and,
 - b. Designed to prevent pollution from the structure or activity during the course of a one hundred (100) year flood.

Any such structure, or part thereof, that will be built below the Regulatory Flood Elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication "Flood-Proofing Regulations (U.S. Army Corps of Engineers, June 1972 as amended March 1992), or with some other equivalent watertight standard.

- Q. Substantial Improvements to Existing Buildings. In the one hundred (100) Year Floodplain, any existing buildings being "substantially improved" shall be fully floodproofed. Flood-proofing shall include the following:
1. The elevation of the lowest floor (including the basement) of any substantially improved residential structure shall be a minimum of one and one-half (1 ½) feet above the one hundred (100) year flood elevation. Enclosed areas below this lowest floor are prohibited, except as specifically permitted in the definition of "Lowest Floor" set forth in Part 2 of this Chapter relating to *Definitions*.
 2. The elevation of the lowest floor (including the basement) of any substantially improved non-residential structure shall a) be a minimum of one and one-half (1 ½) feet above the one hundred (100) year flood elevation or b) be floodproofed up to that height. Enclosed areas below this

lowest floor are prohibited, except as specifically permitted in the definition of "Lowest Floor" set forth in Part 2 of this Chapter relating to *Definitions*.

3. The requirements of Section 602.M. shall be met. The plans for such floodproofing shall be certified by a professional engineer or architect, which shall certify that a building has been adequately designed to withstand the one hundred (100) year flood elevations, pressures, velocities, impact and uplift forces association with a one hundred (100) year flood and that utility extensions have been designed to take the one hundred (100) year flood levels fully into account.

R. Special Requirements for Manufactured Homes.

1. Within any FW (Floodway Area), manufactured homes shall be prohibited, except that an existing manufactured home may be replaced with another manufactured home
2. Within any FA (General Floodplain Area) or FE (Special Floodplain Area), manufactured homes shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.
3. Where permitted within any floodplain area, all manufactured homes, and any improvements thereto, shall be:
 - a. Placed on a permanent foundation.
 - b. Elevated so that the lowest floor of the manufactured home is one and one half (1 ½) feet or more above the elevation of the one hundred (100) year flood.
 - c. Anchored to resist flotation, collapse, or lateral movement.
 - d. Installation of manufactured homes shall be done in accordance with the manufacturers' installation instructions as provided by the manufacturer. Where the applicant cannot provide the above information, the requirements of Appendix E of the 2003 International Residential Building Code or the U.S. Department of Housing and Urban Development's Permanent Foundations for Manufactured Housing, 1984 Edition, or latest revision thereto and 34 PA Code Chapter 401-405, as amended, shall apply.
 - e. Consideration shall be given to the installation requirements of the 2003 IBC (Appendix C, Sec. 501.1-3) and the 2003 IRC (Sec. R323.2, R323.3, R102.7.1, and Appendix AEIOI, 604 and 605) or the most recent revisions thereto and 34 PA Code Chapter 401-405, as amended where appropriate and/or applicable to units where the manufacturers' standards for anchoring cannot be provided or were not established for the units' proposed installation.

S. Existing Structures in Identified Floodplain Areas.

1. Existing Structures. The provisions of this Chapter do not require any changes or improvements are to be made to lawfully existing structures. However, when an improvement is made to any existing structure, the provisions of Section 602.S.2 below shall apply.
2. Improvements. The following provisions shall apply whenever any improvement is made to an existing structure located within any identified floodplain area:

- a. No expansion or enlargement of an existing structure shall be allowed within any floodway area that would cause any increase in the elevation of the one hundred (100) year flood.
- b. No expansion or enlargement of an existing structure shall be allowed within any FE area that would, together with other existing and anticipated development, increase the one hundred (100) year flood elevation more than one (1) foot at any point.
- c. Any modification, alteration, reconstruction, or improvement, of any kind to an existing structure, to an extent or amount of fifty (50) percent or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this Chapter.

The above activity shall also address the requirements of the 34 PA Code Chapters 401-405, as amended and the 2003 IBC (Sec. 3402.1 and 1612.4) and the 2003 IRC (Sec. 323.1.4).

- d. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure, to an extent or amount of less than fifty (50) percent of its market value, shall be elevated and/or floodproofed to the greatest extent possible.
- e. Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of "repetitive loss" shall be undertaken only in full compliance with the provisions of this Chapter.
- f. The requirements of 34 PA Code Chapter 40 1-405, as amended and the 2003 IRC (Secs. R102.7.1, R105.3.1 and Appendices E and J) or the latest revision thereof and the 2003 IBC (Secs. 101.3, 3403.1 and Appendix C) or the latest revision thereof shall also be utilized in conjunction with the provisions of this section.

T. Floodplain Variances. If compliance with any of the requirements of this Chapter would result in an undue hardship to a prospective builder, developer or landowner, the Zoning Hearing Board may, upon request, grant relief from the strict application of the requirements.

1. Variance Procedures and Conditions. Requests for variances shall be considered by the Zoning Hearing Board in accordance with the procedures contained in Part 12 of this Chapter relating to *Zoning Hearing Board*, the standards of the Pennsylvania Municipalities Planning Code, and the following:
 - a. No variance shall be granted for any construction, development, use, or activity within any floodway area that would cause any increase in the one hundred (100) year flood elevation.
 - b. No variance shall be granted for any construction, development, use, or activity within any FE area that would, together with all other existing and anticipated development, increase the one hundred (100) year flood elevation more than one (1) foot at any point.
 - c. If granted, a variance shall involve only the least modification necessary to provide relief.

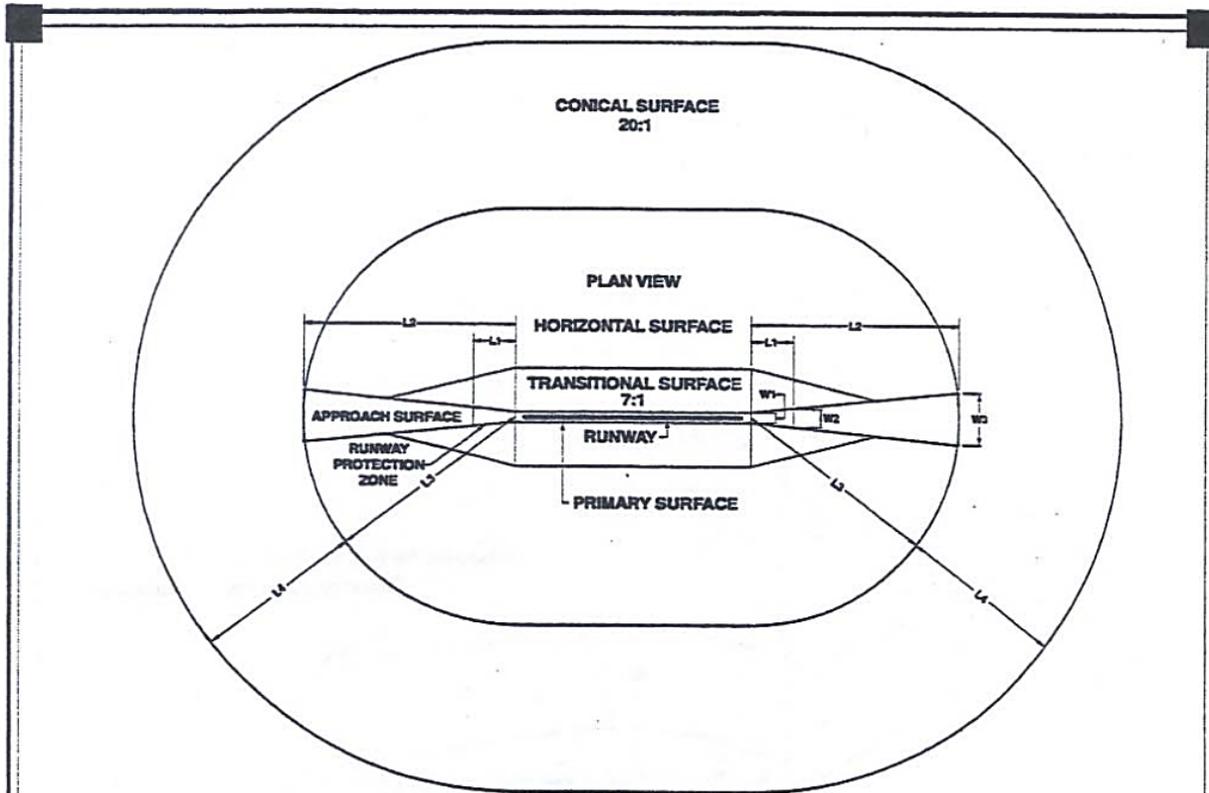
- d. In granting any variance, the Zoning Hearing Board shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objectives of this Chapter.
- e. Whenever a variance is granted, the Zoning Hearing Board shall notify the applicant in writing that:
 - (1). The granting of the variance may result in increased premium rates for flood insurance.
 - (2). Such variance may increase the risks to life and property.
- f. In reviewing any request for a variance, the Zoning Hearing Board shall consider, at a minimum, the following:
 - (1). That there is good and sufficient cause.
 - (2). That failure to grant the variance would result in undue hardship to the applicant.
 - (3). That the granting of the variance will:
 - (i). Neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense; nor
 - (ii). Create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.
- g. A complete record of all variance requests and related actions shall be maintained by the Borough. In addition, a report of all variances granted during the year shall be included in the annual report to the FEMA.

Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one hundred (100) year flood.
- h. The Zoning Hearing Board may refer any application and accompanying documentation pertaining to any request for a special exception or variance to the Borough Engineer for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for protection and other related matters.

Section 603. Airport Overlay Zoning District (APO).

- A. Application. The regulations and standards contained in this Section shall apply to all applications for development within the Airport Overlay Zoning District of Camp Hill Borough to:
 - 1. Erect a new structure;
 - 2. Add to or increase the height of an existing structure;
 - 3. Establish, erect, and/or maintain any use, structure, or object (natural or manmade) within the Airport Overlay Zoning District of Camp Hill Borough.

- B. Purpose and Intent. The purpose of the Airport Overlay Zoning District is to:
1. Create an overlay zoning district that considers safety issues around the Capital City Airport (CXY) and Harrisburg International Airport (MDT);
 2. Regulate and restrict the heights of established uses, constructed structures, and objects of natural growth;
 3. Create appropriate related zones, establishing the boundaries thereof and providing for changes in the restrictions and boundaries of such zones; and
 4. Create a permitting process for certain uses, structures, and objects within said related zones.
- C. Relation to Other Zoning Districts. The Airport Overlay Zoning District shall not modify the boundaries of any other overlay zoning district. Where identified, the Airport Overlay Zoning District shall impose certain requirements on land use, construction, and development in addition to those contained in the applicable underlying or base zoning district and/or applicable overlay zoning district for the same area.
- D. Establishment of Airport Zones. The Airport Overlay Zoning District is hereby established and certain zones within the Airport Overlay Zoning District, defined in Part 2 of this Chapter relating to *Definitions* and depicted on Figure 6.1 and shown on the map(s) listed in Part 1 of this Chapter relating to *Zoning Districts and Map*, as follows:
1. Approach Surface Zone.
 2. Conical Surface Zone.
 3. Horizontal Surface Zone.
 4. Primary Surface Zone.
 5. Transitional Surface Zone.



FAR PART 77 "IMAGINARY SURFACES" DIMENSION REQUIREMENTS

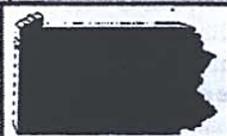
Runway Type	Runway End		Conical Surface (L4)	Horizontal Surface (L3)	Approach Surface			Approach Slope	Primary Surface Width	Transitional Surface
	Approach	Other			Length (L2)	Inner Width (W1)	Other Width (W3)			
Small Airplanes ²	V	V	4,000	5,000	5,000	250	1,250	20:1	250	7:1
		NP	4,000	5,000	5,000	500	1,250	20:1	500	7:1
		NP 3/4	4,000	5,000	5,000	1,000	1,250	20:1	1,000	7:1
		P	4,000	5,000	5,000	1,000	1,250	20:1	1,000	7:1
	NP	V	4,000	5,000	5,000	500	2,000	20:1	500	7:1
		NP	4,000	5,000	5,000	500	2,000	20:1	500	7:1
		NP 3/4	4,000	5,000	5,000	1,000	2,000	20:1	1,000	7:1
		P	4,000	5,000	5,000	1,000	2,000	20:1	1,000	7:1
Large Airplanes ³	V	V	4,000	5,000	5,000	500	1,500	20:1	500	7:1
		NP	4,000	10,000	5,000	500	1,500	20:1	500	7:1
		NP 3/4	4,000	10,000	5,000	1,000	1,500	20:1	1,000	7:1
		P	4,000	10,000	5,000	1,000	1,500	20:1	1,000	7:1
	NP	V	4,000	10,000	10,000	500	3,500	34:1	500	7:1
		NP	4,000	10,000	10,000	500	3,500	34:1	500	7:1
		NP 3/4	4,000	10,000	10,000	1,000	3,500	34:1	1,000	7:1
		P	4,000	10,000	10,000	1,000	3,500	34:1	1,000	7:1
Large and Small Airplanes	NP 3/4	V	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
		NP	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
		NP 3/4	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
		P	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
	P	V	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1
		NP	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1
		NP 3/4	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1
		P	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1

1 - In Feet
 2 - Less than 12,500 lbs maximum certified takeoff weight
 3 - Greater than 12,500 lbs maximum certified takeoff weight

V = Visual approach 20:1
 NP = Nonprecision approach 34:1
 NP 3/4 = Nonprecision approach with visibility minimums as low as 3/4 statute miles 34:1
 P = Precision approach 50:1

Note: L1 is the length of the RPZ and W2 is the outer width of the RPZ as defined by approach visibility minimums

Source: Federal Aviation Administration



Pennsylvania Land Use
 Compatibility
 Guidelines

**FAR PART 77 SURFACES
 AND DIMENSION REQUIREMENTS**

Exhibit
 3

Figure 6.1 FAR Part 77 Surfaces and Dimension Requirements
 (Source: Model Zoning Ordinance Language for an Airport District Overlay; PennDOT, 2010)

E. Permit Applications

1. As regulated by Act 164 and defined by 14 Code of Federal Regulations Part 77.13(a) (as amended or replaced), proposals for applications to:
 - a. Erect a new structure;
 - b. Add to or increase the height of an existing structure; or
 - c. Establish, erect, and/or maintain any use, structure, or object (natural or manmade), in the Airport Overlay Zoning District;

The applicant shall first notify PennDOT's Bureau of Aviation (BOA) by submitting PENNDOT Form AV-57 to obtain an obstruction review of the proposal at least thirty (30) days prior to commencement thereof. PennDOT's BOA response must be included with this permit application for it to be considered complete. If PennDOT's BOA returns a determination of no penetration of airspace, the permit request should be considered in compliance with the intent of this Section of the Airport Overlay Zoning District. If PennDOT's BOA returns a determination of a penetration of airspace, the permit shall be denied, and the project sponsor may seek a variance from such regulations as outlined in Section 603.F of this Chapter.

2. Exceptions. In the following circumstances notification of an approval by PennDOT's Bureau of Aviation (BOA) shall not be required:
 - a. No permit is required for the routine maintenance and repairs to, or the replacement of parts of existing structures which do not enlarge or increase the height of an existing structure.
 - b. In the areas lying within the limits of the horizontal zone and/or conical zone, no permit shall be required for any tree or structure less than two hundred (200) feet or vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
 - c. In the areas lying within the limits of the approach zones, but at a horizontal distance of not less than four thousand two hundred (4,200) feet from each end of the runway, no permit shall be required for any tree or structure less than two hundred (200) feet of vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limit prescribed for such approach zones.
 - d. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zones, no permit shall be required for any tree or structure less than two hundred (200) feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic feature, would extend above the height limit prescribed for such transition zones.
 - e. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits established by this Airport Overlay Zoning District, except that no permit is required to make maintenance repairs to or to replace

parts of existing structures which do not enlarge or increase the height of an existing structure.

- F. Variances. In addition to the provisions set forth in Part 12 of this Chapter relating to *Zoning Hearing Board* any request for a variance shall include documentation in compliance with 14 Code of Federal Regulations Part 77 Subpart B (FAA Form 7460-1 as amended or replaced). Determinations of whether to grant a variance will depend on the determinations made by the Federal Aviation Administration's (FAA) and PennDOT's BOA as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable air space. In particular, the request for a variance shall consider which of the following categories the FAA has placed the proposed construction in:
1. No Objection. The subject construction is determined to not exceed obstruction standards and marking/lighting is not required to mitigate potential hazard. Under this determination a variance shall be granted.
 2. Conditional Determination. The proposed construction/alteration is determined to create some level of encroachment into an airport hazard area which can be effectively mitigated. Under this determination, a variance shall be granted contingent upon implementation of mitigating measures as described in Section 603.I.
 3. Objectionable. The proposed construction/alteration is determined to be a hazard and is thus objectionable. A variance shall be denied and the reasons for this determination shall be outlined to the applicant. Such requests for variances shall be granted where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and that relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the purpose and intent herein this Section.
- G. Use Restrictions. Notwithstanding any other provisions herein this Section, no use shall be made of land, water, or structure within the Airport Overlay Zoning District in such a manner as to:
1. Create electrical interference with navigational signals or radio communications between the airport and aircraft;
 2. Make it difficult for pilots to distinguish between airport lights and others;
 3. Impair visibility within the Airport Overlay Zoning District Camp Hill Borough;
 4. Create bird strike hazards; or
 5. Otherwise endanger or interfere with the landing, takeoff or maneuvering of aircraft utilizing the airport(s).
- H. Non-Conforming Uses, Structures, and/or Trees. The regulations prescribed by this Section shall not be construed to require the removal, lowering, or otherwise change to, or alteration of any use, structure, and/or tree identified as non-conforming to the regulations of this Section as of the effective date of this Chapter, or to otherwise interfere with the continuance of a non-conforming use, structure, and/or tree. No non-conforming use or structure shall be altered, nor tree permitted to grow higher, so as to increase the non-conformity (relating to height and the use restrictions set forth herein this Section). A non-conforming use, structure, or tree once abandoned or damaged or destroyed as per to the standards in Part 10 of this Chapter relating to *Existing Non-Conforming Uses and Structures*, may only be reestablished consistent with the provisions of this Section and Part 10 of this Chapter relating to *Existing Non-Conforming Uses and Structures*.

- I. Obstruction Marking and Lighting. Any permit or variance granted pursuant to the provisions of this Section and Part 12 of this Chapter may be conditioned according to the process described in this Section to require the owner of the structure or object of natural growth in question to permit the Borough of Camp Hill, at its own expense, or require the person requesting the permit or variance, to install, operate, and maintain such marking or lighting as deemed necessary to assure both ground and air safety.

Section 604. Development Compatibility Standards Overlay Zoning District (DCSO).

- A. Application. The regulations, standards, and guidelines contained in this Section shall apply to applications for new development activity specifically including but not limited to new uses, replacement, infill, and redevelopment within the Development Compatibility Standards Overlay Zoning District of Camp Hill Borough, unless otherwise noted in this Chapter.
- B. Purpose and Intent. The purpose of the Development Compatibility Standards Overlay Zoning District is to:
 1. Protect and enhance the development patterns and characteristics of well established neighborhoods and other important character areas in Camp Hill Borough by accommodating applications for new development activity specifically including but not limited to new uses, replacement, infill, and redevelopment that are consistent and compatible with the character and scale of the established development patterns and distinctive features of the neighborhoods and other important character areas via the Development Compatibility Design Guidelines and Standards set forth in this Section.
 2. Address the purposes, objectives, and standards of Article VII-A of the MPC.
 3. Provide a manual of written and graphic design guidelines to assist applicants in the preparation of proposals for new development activity specifically including but not limited to new uses, replacement, infill, and redevelopment in accordance with Section 708-A of the MPC.
- C. Boundaries. The boundaries of the Development Compatibility Standards Overlay Zoning District are shown on the map(s) listed in Part 1 of this Chapter relating to *Zoning Districts and Map*.
- D. Permitted Uses. Proposals for applications for new development activity specifically including but not limited to new uses, replacement, infill, and redevelopment, shall be permitted in accordance with the regulations of the applicable underlying or base zoning district, provided that all such uses, activities, and/or development shall be undertaken in compliance with the Development Compatibility Design Guidelines and Standards set forth in this Section.
- E. Application of Development Compatibility Design Guidelines and Standards. The Development Compatibility Design Guidelines and Standards are enabled by Section 708-A of the MPC as the manual of written and graphic design guidelines.
 1. These development compatibly design guidelines and standards provide the Borough officials, residents, business owners, developers, builders, and other interested parties with a written and visual set of compatibility design standards and characteristics prevalent in and important to the protecting and enhancing the established development patterns and features of neighborhoods and important character areas in Camp Hill Borough.
 2. These design guidelines and standards provide the desired direction for applications for new development activity specifically including but not limited to new uses, replacement, infill, and redevelopment within neighborhoods and other important character areas in Camp Hill Borough to ensure consistency and compatibility between new development, including to new uses,

replacement, infill, and redevelopment, and established building and development types, styles, and, patterns.

3. In addition to the general building and land requirements set forth elsewhere in this Chapter, proposals for development shall be consistent with the compatibility design standards and guidelines set forth in this Section. If a design guideline or standard is not specifically indicated in these compatibility design guidelines and standards, refer to the most recent version of the Camp Hill Borough comprehensive plan, and/or other applicable plans adopted Camp Hill Borough for additional information.
4. These compatibility design guidelines and standards highlight important design characteristics relating to buildings and land development via written standards and visual images which are intended to provide guidance and inspiration for implementing the desired design concepts set forth in the most recent version of the Camp Hill Borough comprehensive plan, and/or other applicable plans adopted by Camp Hill Borough. The images and visual examples of these design guidelines and standards are provided for general illustrative purposes only, and shall not be construed to be operative language of the Chapter. The written standards of these design guidelines and standards shall take precedence over the images and visual examples, and therefore govern.
5. Applications for Zoning and/or Building Permits
 - a. Limited Applicability and Compliance. The applicability of specific development compatibility design guidelines and standards are limited only to those specific guidelines and standards relating to and affecting the specific building and development features proposed, listed on, and applied for as part of a zoning and/or building permit application

Example 1:

If an applicant for a zoning / building permit proposes to only enclose a front porch on an existing one (1) story building used for a single family residential dwelling and which is located on a block and surrounded by three (3) story buildings, the only development compatibility design guidelines and standards that would apply would be limited to front porch enclosures only.

Example 2:

If an applicant for a zoning / building permit proposes to construct a new building to be used for a medical office on a vacant lot located on a block and surrounded by three (3) story buildings, then the development compatibility design guidelines and standards that would apply would include and not be limited to: building setbacks; building height; building orientation; building facades; building roofs; building footprint; lot access and parking; non-residential uses within an enclosed building; refuse and servicing facilities; and hours of operation.

- b. In addition to the information required in Part 12 of this Chapter, applications for new development activity specifically including but not limited to new uses, replacement, infill, and redevelopment in the Development Compatibility Standards Overlay Zoning

District shall be submitted with the following information unless the Zoning Officer determines such information is unnecessary to determine compliance with this Section:

- (1). A complete set of calculations (e.g., required building setbacks, building heights, lot access etc.) used to determine and demonstrate compliance with all applicable standards set forth in this Section and the applicable underlying or base zoning district in which it is situated.
 - (2). A schematic architectural drawing of the principal building's proposed front façade(s).
6. Development Compatibility Design Guidelines and Standards. Specific building and development compatibly design guidelines and standards shall apply to the following features:
- a. Front Building Setback.
 - b. Side Building Setback.
 - c. Building Height.
 - d. Building Orientation.
 - e. Building Facade.
 - f. Building Roof.
 - g. Reuse of Existing or Formerly Residential Building.
 - h. Building Footprint.
 - i. Fire Escape.
 - j. Lot Access and Parking.
 - k. Residential Garage Location & Design.
 - l. Non-Residential Uses within an Enclosed Building.
7. If new development activity, specifically including but not limited to new uses, replacement, infill, and redevelopment in the Development Compatibility Standards Overlay zoning district cannot to the maximum extent feasible be designed in accordance with the applicable standards in this Section, the applicant shall demonstrate by credible evidence that the new development cannot to the maximum extent feasible be designed due to structural limitations of the building(s) and structure(s) and/or physical limitations and constraints of the lot. Persons aggrieved by the Zoning Officer's determination may appeal to the Zoning Hearing Board in accordance with Part 12 of this Chapter relating to *Zoning Hearing Board*.
- F. Front Building Setback.
1. Front building setbacks on the lot proposed for development shall respect and maintain the predominant development pattern, context, and character of the principal buildings and other features on the abutting lots, and when to the maximum extent feasible, shall incorporate the

predominant character of the majority of the existing principal buildings on the same shared block face (between two [2] intersecting streets) along the same side of the street.

2. For a lot proposed for development, the distance that the front of the principal building is set back from the street right-of-way shall be similar to the distances between an existing principal building and the street right-of-way on abutting lots in accordance with the following standards:
 - a. Identify the existing principal building on each lot abutting the lot proposed for development.
 - b. Calculate the distances that the existing principal buildings are set back from the street rights-of-way line(s), on the abutting lots.
 - (1). If an abutting lot is vacant, the required building setback of the abutting vacant lot shall be assumed to be the front building setback standards required in the applicable underlying or base zoning district in which it is situated.
 - (2). For corner lots, the standards set forth in this subsection shall be calculated using each abutting lot, which includes those abutting lots having frontage on, and the existing principal buildings oriented toward, the intersecting street.
 - c. The front building setback for the building on the lot proposed for development shall be no closer toward (minimum), and no farther away from (maximum), the street right-of-way than the front building line of existing buildings on abutting lots, unless all buildings on the abutting lots have the same building setback distance.
 - (1). Covered front porches shall be permitted to fulfill this requirement.
 - d. No building shall extend into any street right-of-way.

3. Front Building Setback Graphic Examples



Figure 6.2 Compatible Front Building Setback: New Replacement Building - Carlisle, PA



Figure 6.3 Compatible Front Building Setback: New Replacement Building - Mechanicsburg, PA



Figure 6.4 Incompatible Front Building Setback: New Infill Building - Sewickley, PA

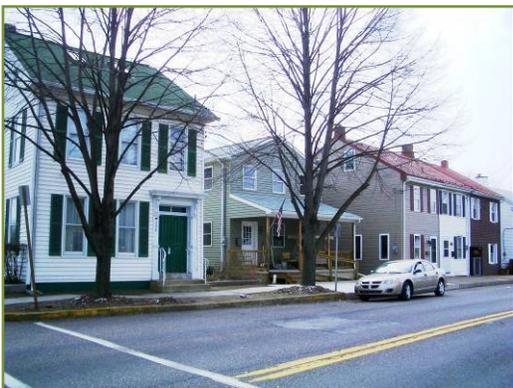
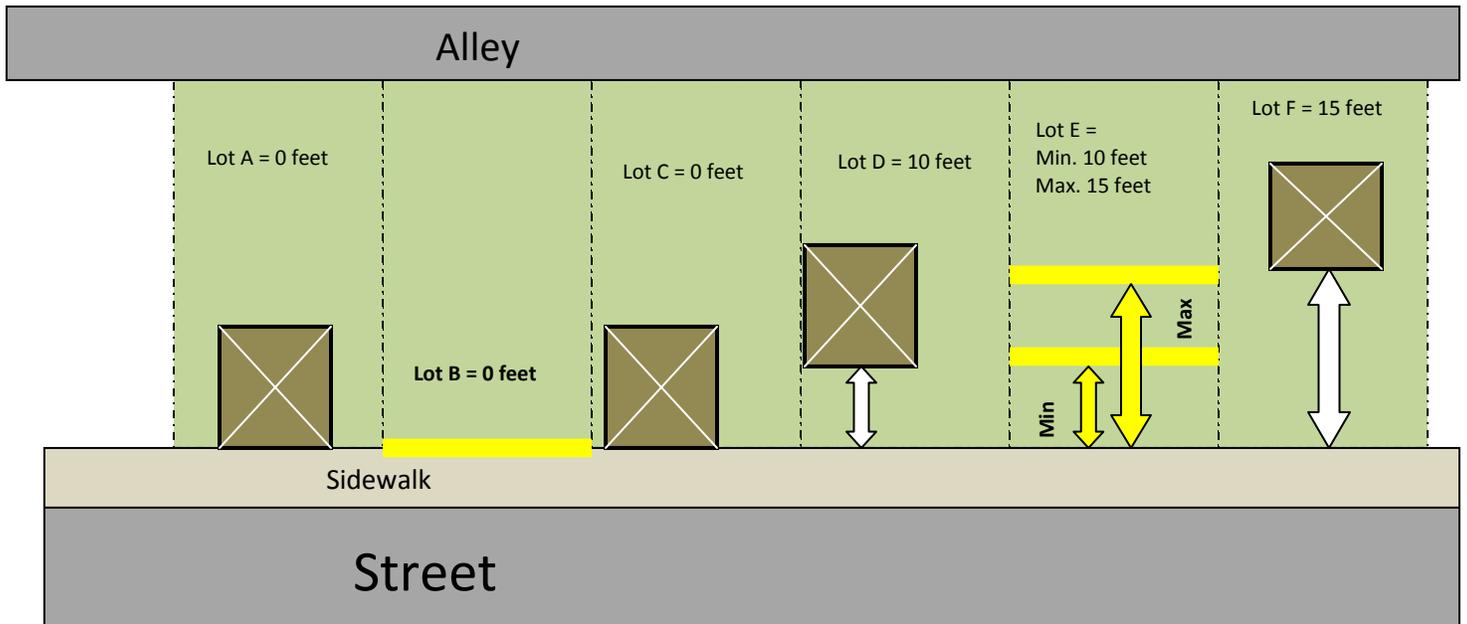


Figure 6.5 Compatible Front Building Setback: New Infill Building - Shiremanstown, PA

Figure 6.6 Typical Front Setback Conditions



Example 1: Front Setback Calculation for Lot B.

Lot A & Lot C abut Lot B

Lot A front setback = 0 feet
Lot C front setback = 0 feet

Since Lot A (0 feet) & Lot C (0 feet) have the same front setbacks, then Lot B must have the same front setback (0 feet)

Front building setback for Lot B = 0 feet

Example 2: Front Setback Calculation for Lot E.

Lot D & Lot F abut Lot E

Lot D front setback = 10 feet
Lot F front setback = 15 feet

Since Lot D (10 feet) & F (15 feet) have different front setbacks, then Lot E shall be no closer than 10 feet (minimum) and no further than 15 feet (maximum) from the street right-of-way.

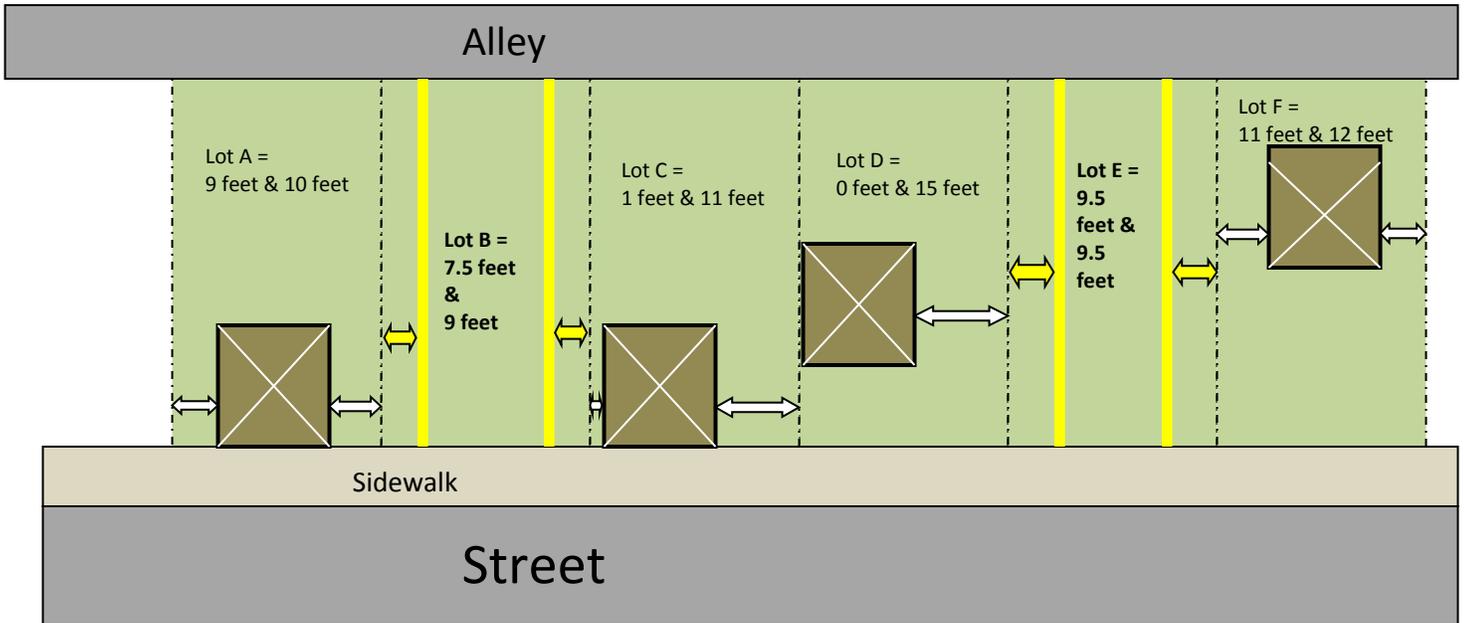
Front building setback for Lot E = 10 feet (minimum) and 15 feet (maximum)

G. Side Building Setback.

1. For a lot proposed for development, the distance the principal building is set back from its side lot lines, and other buildings on abutting lots to the side, shall be similar to those distances between an existing principal building and the side lot lines on abutting lots in accordance with the following standard:
 - a. Identify the existing principal building on each lot abutting the lot proposed for development.
 - b. Calculate the distances that the existing principal buildings are set back from each side lot line(s), on the abutting lots.
 - (1). If an abutting lot is vacant, the side building setback of the abutting vacant lot shall be assumed to be the minimum side setback standard required in the applicable underlying or base zoning district in which it is situated.
 - (2). For corner lots, the standards set forth in this subsection shall be calculated using each abutting lot, which includes those abutting lots having frontage on, and existing principal buildings oriented toward, the intersecting street.
 - c. The minimum side building setback for the principal building on the lot proposed for development shall be the average of the building setback distances from side lot line(s) on abutting lots, calculated in subsection b. above. This average distance may not be decreased unless the principal building is constructed with a shared common party wall and the written consent of the owner of the abutting lot and building.

2. Side Building Graphic Examples

Figure 6.7 Typical Front Setback Conditions



Side Building Setback Calculation for Lot B

Example 1

Step 1: Lot A & Lot C abut Lot B

Average Side Building Setback per Lot

Lot A = $\frac{9 \text{ feet} + 10 \text{ feet}}{2} = 9 \text{ feet}$

Lot C = $\frac{1 \text{ feet} + 11 \text{ feet}}{2} = 6 \text{ feet}$

Step 2: Average of Lot A & Lot C = Average side setback

$\frac{9 \text{ feet} + 6 \text{ feet}}{2} = 7.5 \text{ feet}$

**Minimum side building setback for:
 Lot B = 7.75 feet***

***Minimum on 'Lot C side of Lot B' must be increased to 9 feet or get owner of Lot C approval due to not meeting required 10 feet minimum spacing between buildings**

Side Building Setback Calculation for Lot E

Example 2

Step 1: Lot D & Lot F abut Lot E

Average Side Building Setback per Lot

Lot D = $\frac{0 \text{ feet} + 15 \text{ feet}}{2} = 7.5 \text{ feet}$

Lot F = $\frac{11 \text{ feet} + 12 \text{ feet}}{2} = 11.5 \text{ feet}$

Step 2: Average of Lot A & Lot C = Average side setback

$\frac{7.5 \text{ feet} + 11.5 \text{ feet}}{2} = 9.5 \text{ feet}$

**Minimum side building setback for:
 Lot E = 9.5 feet**

H. Building Height.

1. Roof heights, cornice lines, eaves, parapets and porches of the principal building on the lot proposed for development shall respect and maintain the predominant development pattern, context, and character of the principal buildings and other features on the abutting lots, and when to the maximum extent feasible, shall incorporate the predominant character of the majority of the existing principal buildings on the same shared block face (between two [2] intersecting streets) along the same side of the street.
2. For a lot proposed for development, the height of the principal building shall be similar to those principal building heights, in stories and/or feet, for existing principal buildings on abutting lots in accordance with the following standards:
 - a. Identify the existing principal building on each lot abutting the lot proposed for development.
 - b. Calculate the average number of stories and/or feet of the heights of the existing principal buildings on the abutting lots.
 - (1). If an abutting lot is vacant, the number of stories for an abutting vacant lot shall be assumed to be one (1) story, unless the building height standards defined in the applicable underlying or base zoning district in which it is situated have a different minimum building height, in which case, the number of stories shall be that required by the applicable underlying or base zoning district.
 - (2). For corner lots, the standards set forth in this subsection shall be calculated using each abutting lot, which includes those abutting lots having frontage on, and the existing principal buildings oriented toward, the intersecting street.
 - (3). When determination of the number of stories and/or feet results in a requirement of a fractional height, any fraction up to and including one-half ($\frac{1}{2}$) may be disregarded, and fractions over one-half ($\frac{1}{2}$) shall be interpreted as one (1) story or one (1) foot, as applicable.
 - (4). The height of the principal building shall not be less than the average height of the existing buildings on abutting lots, as determined by the number of stories and/or feet, and shall not have more stories and/or height in feet than the tallest existing principal building on the abutting lots, nor have less stories and/or height in feet than the shortest existing principal building on the abutting lots.

3. Building Height Graphic Examples



Figure 6.8 Compatible Building Height: New Infill Building – Lemoyne, PA



Figure 6.9 Compatible Building Height: New Redevelopment Buildings – Harrisburg, PA



Figure 6.10 Incompatible Building Height: New Infill Building – Dallas, PA



Figure 6.11 Compatible Building Height: New Replacement Building – West Chester, PA

I. Building Orientation.

1. Principal building orientation on the lot proposed for development shall respect and maintain the predominant development pattern, context, and character of the principal buildings and other features on the abutting lots, and when to the maximum extent feasible, shall incorporate the predominant character of the majority of the existing principal buildings on the same shared block face (between two [2] intersecting streets) along the same side of the street.
2. Unless otherwise noted in this Section, for a lot proposed for development, the orientation and location of the main or everyday front entrance, doors, porches, stoops, and/or windows for the principal building shall be similar to the orientation and location of the main or everyday front entrance, doors, porches, stoops, and/or windows on existing principal buildings on abutting lots in accordance with the following standards:
 - a. Interior Lots. Principal buildings shall have their primary front facades, provided with a main or everyday front entrance, doors, porches, stoops, and/or windows, oriented toward and facing the public street, excluding alleys.
 - b. Corner Lots. Principal buildings on lots abutting more than one (1) public street shall have their primary front facades, provided with a main or everyday front entrance, doors, porches, stoops, and/or windows, oriented towards and facing (in order of preference):
 - (1). The corner; or
 - (2). The street, excluding alleys, upon which the majority of the principal buildings on the adjacent lots are oriented towards.
 - c. Lots Abutting Market Street. Principal buildings on lots abutting Market Street shall have at their primary front facades, provided with a main or everyday front entrance, doors, porches, stoops, and/or windows, oriented toward and facing the above mentioned street(s) in accordance with the following standard:
 - (1). Interior Lots. Principal buildings shall have their primary front facades, provided with a main or everyday front entrance, doors, porches, stoops, and/or windows, oriented toward the above mentioned street(s).
 - (2). Corner Lots. Principal buildings on lots fronting on more than one (1) public street shall have their primary front facades, provided with a main or everyday front entrance, doors, porches, stoops, and/or windows, oriented towards and facing (in order of preference):
 - (a). Above mentioned street(s) and the intersecting street, excluding alleys; or
 - (b). The corner with one (1) entrance located at and oriented toward the corner with an appropriate building feature or detail such as a covered front porch, chamfered corner, turret, canopy, or other similar building feature.
 - d. In the event that a principal building's main or everyday front entrance is not located on the building façade facing the public street, excluding alleys, said façade should be designed to appear to have a main or everyday front entrance, doors, porches, stoops,

and/or windows, and other architectural details similar to those found on the actual main entrance.

3. Building Orientation Graphic Examples



Figure 6.12 Compatible Building Orientation: New Redevelopment Buildings – Pittsburgh, PA



Figure 6.13 Compatible Building Orientation: New Replacement Building – Harrisburg, PA



Figure 6.14 **Incompatible** Building Orientation: New Infill Building – New Cumberland, PA



Figure 6.15 Compatible Building Orientation: New Infill Building – Sewickely, PA

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J. Building Façade.

1. Building facades on the lot proposed for development shall respect and maintain the predominant development pattern, context, and character of the principal buildings and other features on the abutting lots, and when to the maximum extent feasible, shall incorporate the predominant character of the majority of the existing principal buildings on the same shared block face (between two [2] intersecting streets) along the same side of the street.
2. For a lot proposed for development, the façade of principal building shall be similar to those building facades for existing principal buildings on abutting lots in accordance with the following standards:
 - a. Blank walls on building facades shall not be permitted.
 - (1). A minimum of fifty (50) percent of the first (1st) floor of a new building's façade(s) shall include some combination of the main or everyday entrance, windows, porches, stoops and overhangs, and/or balconies. Door frames and window frames and shutters shall be permitted to fulfill this requirement.
 - (2). Glass must have a minimum light transmittance of seventy (70) percent. Stained, ornamental, or privacy glass is exempted.
 - b. Where a new principal building is proposed to have a façade greater than forty-five (45) feet in width, such facade shall incorporate recesses, projections, different façade materials, colors and/or designs, and/or different rooflines and roof pitches, to reduce the effect of a monotonous, blank wall appearance.
 - (1). All façades of new principal buildings shall have their main or everyday front entrance accentuated and provided with some weather protection. Permitted entrances types include: recessed or protruding covered porch, canopy, awning, portico, or overhang.
 - c. Where a new principal building is proposed, at least seventy-five (75) percent of the facade shall be located on the required front building setback line. Covered front porches shall be permitted to fulfill this requirement.

3. Building Façade Graphic Examples



Figure 6.16 Compatible Building Façade: New Replacement Building – Carlisle, PA



Figure 6.17 Compatible Building Façade: New Replacement Buildings – Carlisle, PA



Figure 6.18 **Incompatible** Building Façade: New Replacement Building – Mechanicsburg, PA



Figure 6.19 Compatible Building Façade: New Buildings – Mt. Joy, PA

K. Building Roof.

1. Principal building roofs on lots proposed for development shall respect and maintain the predominant development pattern, context, and character of the principal buildings and other features on the abutting lots, and when to the maximum extent feasible, shall incorporate the predominant character of the majority of the existing principal buildings on the same shared block face (between two [2] intersecting streets) along the same side of the street.
2. For a lot proposed for development, the roof of the principal building shall be similar to those building roofs for existing principal buildings on abutting lots in accordance with the following standards:
 - (a). Principal buildings in MDRO Zoning District shall have a pitched roof with a conventional slope or steep slope, of no less than 4/12.
 - (b). Principal buildings in the DT Zoning District may have a flat roof, but if a pitched roof is proposed, then the pitched roof shall have a conventional slope or steep slope, of no less than 4/12.

3. Building Roof Graphic Examples



Figure 6.20 Compatible Building Roof: New Replacement Building – Lemoyne, PA



Figure 6.21 Compatible Building Roof: New Infill Building – Mechanicsburg, PA



Figure 6.22 **Incompatible** Building Roof: New Building – Dallas, PA



Figure 6.23 Compatible Building Roof: New Infill Building – Mechanicsburg, PA

L. Reuse of Existing or Formerly Residential Building.

1. Modification of Existing or Formerly Residential Buildings

a. In addition to other standards of this Chapter, the reuse of existing or formerly residential buildings for all permitted non-residential use, multi-family dwelling use, and mixed use establishments, the existing or formerly residential building shall maintain an exterior appearance that resembles and is compatible with any existing residential dwellings and residential buildings in the neighborhood. No modifications or alternations to the external appearance of building facades which would alter its existing or formerly residential character shall be permitted, except for permitted signs, front porch enclosures provided for herein this subsection below, fire and safety requirements, etc.

(1). Building modifications shall occur to the rear and/or non-public street, excluding alleys, side of the existing principal building.

b. Covered Front Porch Enclosures. Front porch enclosures shall comply with the following standards:

(1). The applicant shall demonstrate that expansion to the rear and/or side of the existing principal building, including enclosing any side and rear porches, is not feasible.

(2). Front porch enclosures shall be limited to the existing front porch footprint.

(3). Front porch enclosures shall include the use of glass or screens that leave intact the original elements of the porch including: the percentage of open area, including windows and doors, to percentage of structural area, including solid wall space, as well as the railings, transoms, columns, and roof.

(4). Front porch enclosures shall include the use of materials and colors that are consistent and compatible with the principal building.

(5). Multiple-story front porch enclosures shall not be permitted.

2. Modification of Existing or Formerly Residential Building Graphic Examples



Figure 6.24 Compatible Modification of Existing or Formerly Residential Building – Lock Haven, PA



Figure 6.25 Compatible Modification of Existing or Formerly Residential Building – Ephrata, PA



Figure 6.26 **Incompatible** Modification of Existing or Formerly Residential Building – Shiremanstown, PA



Figure 6.27 Compatible Modification of Existing or Formerly Residential Building – Selinsgrove, PA

3. Covered Front Porch Enclosure Graphic Examples



Figure 6.28 Compatible Covered Front Porch Enclosure: Existing Building – Lock Haven, PA



Figure 6.29 Compatible Covered Front Porch Enclosure: Existing Building – Ephrata, PA



Figure 6.30 **Incompatible** Covered Front Porch Enclosure: Existing Building – Penbrook, PA



Figure 6.31 Compatible Covered Front Porch Enclosure: Existing Building – Wormleysburg, PA

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M. Building Footprint.

1. Building footprints on lots proposed for development shall respect and maintain the predominant development pattern, context, and character of the principal buildings and other features on the abutting lots, and when to the maximum extent feasible, shall incorporate the predominant character of the majority of the existing principal buildings on the same shared block face (between two [2] intersecting streets) along the same side of the street.
2. For a lot proposed for development, the building footprint of a new principal building shall be similar to the building footprint of existing principal buildings on adjacent lots on the same shared block face (between two [2] intersecting streets) along the same side of the street in accordance with the following standards:
 - a. Identify the existing principal buildings on adjacent lots on the same shared block face (between two [2] intersecting streets) along the same side of the street, as the lot proposed for development.
 - b. Calculate the average building footprint of all the existing principal buildings on adjacent lots on the same shared block face (between two [2] intersecting streets) along the same side of the street.
 - (1). For corner lots, the standards shall be calculated using adjacent lots, which include those adjacent lots having frontage on, and the existing principal buildings oriented toward, the intersecting street.
 - (2). Determine the largest building footprint of all the existing principal buildings on adjacent lots on the same shared block face (between two [2] intersecting streets) along the same side of the street.
 - c. The maximum building footprint for the new principal building on the lot proposed for development shall be no greater than the largest building footprint of all the existing principal buildings on adjacent lots on the same shared block face (between two [2] intersecting streets) along the same side of the street
3. The maximum building footprint standard set forth above shall not apply to expansions of existing principal buildings.

4. Building Footprint Graphic Examples



Figure 6.32 Compatible Building Footprint:– Lemoyne, PA
(Source: www.ccpa.net, 2011.)



Figure 6.33 Compatible Building Footprint:– Mechanicsburg, PA
(Source: www.ccpa.net, 2011.)



Figure 6.34 **Incompatible** Building Footprint:–
New Cumberland, PA (Source: www.ccpa.net, 2011.)

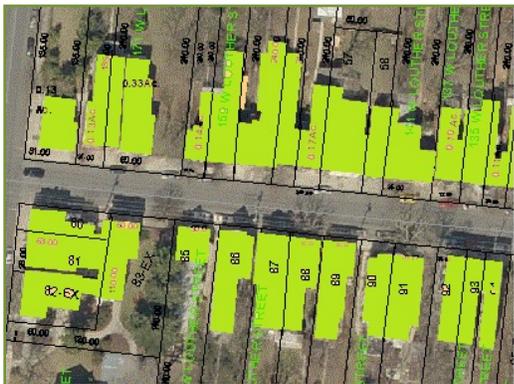


Figure 6.35 Compatible Building Footprint:– Carlisle, PA
(Source: www.ccpa.net, 2011.)

N. Fire Escape.

1. For a lot proposed for development, the location of fire escapes on the exterior of principal buildings shall be similar to those fire escape locations for existing principal buildings on abutting lots in accordance with the following standards:
 - a. Fire escape locations shall respect and maintain the predominant development pattern, context, and character of the principal buildings and other features on the abutting lots, and when to the maximum extent feasible, shall incorporate the predominant character of the majority of the existing principal buildings on the same shared block face (between two [2] intersecting streets) along the same side of the street.
 - b. Fire escapes, where required to be mounted on the exterior of the building, shall be located (in order of preference):
 1. On the roof of the building;
 2. In the rear of the building; or
 3. On side of the building; and
 4. Shall not be located on any building façade, except where fire, safety, and building code requirements cannot otherwise feasibly be met.

2. Fire Escape Graphic Examples



Figure 6.36 Compatible Fire Escape:– Mechanicsburg, PA



Figure 6.37 Compatible Fire Escape:– Gettysburg, PA



Figure 6.38 Incompatible Fire Escape:– Lock Haven, PA



Figure 6.39 Compatible Fire Escape:– Lampeter, PA

O. Lot Access and Parking.

1. Where a lot proposed for development abuts an alley and where the majority of the existing principal buildings on the same shared block face (between two [2] intersecting streets) along the same side of the street take access from the alley and have parking to the rear of the lot, then new lot access and parking areas shall be provided in a similar manner and location.
 - a. Lot access shall be provided at the rear of lots from the alley for those lots abutting alleys.
 - b. For lots abutting alleys, no new curb cut for a driveway or access drive shall be provided along a public street, excluding alleys.
 - c. For a lot proposed for development and abutting an alley, required off-street parking lots and areas shall:
 - (1). To the maximum extent feasible, be provided to the rear of the principal building first (1st). If not feasible, then may be located in the side yard behind the façade of the principal building;
 - (2). Not be located in the front yard between the principal building and the public street, excluding alleys.
 - (3). Not be provided along Market Street unless provided with a low decorative wall or fencing, and screening in accordance with Part 7 relating to *Fences and Walls* and Part 9 of this Chapter relating to *Location and Design of Parking Areas*; and
 - (4). In the case of a corner lot, not be located at or adjacent to the intersection of two (2) streets.
2. For a lot proposed for development that does not abut an alley, or for a lot proposed for development that abuts an alley where the majority of the existing adjacent lots on the same shared block face (between two [2] intersecting streets) along the same side of the street have access to the public street from the front of the lot, new lot access may be taken from the front of the lot via curb cuts for access drives and driveways in accordance with Part 9 of this Chapter relating to *Driveways and Access Drives* and the standards below:
 - a. Where sidewalks are installed, the access drive or driveway surfacing shall end at the building-side of the sidewalk and on the street side of the sidewalk, such that no access drive or driveway surfacing shall extend over the sidewalk area.
 - b. No non-residential off-street parking lots or areas shall be located in the front yard between the principal building and the public street, excluding alleys.

3. Lot Access and Parking Graphic Examples



Figure 6.40 Compatible Lot Access and Parking:– Gettysburg, PA



Figure 6.41 Compatible Lot Access and Parking:– Lower Moreland Township, PA



Figure 6.42 Incompatible Lot Access and Parking:– Greencastle, PA



Figure 6.43 Compatible Lot Access and Parking:– Pittsburgh, PA

P. Residential Garage Location & Design.

1. To the maximum extent feasible, residential dwelling units shall be designed so that garages or carports are not an overly prominent part of the view from public street rights-of-way. For purposes of this Section, the term garage door shall also include a carport's front entry opening, unless otherwise specified in this Chapter.
2. For a lot proposed for development, the location and design of accessory garages and carports serving residential uses and dwelling units shall be provided in a similar manner and location to existing accessory garages and carports on abutting lots and in accordance with the following standards:
 - a. Within the DT Zoning District, residential accessory garages shall be located behind the rear wall of the principal building and lot access provided in accordance with Part 9 of this Chapter relating to *Driveways and Access Drives*.
 - b. Within the MDRO Zoning Districts:
 - (1). Front-loaded garages shall be limited as follows:
 - (a). A garage door with a width of greater than fifty (50) percent of the width of the principal building's front façade shall be prohibited.
 - (b). A garage door with a width greater than or equal to twenty-five (25) percent but less than fifty (50) percent of the width of the principal building's front façade shall be set back at least twenty (20) feet behind the front building line.
 - (c). A garage door with a width less than twenty-five (25) percent of the width of the principal building's front façade may be even with (incorporated as part of) or behind the principal building's front façade.
 - (d). In no case shall a front loaded garage or carport extend closer toward the front lot line than the principal building's front façade.
 - (2). Rear loaded, side-loaded, or detached garages or carports located behind the rear building line shall not be limited other than through the lot and dimension standards contained in the applicable underlying or base zoning district and Parts 7 and Part 9 of this Chapter.
 - (3). Garages and carports shall be architecturally designed to be compatible in design and harmonize with the residential use or dwelling to which they are appurtenant. Garages shall be located so that the swing of the opening door shall not in any case extend beyond any lot line.

3. Residential Garage Location and Design Graphic Examples



Figure 6.44 Compatible Residential Garage:– Camp Hill, PA



Figure 6.45 Compatible Residential Garage:– Paxtang, PA



Figure 6.46 Incompatible Residential Garage:– Lower Allen Township, PA



Figure 6.47 Compatible Residential Garage:– Lemoyne, PA

Q. Non-Residential Uses within an Enclosed Building.

1. Unless otherwise permitted as an essential and customary element of operating a permitted principal non-residential use in the applicable zoning district, or unless otherwise permitted elsewhere in this Chapter, all permitted principal non-residential uses shall be conducted within a completely enclosed building. Uses exempt from this regulation include but are not limited to:
 - a. Institutional / Civic Uses; and
 - b. Forestry / Agriculture Uses.

2. Unless otherwise permitted as an essential and customary element of operating a permitted principal non-residential use in the applicable zoning district, or unless otherwise permitted elsewhere in this Chapter, all permitted accessory uses as part of permitted principal non-residential uses shall be conducted within a completely enclosed building. Uses exempt from this regulation include but are not limited to:
 - a. Community gardens and crops / gardening;
 - b. Outdoor cafes / dining; and
 - c. Outside display and sales.

3. Non-Residential Uses within an Enclosed Building Graphic Examples



Figure 6.48 Compatible Non-Residential Accessory Use (Permitted to not be Within an Enclosed Building): Outdoor Café/Dining – Gettysburg, PA



Figure 6.49 Compatible Non-Residential Principal Use Within an Enclosed Building: Brewing Operations within a Garage – Selinsgrove, PA



Figure 6.50 **Incompatible** Non-Residential Principal Use Not Within an Enclosed Building: Outdoor Stockpiling/Storage – Willow Street, PA



Figure 6.51 Compatible Non-Residential Accessory Use (Permitted to not be Within an Enclosed Building): Outside Sales/Display – Lemoyne, PA

Section 605. Heritage Conservation Overlay Zoning District (HCO).

- A. Purpose and Intent. The purpose of the Heritage Conservation Overlay Zoning District is to promote the general welfare of Camp Hill Borough through the following goals:
1. To promote the retention of community character through preservation of the local heritage by recognition and protection of historic and cultural resources.
 2. To mitigate the negative effects of proposed changes that will affect historic resources.
 3. To encourage the continued use of historic resources and facilitate their appropriate reuse.
 4. To encourage the preservation of historic settings and landscapes.
 5. To discourage the demolition of historic resources; and
 6. To implement the following sections of the MPC: Section 603(b)(5) which states that zoning ordinances may permit, prohibit, regulate, restrict and determine protection and preservation of natural and historic resources...”; Section 603(g)(2) which states that “zoning ordinances shall provide for protection of natural and historic features and resources; Section 604(1) which states that “the provisions of zoning ordinances shall be designed to promote protect and facilitate any or all of the following: . . . preservation of the natural, scenic and historic values . . .”; and Section 605(2)(vi) whereby uses and structures at or near places having unique historical, architectural or patriotic interest or value may be regulated.
- B. Boundaries. The Heritage Conservation Overlay Zoning District shall conform to the boundaries of Camp Hill Borough. The overlay zoning district includes each parcel containing one or more historic resources shown on the map(s) listed in Part 1 of this Chapter relating to *Zoning Districts and Map*.
- C. Applicability.
1. Criteria for Determination. These criteria are used to determine if a building, structure, object, site, or district is historic or not historic thereby enabling appropriate classification on the local survey. A building, structure, object, site, or district is historic if it:
 - a. Is associated with events that have made a significant contribution to the broad patterns of our local, state, or national history; or
 - b. Is associated with the lives of people (e.g., local, regional, state, or national), who were significant in our past; or
 - c. Embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction (e.g., a neighborhood or character area); or
 - d. Has yielded or may be likely to yield, information important in history or prehistory.
 2. Historic Resources Classification.
 - a. Class I: Buildings, objects, sites, or districts that are:

- f. The demolition will not adversely affect the character of the property, streetscape, neighborhood, or community.
 - g. A proposed new building, structure or use (if applicable) on or of the property will not adversely affect the character of the property, streetscape, neighborhood, or community.
 - h. The building is structurally unsound.
 - i. The denial of demolition would result in unreasonable economic hardship to the owner.
 - j. Sale of the building or structure is impossible or impractical.
 - k. Denial of demolition will deprive the property as a whole of all beneficial use.
4. Associated Land Development Plan. If the application for a permit for demolition, removal or relocation of a historic resource is being requested to facilitate future development of the land, then said permit shall not be issued until the following additional requirements have been satisfied.
- a. Approval of the land development plan by the Camp Hill Borough Council;
 - b. Issuance of any necessary zoning and/or building permit approvals; and
 - c. The recording of the approved subdivision or land development plan for the parcel where the demolition, removal, or relocation is proposed.
5. Pre-Demolition Requirements. In those instances where an application for demolition is approved, the building(s) to be demolished shall be historically and photographically documented. The extent of the documentation will be determined by the Borough by the significance of the building(s). When documentation is complete the building shall be dismantled and recycled to the maximum extent feasible.
6. Enforcement. In addition to the enforcement provisions found in Part 12 of this Chapter to the Camp Hill Borough Council may authorize action to withhold issuance of any and all zoning and building permits for a period of up to one (1) year for any property that at the time of the enactment of these provisions, was occupied by a Class I or Class II historic resource that was subsequently demolished, removed or relocated without obtaining a permit as provided for herein. In addition, the Camp Hill Borough Council may take other appropriate legal action, which may include equitable and injunctive relief, to enforce the provisions of this Section.

Section 606. Natural Resources Overlay Zoning District (NRO).

- A. Purpose and Intent. The purpose and intent of the Natural Resources Overlay Zoning District is to:
- 1. Ensure the public health, safety and welfare Camp Hill Borough through the protection of steep slopes, streams/watercourses, surface water, wetlands, and their associated critical environmental areas / features. These area / features are considered some of Camp Hill Borough's most important natural features, resources, and areas as set forth in the most recent version of the Camp Hill Borough comprehensive plan. The Natural Resources Overlay Zoning District shall include the following features, resources, and areas:

- a. Steep Slope Protection Areas and related Steep Slope Protection Overlay;
 - b. Stream Protection Areas and related Stream Protection Overlay;
 - c. Surface Water Protection Areas and related Surface Water Protection Overlay; and
 - d. Wetland Protection Areas and related Wetland Protection Overlay; and
2. Implement the following sections of the MPC: Section 603(b)(5) which states that zoning ordinances may permit, prohibit, regulate, restrict and determine protection and preservation of natural and historic resources....”; Section 603(g)(2) which states that “zoning ordinances shall provide for protection of natural and historic features and resources; and Section 604(1) which states that “the provisions of zoning ordinances shall be designed to promote protect and facilitate any or all of the following: . . . preservation of the natural, scenic and historic values . . .”.
- B. Conflict and Boundaries.
1. In the event that two (2) or more natural resources, features, and areas identified in this Section overlap, the resources, features, and areas with the most restrictive standard (the least amount of permitted alteration regarding clearing or building) shall apply to the area of overlap.
 2. The boundaries of the Natural Resources Overlay Zoning District shown on the map(s) listed in Part 1 of this Chapter relating to *Zoning Districts and Map*, are for general information purposes only and shall not be used to determine the specific location of steep slopes, streams/watercourses, surface water, wetlands, and their associated critical environmental areas/features on individual lots. The specific locations of the steep slopes, streams/watercourses, surface water, wetlands, and their associated critical environmental areas/features on individual lots shall be determined in accordance with the specific standards of the individual overlay district provisions set forth in this Section.
- C. Certain Exemptions from Locating the Natural Resources Overlay Zoning District and Related Natural Features, Resources, and Areas. Where a proposed lot, improvement, or earth disturbance is located more than two hundred fifty (250) feet from the potential Natural Resources Overlay Zoning District and/or natural features, resources, and areas within the related Steep Slope Protection Overlay, Stream Projection Overlay, Surface Water Overlay, and Wetland Protection Overlay and which involves a “lot add-on”, “lot consolidation” or “revised subdivision” plan which no new lots, structures and public improvements are created, the Natural Resources Overlay Zoning District and the specific applicable natural features, resources, and areas within the related Steep Slope Protection Overlay, Stream Protection Overlay, Surface Water Overlay, and Wetland Protection Overlay do not need to be located or delineated as required within this Section. In such cases, the overlay zoning district and/or natural features, resources, and areas shall be located using any existing available data, such as Cumberland County GIS data, USGS topographical maps, and similar sources. If a specific applicable natural feature, resource, and area, or associated overlay zoning district is located within the two hundred fifty (250) foot distance, the specific applicable natural feature, resource, and area and associated overlay zoning district shall be delineated on the plan, to the extent to which it is located on the property.
- D. Steep Slope Protection Overlay.
1. Purpose and Intent. Natural (non-manmade) steep slopes and hillsides are unique areas. Natural (non-manmade) steep slope areas are fragile and susceptible to erosion, landslides, mudslides, degradation of their natural vegetation, and increased flooding using conventional development practices. By protecting these assets, Camp Hill Borough intends to:

- a. Guide development away from natural (non-manmade) steep slope areas;
 - b. Minimize grading and other site preparation in natural (non-manmade) steep slope areas;
 - c. Provide safe means for ingress and egress while minimizing scarring from natural (non-manmade) steep slope and hillside construction;
 - d. Preserve the natural conditions in natural (non-manmade) steep slope areas; and
 - e. Prevent flooding and the deteriorating effects of erosion to streams, watercourses, and drainage areas.
2. Establishment of Steep Slope Protection Overlay Boundaries. The Steep Slope Protection Overlay shall consist of all land which has a fifteen (15) percent or greater natural (non-manmade) slope, as determined by a professional land surveyor or professional engineer licensed and registered to practice in the Commonwealth of Pennsylvania to engage in the practice of land surveying and/or engineering, based on a field or aerial survey of the property.
3. Permitted Uses. The following uses shall be allowed within the Steep Slope Protection Overlay to the extent that they are in compliance with the provisions of the applicable underlying or base zoning district and are not prohibited by any other Camp Hill Borough ordinance or regulation, and further provided that they do not require building(s), fill or storage of materials and equipment:
- a. On slopes less than twenty-five (24.99) percent, uses shall be regulated by the applicable underlying or base zoning district.
 - b. On slopes equal to or greater than twenty-five (25) percent, the following uses shall be permitted, provided they are in compliance with the provision of the applicable underlying or base zoning district and are not prohibited elsewhere by this Chapter or other Camp Hill Borough ordinances and regulations, and further provided they do not require or contain structures:
 - (1). Common open space, nature preserves and wildlife sanctuaries, forest preserves, passive recreational and park areas, trails, greenways, and similar uses.
 - (2). Crops/gardening.
 - (3). Municipal owned uses.
 - (4). Educational and scientific uses.
 - (5). Essential services.
4. Prohibited Uses. The following uses shall be prohibited within the Steep Slope Protection Overlay:
- a. Storing of junk (residential and non-residential); and
 - b. Unenclosed storage.

5. Disturbance Limits.

- a. Based upon the slope of the land, see Table 6-2 Steep Slopes and Permitted Area of Disturbance providing disturbance limits that shall be the maximum area of such steep slopes that may be regraded and/or stripped of vegetation. Such percentages shall be based on the steep slopes contained on the entire lot or lots to be developed at the time of application for development (including subdivision/land development plans and/or zoning permits).

**TABLE 6-2
 STEEP SLOPES AND
 PERMITTED AREA OF DISTURBANCE**

SLOPE RANGE	MAXIMUM DISTURBED AREA – PERCENT
15.0% to 17.99%	50%
18.0% to 24.99%	25%
25.0% +	0%

- b. Grading or earthmoving on all steep slope areas shall not result in earth cuts and/or fills in which the highest vertical dimensions exceed ten (10) feet, except where no reasonable alternatives exist for construction of streets, drainage structures, and other improvements (whether public or private), in which case such vertical dimensions shall not exceed twenty (20) feet. Finished slopes of all cuts and/or fills shall not exceed thirty-three (33) percent, unless the applicant can demonstrate that steep slopes can be stabilized and maintained adequately. The landscape shall be preserved in its natural state to the maximum extent feasible.
- c. The type and location of any permitted on-lot sewage disposal facility shall be provided in accordance with Chapter 174 relating to subdivision and land development, and the PA DEP.

6. Minimum Lot Area Standards. No portion of a lot containing a slope equal to or greater than twenty five (25) percent shall count toward the minimum lot area required by the applicable underlying or base zoning district.

7. Minimum Setbacks. No change in existing topography, which results in a slope greater than the pre-development condition, may be located closer than ten (10) feet from any abutting lot line and street right-of-way line.

8. Design Information. All applications for development shall include a detailed description of the methods proposed to be used for construction in areas containing slopes of fifteen (15) percent or greater to attain the following:

- a. Protection and stabilization of areas that have a high potential for soil erosion;
- b. Accommodate stormwater runoff/drainage;

- c. Assure structural safety and minimize harm to the environment associated with development on steep slopes;
- d. Protection and preservation of on-site and off-site valuable natural wildlife and/or plant habitats;
- e. Protection and preservation of on-site and off-site water quality; and
- f. Protection of steep slopes on abutting properties.

9. Standards.

- a. The Steep Slope Protection Overlay shall be established at the time of the submission of the application for development (including subdivision/land development plan and/or zoning permit).
- b. In all subdivision and land development applications, the Steep Slope Protection Overlay and each slope range within the overlay zoning district shall be described by metes and bounds. A conservation easement covering the Steep Slope Protection Overlay shall be provided in accordance with Chapter 174 relating to subdivision and land development.
- c. In all zoning permit applications, the Steep Slope Protection Overlay and each slope range within the overlay zoning district shall be shown on a drawing indicating the location and measurements of the overlay zoning district in accordance with the above standards.

E. Stream Protection Overlay.

- 1. Purpose and Intent. It is the intent of this overlay zoning district to preserve natural and manmade streams, creeks, watercourses, and the critical natural areas around them as important hydrological and environmental assets. These natural and manmade streams, creeks, watercourses, and the critical natural areas around them are considered to be some of Camp Hill Borough's most important natural resources, features and resources, as set forth in the most recent version of the Camp Hill Borough comprehensive plan.
- 2. Establishment of Stream Protection Overlay Boundaries.
 - a. The Stream Protection Overlay shall consist of all land and water areas in and around all streams, creeks, and watercourses (including intermittent streams and water courses). The size and limits of the Stream Protection Overlay shall be based on size and width of the streams, creeks, and watercourses as well as the critical environmental features present in the areas surrounding the streams, creeks, and watercourses. The overlay zoning district shall be drawn to encompass all critical areas as described below.
 - b. Critical Environmental Features and Areas to be included in the Stream Protection Overlay. In addition to the streams, creeks, and watercourses, the following critical environmental features, resources and areas adjacent to such streams, creeks, and watercourses shall be included in the Stream Protection Overlay:
 - (1). All lands within twenty-five (25) feet of the edge of the ordinary waterline on each side of the stream, creek, and watercourse.

- (2). Alluvial soils located within fifty (50) feet of the edge of the ordinary waterline on each side of the stream, creek, and watercourse.
 - (3). Springs located within fifty (50) feet of the edge of the ordinary waterline on each side of the stream, creek, and watercourse.
 - (4). Slopes of twenty five (25) percent or greater located within fifty (50) feet of the edge of the ordinary waterline on each side of the stream, creek, or watercourse. In determining the limits and extent of these features, these slope areas shall extend to the uppermost edge of the area with twenty five (25) percent or greater slopes.
3. Permitted Uses. The following uses shall be permitted in the Stream Protection Overlay, provided that they are in compliance with the provisions of the applicable underlying or base zoning district and are not prohibited by another Camp Hill Borough ordinance or regulation, and further provided that they do not require building(s), fill or storage of materials and equipment.
 - a. Common open space, nature preserves and wildlife sanctuaries, forest preserves, passive recreational and park areas, trails, greenways, and similar uses.
 - b. Fishing, swimming, boating, etc.
 - c. Boat launching facilities, provided that parking areas and other uses associated with the boat launch are placed outside of the Surface Water Protection Overlay.
 - d. River-oriented uses.
 - e. Crops/gardening.
 - f. Municipal owned uses.
 - g. Educational and scientific uses.
 - h. Essential services.
 - i. Stream bank and watershed improvements approved by the Cumberland County Conservation District and/or DEP.
 - j. Crossings by recreational trails, roads, railroads, sewer and water lines, and public utility transmission lines provided that all necessary permits and approvals from federal, state, and local agencies are received and that required plantings are maintained to the maximum extent feasible.
4. Prohibited Uses. The following uses shall be prohibited in the Stream Protection Overlay
 - a. Grading or filling other than that required for a permitted use.
 - b. Storage or disposal of any toxic, hazardous, or noxious substances.
 - c. Storage of junk.
 - d. Unenclosed storage.

5. Required Vegetation. Within the Stream Protection Overlay, native species of trees, shrubs and ground cover must be provided and maintained for stream bank stabilization, soil stability and habitat for native animal species. Where adequate vegetation does not already exist, new plantings shall be provided.
 6. Standards.
 - a. The Stream Protection Overlay shall be established at the time of the submission of the application for development (subdivision/land development plan and/or zoning permit).
 - b. In all subdivision and land development applications, the Stream Protection Overlay and each slope range within the overlay zoning district shall be described by metes and bounds. A conservation easement covering the Stream Protection Overlay shall be provided in accordance with Chapter 174 relating to subdivision and land development.
 - c. In all zoning permit applications, the Stream Protection Overlay and each slope range within the overlay zoning district shall be shown on a drawing indicating the location and measurements of the overlay zoning district in accordance with the above standards.
- F. Surface Water Protection Overlay.
1. Purpose and Intent. Natural and manmade lakes and ponds and the natural areas around them are important hydrological and environmental assets. It is the intent of this Surface Water Protection Overlay to preserve these natural and manmade assets. By protecting these assets identified in the most recent version of the Camp Hill Borough comprehensive plan, Camp Hill Borough intends to:
 - a. Protect wildlife.
 - b. Preserve existing vegetation along lakes or ponds.
 - c. Minimize the negative effects on lakes or ponds from development related erosion.
 - d. Minimize scenic degradation.
 - e. Protect the integrity of ponds and lakes as functioning wetland areas.
 2. Establishment of Surface Water Protection Overlay Boundaries. The Surface Water Protection Overlay shall consist of all land and water areas in and around all natural and manmade lakes and ponds. The size and limits of the Surface Water Protection Overlay shall be based on size and width of the lakes and ponds as well as the area within twenty-five (25) feet of the water's edge of all manmade and natural lakes or ponds under typical conditions. All natural and manmade lakes, ponds and established easement areas shall remain in permanent open space. Because these areas may relate to other hydrologic features, no development or diverting of these water bodies shall be permitted without proper approval from PA DEP.
 3. Permitted Uses. The following uses shall be allowed within the Surface Water Protection Overlay to the extent that they are in compliance with the provisions of the applicable underlying or base zoning district and are not prohibited by any other Camp Hill Borough ordinance or regulation, and further provided that they do not require building(s), fill or storage of materials and equipment:

- a. Common open space, nature preserves and wildlife sanctuaries, forest preserves, passive recreational and park areas, trails, greenways, and similar uses.
 - b. Fishing, swimming, boating or hunting.
 - c. Boat launching facilities, provided that parking areas and other uses associated with the boat launch are placed outside of the Surface Water Protection Overlay.
 - d. Crops/gardening.
 - e. Municipal owned uses.
 - f. Educational and scientific uses.
 - g. Essential services.
 - h. Stream bank and watershed improvements approved by the Cumberland County Conservation District and/or DEP.
 - i. Crossings by recreational trails, roads, railroads, sewer and water lines, and public utility transmission lines provided that all necessary permits and approvals from federal, state, and local agencies are received and that required plantings are maintained to the maximum extent feasible.
4. Prohibited Uses. The following uses shall be prohibited within the Surface Water Protection Overlay:
- a. Grading or filling other than that required for a permitted use.
 - b. Storage or disposal of any toxic, hazardous, or noxious substances.
 - c. Storage of junk.
 - d. Automobile wrecking, junk, and scrap storage and/or sales.
 - e. Unenclosed storage.
5. Standards.
- a. All lands identified within the Surface Water Protection Overlay shall contain no more than fifteen (15) percent impervious surface.
 - b. At least seventy (70) percent of the Surface Water Protection Overlay shall, to the maximum extent feasible, remain and be preserved in its natural state as open space.
 - c. The Surface Water Protection Overlay shall be established at the time the submission of the application for development (including subdivision/land development plans and/or zoning permits).
 - d. In all subdivision and land development applications, the Surface Water Protection Overlay shall be described by metes and bounds. A conservation easement on the plan covering the Surface Water Protection Overlay shall be provided in accordance with Chapter 174 relating to subdivision and land development.

- e. In all zoning permit applications, the Surface Water Protection Overlay shall be shown on a drawing indicating the location and measurements of the overlay zoning district in accordance with the above standards.

G. Wetland Protection Overlay.

1. Purpose and Intent. Wetland areas are indispensable and fragile hydrological natural resources that provide:
 - a. Habitat for fish, wildlife and vegetation.
 - b. Water-quality maintenance and pollution control.
 - c. Flood control.
 - d. Erosion control.
 - e. Open space.
 - f. Educational and scientific study opportunities.
 - g. Recreational opportunities.
2. Damaging or destroying wetlands threatens public safety and the general welfare Camp Hill Borough. By protecting these assets identified in the most recent version of Camp Hill Borough comprehensive plan, Camp Hill Borough intends to:
 - a. Require planning to avoid and minimize damage of wetlands whenever prudent or feasible.
 - b. Require that activities not dependent upon wetlands be located to other upland sites.
 - c. Allow wetland losses only where all practical or legal measures have been applied to reduce these losses that are unavoidable and in the public interest.
3. Establishment of Wetland Protection Overlay Boundaries. The Wetland Protection Overlay shall apply to all lands in or within twenty-five (25) feet of a non-tidal wetland located within Camp Hill Borough. The Wetland Protection Overlay shall be based on a wetland investigation by the applicant. Wetland delineations shall be performed in accordance with the procedures of the PA DEP as specified in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands and any subsequent amendments thereto. Wetland mitigation shall be permitted. Wetland mitigation shall be approved by the PA DEP. Wetlands proposed to be mitigated shall not be considered part of the Wetland Protection Overlay.
4. Review of Wetland Delineation. Where the applicant has provided a determination of the Wetland Protection Overlay, the Camp Hill Borough Engineer or Camp Hill Borough consultant shall review, and may render adjustments to, the boundary delineation. In the event that the adjusted boundary delineation is contested, the applicant may appeal to the Zoning Hearing Board in accordance with Part 12 of this Chapter relating to *Zoning Hearing Board*.
5. Permitted Uses. The following uses shall be allowed within the Wetland Protection Overlay to the extent that they are in compliance with the provisions of the applicable underlying or base

zoning district and are not prohibited by any other Camp Hill Borough ordinance or regulation, provided that they do not require structures, fill or storage of materials and equipment, and provided that a permit is obtained from the PA DEP and the United States Army Corps of Engineers, if applicable:

- a. Common open space, nature preserves and wildlife sanctuaries, forest preserves, passive recreational and park areas, trails, greenways, and similar uses.
 - b. Crops / gardening.
 - c. Municipal owned uses.
 - d. Educational and scientific uses.
 - e. Essential services.
 - f. Crossings by recreational trails, roads, railroads, sewer and water lines, and public utility transmission lines provided that all necessary permits and approvals from federal, state, and local agencies are received and that required plantings are maintained to the maximum extent feasible.
6. Prohibited Uses. The following uses shall be prohibited within the Wetland Protection Overlay:
- a. Storage or disposal of any toxic, hazardous, or noxious substances.
 - b. Storage of junk.
 - c. Unenclosed storage.
7. Standards.
- a. The Wetland Protection Overlay shall be established at the time of the application for development (including subdivision/land development plan and zoning permit). The wetland delineations shall be performed in accordance with the procedures specified in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands and any subsequent amendments thereto.
 - b. In all subdivision and land development applications, a wetland investigation shall be required in accordance with Chapter 179 relating to subdivision and land development. A conservation easement covering the Wetland Protection Overlay shall be provided in accordance with Chapter 179 relating to subdivision and land development. The Wetland Protection Overlay and conservation easement shall be described by metes and bounds, indicating the location and measurements of the overlay zoning district.
 - c. In all zoning permit applications, the Wetland Protection Overlay shall be shown on a drawing indicating the location and measurements of the overlay zoning district. (Wetland delineations shall be performed in accordance with the procedures specified in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands and any subsequent amendments thereto.)