

ZONING

27 Attachment 1

Using this Ordinance: an Overview¹

These two pages describe the most efficient way to use this Ordinance. These pages are general descriptions but are not part of the actual Ordinance.

Start by using the following parts of the Zoning Ordinance:

- Please contact the Zoning Officer to make sure you have the latest version of the Zoning Ordinance Text and Map.
- Turn to the Table of Contents and the Index (at the end of the document) to find the pages and sections that apply to your particular situation. You may wish to photocopy the Table of Contents to highlight the relevant sections.
- Review the Zoning Map at the end of this Zoning Ordinance or online to determine the Zoning District that includes your lot.
- Review Parts 3 or 4, the Table of Permitted Uses By Zoning District, which indicates the uses permitted in each Zoning District. A use is permitted in three ways:
 - a) by right,
 - b) by special exception (the Zoning Hearing Board must approve the use, as described in Section 27-1416), or
 - c) as a conditional use (the Borough Council must approve the use, as described in Section 27-1417).
- Consult Part 5, including the Table of Lot and Setback Requirements By Zoning District. This table states the required minimum size of each lot and the required minimum distance that buildings must be from streets and other lot lines in each Zoning District.
- Refer to the Definitions in Part 15 to determine the meaning of specific words.

If a lot is already being legally used for a particular purpose and that use is not permitted in the Zoning District according to Parts 3 or 4, that use is called a “Non-Conforming Use”. In almost all cases, a lawful Non-Conforming Use can continue, can expand within limits, can change to another use within limits, and can be sold. See Section 27-1405 regarding “Non-Conformities.”

Certain specific uses must comply with additional regulations. The “principal uses” (which are the primary use of a property) are listed in alphabetical order in Section 27-602 and the “accessory uses” (which are secondary uses, such as low-intensity businesses in a home) are listed in alphabetical order in Section 27-603. For example, additional regulations are listed for sheds, garages and other structures typically found on a residential lot under “Residential Accessory Structures” in Section 27-603.

If your lot may be flood-prone, see the Floodplain regulations in Part 9 and the Federal Floodplain Maps (which can be viewed at Borough Hall or at www.fema.gov).

Turn to the following articles and sections for regulations concerning parking, signs and buffer yards:

¹ Editor’s Note: Ordinance Usage is included as an attachment to this chapter.

MYERSTOWN CODE

- Many uses must provide minimum numbers of off-street Parking spaces under Part 11 of this ordinance. The parking standards are listed in a table.
- If Signs are proposed within public view, Part 12 must be met. This article lists the types, heights and sizes of signs that are permitted.
- Certain uses are required to provide an open Buffer Yard with Screening to buffer nearby homes and adjacent residentially zoned land from nuisances. See Section 27-1303.

The following additional considerations should be kept in mind when using this Ordinance:

- An applicant may apply to the Borough Zoning Hearing Board for a Zoning Variance if he/she is not able to comply with a provision of this Zoning Ordinance. An application fee is required to compensate the Borough for legal advertisements and other costs. See Section 27-1311, which includes the standards that must be met under State law in order to be granted a variance. Generally, under the PA. Municipalities Planning Code, variances are not permitted unless an applicant proves a legal “Hardship”.
- Generally, if one or more new lots will be created, or existing lot lines will be altered, or one or more new principal nonresidential buildings are proposed, then the requirements and approval procedures of the County’s Subdivision and Land Development Ordinance (SALDO) will also apply.
- For Stormwater Management, see the separate County ordinance.
- If there will be disturbance of the ground, it will be necessary to use certain measures to control soil erosion. In such case, contact the County Conservation District.

Any questions concerning the Zoning Ordinance should be directed to the Zoning Officer. The Zoning Officer also administers applications for zoning permits.

A separate Construction Official handles applications for building and other construction permits.

This Ordinance Was Prepared Under the Direction of the Following Borough of Myerstown Officials

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ZONING

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