

Adopting Plain Language in Zoning

An Interactive Exploration of the Benefits and Challenges
PA Chapter of APA Annual Conference 10-16-2023



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<https://thenounproject.com/icon/group-1734115/>

Who's in the
Room?

Let's Talk Language

How can plain language be applied in zoning?

Let's try some examples

What are the challenges with using plain language?

Q&A

What is Plain Language?

“You achieve plain English when you use the simplest, most straightforward way of expressing an idea.”

Bryan A. Garner

Legal Writing in Plain English

Why use Plain Language?

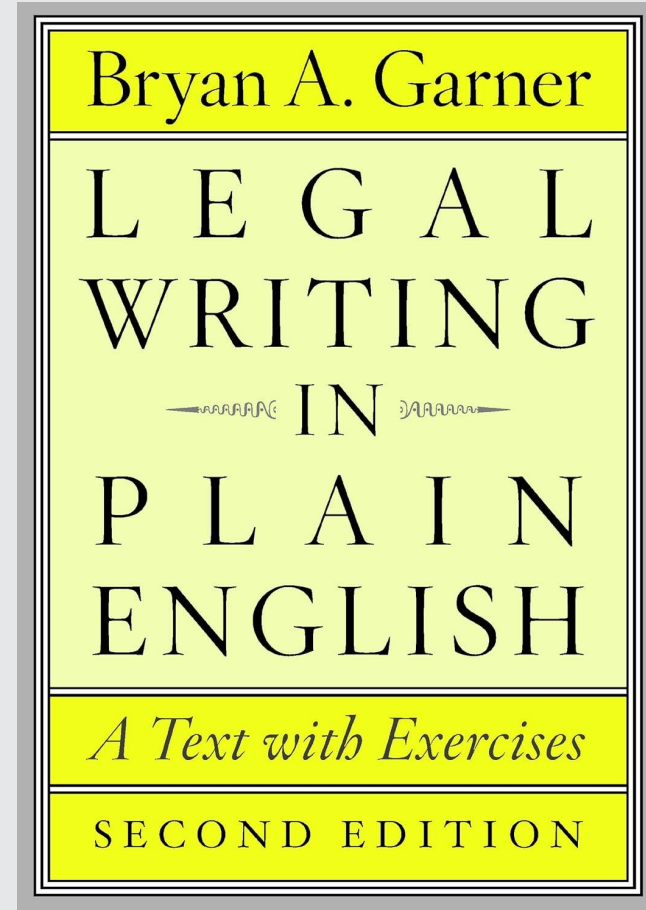
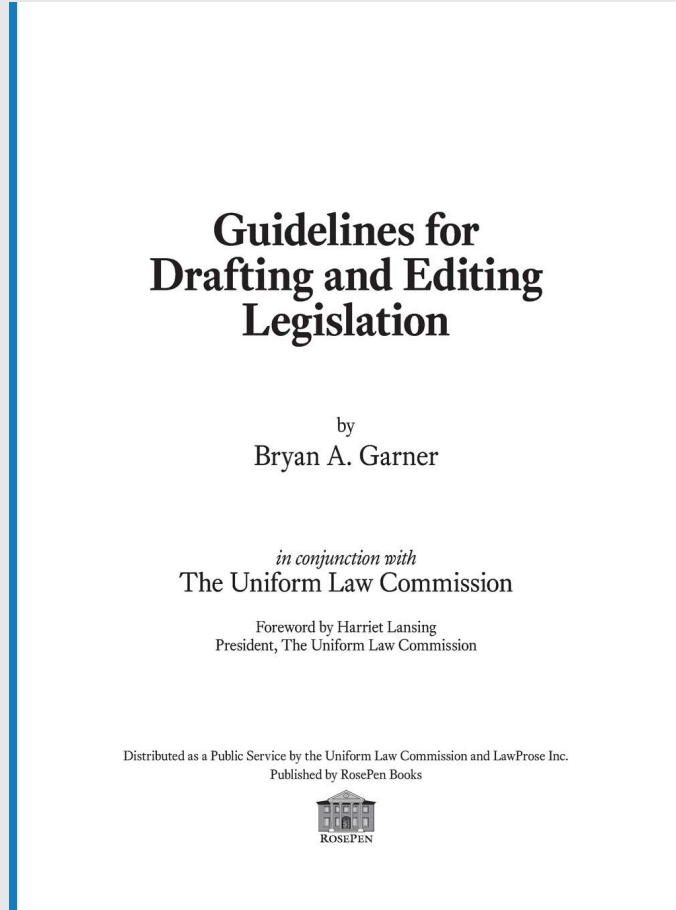
Easier to read



Easier for staff to administer

Easier for applicants to comply

Resources



How to apply Plain Language

“Shall”

“It is perhaps the most widely litigated word in the law — with wildly varying results in its multifarious interpretations. Legal drafters are therefore often advised to avoid it altogether.”

The Chicago Manual of Style 17th Edition

Dropping “Shall”

Existing

“The following Use regulations
shall apply”

Revised

“The following Use regulations
apply”

Replacing “Shall”

Existing

“Boundaries indicated as approximately following City limits *shall* be construed as following City limits.”

Revised

“Boundaries indicated as approximately following City limits *must* be construed as following City limits.”

Alt.

“Boundaries indicated as approximately following City limits *are to* be construed as following City limits.”

Replacing “Shall”

Existing

“Only *one (1)* single-family detached Dwelling *shall be* permitted for each legally subdivided Building Lot.”

Revised

“Only *1* single-family detached Dwelling *is* permitted for each legally subdivided Building Lot.”

Rewriting “Shall”

Existing

“The Farmers Market *shall allow as* vendors predominantly local farmers, farmers’ cooperative and producers”

Revised

“The Farmers Market vendors *are* predominantly local farmers, farmers’ cooperative and producers”

Let's Try Some Examples

“Shall”

Existing

“Landscaped areas *shall be*
irrigated”

Revised

“Landscaped areas *must be*
irrigated”

“Shall”

Existing

“The following screening standards *shall* apply”

Revised

“The following screening standards *apply*”

“Shall”

Existing

“Renewal *shall* require formal action”

Revised

“Formal action *is required* for renewal”

Alt.

“Renewal *requires* formal action”

“And/or”

“With experience you’ll find that you don’t need *and/or*. But more than that, you’ll find that *and/or* can be positively dangerous.”

Legal Writing in Plain English

Replacing “And/or”

Existing

“provided that the finished side faces adjacent property *and/or* public rights-of-way”

Revised

“provided that the finished side faces adjacent property *or* public rights-of-way”

Replacing “And/or”

Existing

“equipment shall be screened so as not to be visible and to buffer sound to abutting properties using landscaping *and/or* fencing”

Revised

“equipment must be screened from view and to buffer sound to abutting properties using landscaping, fencing, *or both*”

Let's Try Some Examples

“And/or”

Existing

“Provide letters of commitment for any subsidies *and/or* financing secured”

Revised

“Provide letters of commitment for any subsidies *or* financing secured”

“And/or”

Existing

“The keeping or raising of horses *and/or* ponies”

Revised

“The keeping or raising of horses *or* ponies”

Alt.

“The keeping or raising of horses, ponies, *or both*”

Challenges

Challenges

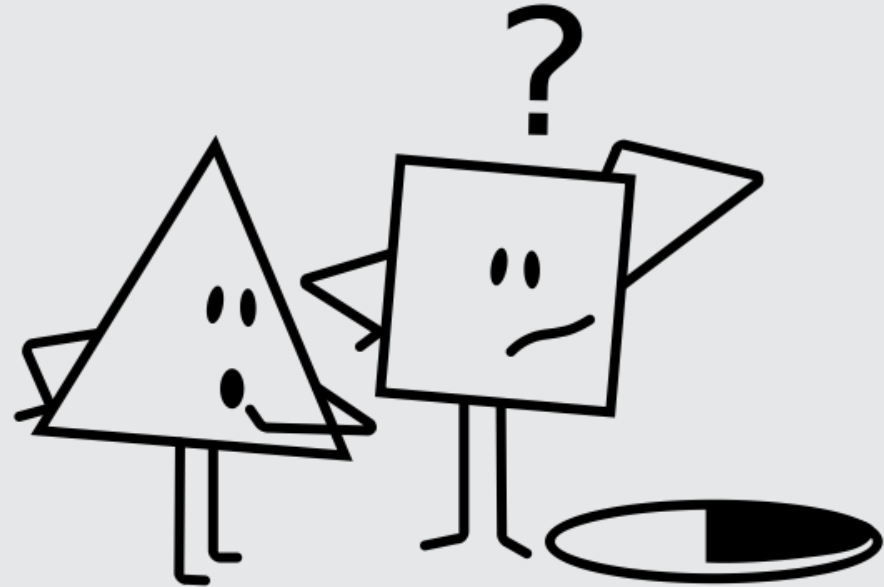
Time Management



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Challenges

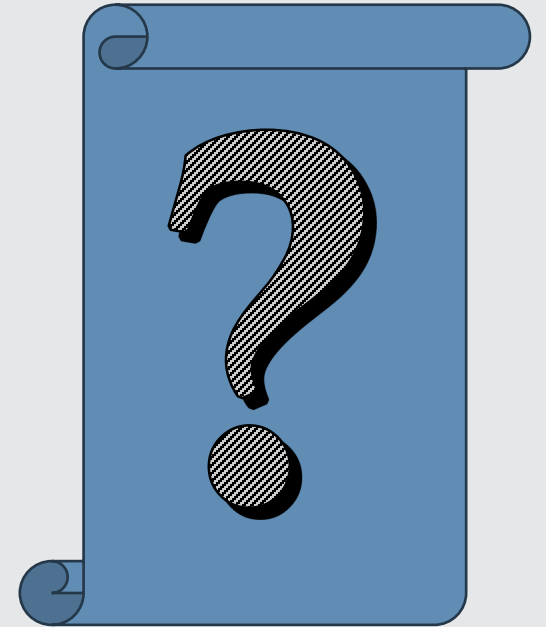
No One-Size-Fits All
Solution



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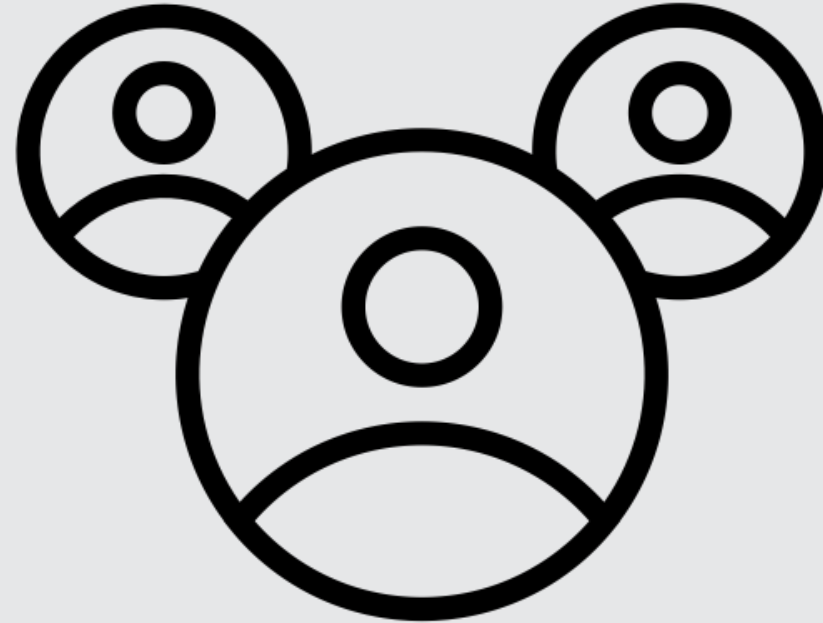
Challenges

Interpretation



Challenges

Multiple Writers



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Sources

- Economy Borough Zoning Code
- Pittsburgh Zoning Code
- Susquehanna Township pending Zoning Code
- Town of McCandless Zoning Code



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Q&A