



**Collier Township
Draft Zoning Ordinance
August, 2026**

CHAPTER 27

ZONING

Part 1: BASIC PROVISIONS	9
§ 27-101. Title.	9
§ 27-102. When Effective.	9
§ 27-103. Authority.	9
§ 27-104. Interpretation.	9
§ 27-105. Community Development Objectives.	9
§ 27-106. Compliance Required.	10
§ 27-107. Severability.	10
Part 2: DEFINITIONS	11
§ 27-201. General Interpretations.	11
§ 27-202. Particular Meanings.	11
Part 3: DISTRICT REGULATIONS	43
§ 27-301. Zoning District Map.	43
§ 27-302. Zoning Districts.	43
§ 27-303. District Boundaries.	44
§ 27-304. General District Regulations.	45
Part 4: S-C SPECIAL CONSERVATION DISTRICT	46
§ 27-401. Purpose.	46
§ 27-402. Authorized Uses.	46
§ 27-403. Area and Bulk Regulations.	48
§ 27-404. Parking and Loading.	50
§ 27-405. Signs.	50
§ 27-406. Buffer Areas and Landscaping.	50
§ 27-407. Storage.	50

Part 5: R-1 RURAL RESIDENTIAL DISTRICT	51
§ 27-501. Purpose.	51
§ 27-502. Authorized Uses.	51
§ 27-503. Area and Bulk Regulations.	53
§ 27-504. Parking and Loading.	55
§ 27-505. Signs.	55
§ 27-506. Buffer Areas and Landscaping.	55
§ 27-507. Storage.	55
Part 6: R-2 SUBURBAN RESIDENTIAL DISTRICT	56
§ 27-601. Purpose.	56
§ 27-602. Authorized Uses.	56
§ 27-603. Area and Bulk Regulations.	58
§ 27-604. Parking and Loading.	59
§ 27-605. Signs.	59
§ 27-606. Buffer Areas and Landscaping.	59
§ 27-607. Storage.	59
Part 7: R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT	60
§ 27-701. Purpose.	60
§ 27-702. Authorized Uses.	60
§ 27-703. Area and Bulk Regulations.	62
§ 27-704. Parking and Loading.	64
§ 27-705. Signs.	64
§ 27-706. Buffer Areas and Landscaping.	64
§ 27-707. Storage.	64

Part 8: R-3A VILLAGE CENTER RESIDENTIAL DISTRICT	65
§ 27-801. Purpose.	65
§ 27-802. Authorized Uses.	65
§ 27-803. Area and Bulk Regulations.	67
§ 27-804. Parking and Loading.	69
§ 27-805. Signs.	69
§ 27-806. Buffer Areas and Landscaping.	69
§ 27-807. Storage.	70
§ 27-808. Design Standards.	70
Part 9: R-4 PLANNED RESIDENTIAL COMMUNITY DISTRICT	72
§ 27-901. Purpose.	72
§ 27-902. Authorized Uses.	72
§ 27-903. Area and Bulk Regulations.	73
§ 27-904. Parking and Loading.	76
§ 27-905. Signs.	76
§ 27-906. Buffer Areas and Landscaping.	76
§ 27-907. Storage.	76
§ 27-908. Planned Residential Development Regulations.	76
Part 10: R-5 MEDIUM DENSITY RESIDENTIAL CONSERVATION COMMUNITY DISTRICT	77
§ 27-1001. Purpose.	77
§ 27-1002. Authorized Uses.	77
§ 27-1003. Area and Bulk Regulations.	79
§ 27-1004. Parking and Loading.	81
§ 27-1005. Signs.	81
§ 27-1006. Buffer Areas and Landscaping.	81
§ 27-1007. Storage.	81
§ 27-1008. Design Standards.	81

Part 11: B-1 PLANNED SHOPPING CENTER DISTRICT	83
§ 27-1101. Purpose.	83
§ 27-1102. Authorized Uses.	83
§ 27-1103. Area and Bulk Regulations.	86
§ 27-1104. Parking and Loading.	88
§ 27-1105. Signs.	88
§ 27-1106. Buffer Areas and Landscaping.	88
§ 27-1107. Storage.	88
Part 12: B-1A HIGHWAY INTERCHANGE DISTRICT	89
§ 27-1201. Purpose.	89
§ 27-1202. Authorized Uses.	92
§ 27-1203. Area and Bulk Regulations.	94
§ 27-1204. Parking and Loading.	94
§ 27-1205. Signs.	94
§ 27-1206. Buffer Areas and Landscaping.	94
§ 27-1207. Storage.	94
Part 13: B-2 HIGHWAY COMMERCIAL DISTRICT	95
§ 27-1301. Purpose.	95
§ 27-1302. Authorized Uses.	95
§ 27-1303. Area and Bulk Regulations.	98
§ 27-1304. Parking and Loading.	100
§ 27-1305. Signs.	100
§ 27-1306. Buffer Areas and Landscaping.	100
§ 27-1307. Storage.	100
Part 14: B-3 SPECIAL COMMERCIAL DISTRICT	101
§ 27-1401. Purpose.	101
§ 27-1402. Authorized Uses.	101
§ 27-1403. Area and Bulk Regulations.	103
§ 27-1404. Parking and Loading.	104
§ 27-1405. Signs.	104
§ 27-1406. Buffer Areas and Landscaping.	104

Part 15: PEDD PLANNED ECONOMIC DEVELOPMENT DISTRICT	105
§ 27-1501. Purpose.	105
§ 27-1502. Authorized Uses.	105
§ 27-1503. Area and Bulk Regulations.	108
§ 27-1504. Parking and Loading.	110
§ 27-1505. Signs.	110
§ 27-1506. Buffer Areas and Landscaping.	110
§ 27-1507. Storage.	110
§ 27-1508. Authorized Nonresidential Uses in PEDD.	110
Part 16: I-1 INDUSTRIAL DISTRICT	112
§ 27-1601. Purpose.	112
§ 27-1602. Authorized Uses.	112
§ 27-1603. Area and Bulk Regulations.	115
§ 27-1604. Parking and Loading.	116
§ 27-1605. Signs.	116
§ 27-1606. Buffer Areas and Landscaping.	116
§ 27-1607. Storage.	116
Part 17: PLANNED RESIDENTIAL DEVELOPMENT	117
§ 27-1701. Purpose.	117
§ 27-1702. Applicability and Relationship to Other Ordinances.	117
§ 27-1703. Site Area, Ownership, Use and Density Requirements.	117
§ 27-1704. Access and Availability of Public Services.	121
§ 27-1705. Common Open Space.	121
§ 27-1706. Buffer Areas.	123
§ 27-1707. Administration and Procedure.	123
§ 27-1708. Criteria for Tentative Approval.	128
§ 27-1709. Application for Final Approval.	129

Part 18: CONDITIONAL USES, SPECIAL EXCEPTIONS, EXPRESS STANDARDS & CRITERIA	134
§ 27-1801. Applicability.	134
§ 27-1802. Procedure for Approval.	137
§ 27-1803. General Standards.	138
§ 27-1804. Standards for Conditional Uses Contingent Upon Highway Interchange.	138
§ 27-1805. Standards for Comparable Uses not Specifically Listed.	139
§ 27-1806. Standards for Specific Uses.	140
Part 19: SUPPLEMENTAL REGULATIONS	231
§ 27-1901. Applicability.	231
§ 27-1902. Performance Standards.	231
§ 27-1903. Buffer Areas and Landscaping.	234
§ 27-1904. Special Yard Requirements.	241
§ 27-1905. Permitted Projections into Required Yards.	244
§ 27-1906. Height Exceptions.	245
§ 27-1907. Drive-Through Facilities.	245
§ 27-1908. Temporary Construction Trailers, Model Homes or Sales Offices.	245
§ 27-1909. Agriculture.	247
§ 27-1910. Storage.	249
§ 27-1911. Timber Harvesting Controls.	250
§ 27-1912. Airport Zoning.	257
Part 20: OFF-STREET PARKING AND LOADING	259
§ 27-2001. Applicability.	259
§ 27-2002. Off-Street Parking Design.	260
§ 27-2003. Off-Street Parking Requirements.	267
§ 27-2004. Off-Street Loading.	272

Part 21: SIGNS	274
§ 27-2101. Applicability.	274
§ 27-2102. Types and Classes.	275
§ 27-2103. General Regulations.	278
§ 27-2104. Signs Authorized in all Zoning Districts.	280
§ 27-2105. Signs Authorized in Residential and S-C Zoning Districts.	283
§ 27-2106. Signs Authorized in the R-3-A District.	284
§ 27-2107. Signs Authorized in Commercial and Industrial Districts.	286
§ 27-2108. Signs Authorized in the Planned Economic Development District.	292
§ 27-2109. Billboards.	296
§ 27-2110. Digital Signs and Electronically Changing Message Signs.	301
Part 22: NONCONFORMING USES, STRUCTURES AND LOTS	304
§ 27-2201. Applicability.	304
§ 27-2202. Nonconforming Uses.	304
§ 27-2203. Nonconforming Structures.	306
§ 27-2204. Nonconforming Lots.	307
§ 27-2205. Registration of Nonconformity.	307
Part 23: ZONING HEARING BOARD	308
§ 27-2301. Membership.	308
§ 27-2302. Alternate Members.	308
§ 27-2303. Removal of Members.	309
§ 27-2304. Organization of the Board.	309
§ 27-2305. Jurisdiction of the Board.	310
§ 27-2306. Variances.	311
§ 27-2307. Uses by Special Exception.	311
§ 27-2308. Notice and Conduct of Hearings.	313
§ 27-2309. Failure to Render a Decision.	313
§ 27-2310. Mediation.	313
§ 27-2311. Fees and Expenditures.	314
§ 27-2312. Time Limitations.	315
§ 27-2313. Stay of Proceedings.	315

Part 24: ADMINISTRATION AND ENFORCEMENT	317
§ 27-2401. Zoning Officer Powers and Duties.	317
§ 27-2402. Enforcement.	318
§ 27-2403. Coordination with Other Township Requirements and Permits and State and Federal Requirements and Permits.	320
§ 27-2404. Zoning Approval Required.	322
§ 27-2405. Building Permit Requirements.	324
§ 27-2406. Certificate of Occupancy.	325
§ 27-2407. Temporary Use Permit.	326
§ 27-2408. Sign Permit.	328
§ 27-2409. Procedure for Amendments.	330
§ 27-2410. Fees.	331
§ 27-2411. Landowner Curative Amendments.	332
§ 27-2412. Municipal Curative Amendments.	333
Part 25: SITE PLAN REVIEW	335
§ 27-2501. Applicability.	335
§ 27-2502. Site Plan Specifications.	335
§ 27-2503. Site Plan Content.	335
§ 27-2504. Site Plan Review Process.	336
APPENDIX	338
Zoning Map	339

PART 1 BASIC PROVISIONS

§ 27-101 Title.

The official title of this chapter is "Collier Township Zoning Ordinance of 2026."

§ 27-102 When Effective.

This chapter shall take effect immediately upon adoption by the Board of Commissioners.

§ 27-103 Authority.

This chapter is adopted by virtue of the authority granted to the Township by the Commonwealth of Pennsylvania in the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988 (53 P.S. § 10101 et seq., as may be amended from time to time).

§ 27-104 Interpretation.

- 104.1 In the event of conflicts between the provisions of this chapter and any other ordinance or regulation, the more-restrictive provisions shall apply.
- 104.2 In their interpretation and application, the provisions of this chapter shall be considered minimum requirements adopted for the promotion of the health, safety and general welfare of the public.
- 104.3 Where the meaning of language in this chapter is uncertain, such language shall be interpreted to give effect to the legislative intent of the Board of Commissioners and to advance the public health, safety, and general welfare.
- 104.4 Terms not defined herein shall be interpreted according to customary usage, professional planning practice, and applicable case law.

§ 27-105 Community Development Objectives.

- 105.1 Community development objectives are set forth in the Collier Township Comprehensive Plan Update adopted by the Board of Commissioners in December of 2024. In addition to the specific objectives stated in the 2024 Comprehensive Plan Update, the general community development objectives on which this chapter is based are:
 - A. To promote the interest of public health, safety, morals and the general welfare;
 - B. To secure safety from fire and to provide adequate open spaces for light and air;
 - C. To conserve and stabilize property values;
 - D. To preserve woodlands, open space, recreational, agricultural and environmentally sensitive lands from conflict with urban development;

- E. To facilitate the economic provision of adequate transportation, water, sewage, schools, parks and other public requirements;
- F. To prevent the overcrowding of land, blight, danger and congestion in travel and transportation, and loss of health, life or property from fire, flood, panic or other dangers;
- G. To promote stormwater management and soil and water conservation;
- H. To set forth population density controls;
- I. To promote coordinated and practical community development; and
- J. To promote the utilization of renewable energy sources.
- K. Support a variety of different housing options.
- L. Promote walkable and connected neighborhoods.

§ 27-106 Compliance Required.

No structure shall be located, erected, constructed, reconstructed, moved, altered, converted or enlarged, nor shall any structure or land be used or designed to be used, except in full compliance with all the provisions of this chapter and after the lawful issuance of all permits and certificates required by this chapter.

§ 27-107 Severability.

If any of the provisions of this chapter or the application of any provision to particular circumstances is held to be invalid, the remainder of this chapter or the application of such provision to other circumstances shall not be affected.

PART 2 DEFINITIONS

§ 27-201 General Interpretations.

All words used in this chapter shall carry their customary dictionary definitions as provided in the most- recent edition of Webster's Collegiate Dictionary, except where specifically defined herein. Words used in the present tense shall include the future. The singular number shall include the plural; and the plural, the singular. The word "shall" is always mandatory and not permissive; the word "may" is permissive. The words "used" or "occupied," as applied to any land or structures, shall be construed to include the words "intended, arranged or designed to be used or occupied." The word "person" shall include the individual, corporation, partnership, incorporated association or any other entity. The word "lot" includes the word "plot" or "parcel." Words in the masculine gender shall include the feminine gender. The words "includes" and "including" shall not limit the defined term to specific examples but are intended to extend the term's meaning to other instances of like kind and character.

§ 27-202 Particular Meanings.

The following words and phrases shall have the particular meanings specified for the purpose of interpreting this chapter:

ABANDONMENT — To cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining or otherwise improving or rearranging a facility or during normal periods of vacation or seasonal closure.

ACCESS — A means of providing vehicular or pedestrian entrance to a property.

ACCESSORY USE OR STRUCTURE — A use or structure, located on the same lot with the principal use or structure, that is subordinate and incidental to the principal use or structure of the property.

ADULT ENTERTAINMENT - The definition for this term and for all uses included under this term shall apply as are provided in Title 68, Part II, Subpart E, Chapter 55, Section 5502 of the Pennsylvania Consolidated Statutes, as amended. Such definitions in Pennsylvania Statues are hereby included by reference, including but not limited to, the definitions for “Adult Bookstore,” “Adult Entertainment,” “Adult Mini Motion Picture Theater,” “Adult Motion Picture Theater,” “Sexual Activities,” “Specified Anatomical Areas,” and “Specified Sexual Activities.”

AIRPORT ELEVATION — The highest point of an airport's usable landing area, measured in feet above sea level. The airport elevation of the Pittsburgh International Airport is 1,204 feet above mean sea level. The elevation of the Allegheny County Airport is 1,250 feet above mean sea level.

AIRPORT HAZARD — Any structure or object, natural or man-made, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined in 14 CFR Part 77 and 74 Pa.C.S.A. § 5102.

AIRPORT HAZARD AREA — Any area of land or water upon which an airport hazard might be established if not prevented as provided for in this section and Act 164 of 1984 (Pennsylvania Laws Relating to Aviation).

AGRICULTURE — An enterprise that is actively and continuously engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, apicultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged in by farmers or are consistent with technological development within the agricultural industry.

AGRICULTURAL SALES - A use involving the direct sale of agricultural products, livestock, or horticultural goods that are raised, grown, or produced on-site, or that are predominantly (at least 50%) sourced from local or regional farms. Typical activities may include roadside stands, farm markets, nurseries, or seasonal produce sales. Limited sale of value-added products (such as baked goods, jams, cider, or crafts) that are accessory to the principal agricultural operation may also be included. Agricultural Sales does not include large-scale wholesale distribution facilities, auction houses, or agribusiness processing plants, which are regulated separately.

AISLE — A paved area of a minimum width specified by this chapter that provides direct access to one or two rows of parking spaces and connects those parking spaces with the driveways that provide circulation through a parking area.

AMENDMENT — A change to the text of this chapter or to the Zoning District Map adopted in accordance with applicable procedures.

ANIMAL HOSPITAL — An establishment for the medical or surgical treatment of animals, including the boarding of hospitalized animals.

APPROACH SURFACE (ZONE) — An imaginary surface longitudinally centered on the extended runway center line and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of the runway based on the planned approach. The inner edge of the approach surface is the same width as the primary surface and expands uniformly depending on the planned approach.

ARTERIAL STREET — A public street which serves large volumes of high-speed and long-distance traffic. Streets classified as arterial in the Township for the purposes of interpreting this chapter are: Interstate 79, Penn-Lincoln Parkway (U.S. 22-30) and PA Route 50.

ASSEMBLY HALL — An establishment, room, hall, building, or other structure whether permanent or temporary, rented by individuals and/or groups to be used for, or as part of, private functions, lectures, meetings, gatherings, banquets, weddings and similar celebrations or events.

AUTO AUCTION — A business that deals primarily in wholesale sales of automobiles and light-duty trucks to dealers, but that may include sales to the general public secondary to the wholesale sales and that may include occasional sales featuring heavy equipment.

BAR OR TAVERN OR BREWPUB — An establishment where alcoholic beverages are prepared and sold for on-site consumption, which may also include food service, entertainment, or the on-site production of beer or similar beverages which produces less than 2,000 barrels of malt beverages per year.

BASEMENT — That portion of the foundation of a building between the floor of the foundation and the floor of the first story of the building, having a portion of its height below grade but at least 1/2 of its height above the average grade of the adjoining ground.

BED-AND-BREAKFAST — A dwelling which is the principal residence of the operator, where no more than four sleeping rooms are offered to transient overnight guests for compensation and where the only meal served and included with the overnight accommodations is breakfast.

BILLBOARD — Any off-premises sign with a changeable or permanent advertising face which advertises an establishment, person, activity, product or service which is unrelated to or not available on the premises on which the sign is located.

BOARDING STABLE — The keeping of horses and ponies owned by persons other than the owner of the stable, or the rental of horses owned by the owner of the stable for a fee or other form of compensation, which may include training of horses, riding lessons and riding facilities.

BOARD OF COMMISSIONERS — The Board of Commissioners of the Township of Collier, Allegheny County, Pennsylvania.

BUFFER AREA — A landscaped area of a certain depth specified by this chapter, which shall be planted and maintained in trees, grass, ground cover, shrubs, bushes or other natural landscaping material and shall consist of a mix of types and sizes of plant material which, within three years of planting, meets the standard of providing a compact year-round visual screen at least six feet in height or an existing natural barrier, such as vegetation and/or topography, which duplicates the effect of the required buffer area, provided the natural barrier is maintained with vegetation or landscaping at all times.

BUILDING — A roofed structure, whether or not enclosed by walls, to be used for shelter, enclosure or protection of persons, goods, materials, animals, things or an area of land. (See also "completely enclosed building.")

BUILDING HEIGHT — The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof for flat roofs, to the decklines of mansard roofs, and to the mean height between eaves and ridge for pitched (gable, hip or gambrel) roofs.

BUILDING LINE, FRONT — A line parallel to or concentric with the front lot line, the minimum measurement of which is the front yard depth required by this chapter.

BUILDING SPACING — The minimum distance between two buildings on the same lot, measured from the outermost wall or projection, excluding bay windows, chimneys, flues, columns, ornamental features, cornices and gutters that project beyond the wall of the building no more than two feet.

BUSINESS OR PROFESSIONAL OFFICE — Any office of recognized professions, other than medical, such as lawyers, architects, engineers, real estate brokers, insurance agents and others who, through training, are qualified to perform services of a professional nature and other offices used primarily for accounting, corresponding, research, editing or other administrative functions, but not including banks or other financial institutions. For purposes of this chapter, a "minor business or professional office" shall be one that has a gross floor area of less than 10,000 square feet, and a "major business or professional office" shall be one that has a gross floor area of 10,000 square feet or more.

BUSINESS SERVICES — Establishments engaged in providing services to business offices on a fee or contract basis, including, but not limited to, advertising and public relations; management and consulting services; employment services; building security and maintenance services; equipment servicing, rental/ leasing and sales; computer and data processing services; mailing, photocopying, quick printing and fax services; sale of office supplies; and similar business services; but not including the rental, sale or repair of vehicles or heavy equipment.

CARPORT — A structure to house or protect motor vehicles, which is open to the weather for at least 40% of the total area of its sides.

CARTWAY — That portion of the street right-of-way that is surfaced for vehicular use, excluding curbs and shoulders.

CAR WASH — A facility, whether automatic, semiautomatic or manual, for washing and polishing vehicles.

CELLAR — That portion of the foundation of a building between the floor of the foundation and the floor of the first story of the building, having 1/2 or more of its height below the average grade of the adjoining ground.

CEMETERY — Property used for interring of dead persons or domestic pets, including mausoleums and columbariums, but not including crematoriums or family plots.

CERTIFICATE OF OCCUPANCY — A document issued by the Zoning Officer indicating that a premises for which a building permit and/or a zoning certificate has been issued is ready for occupancy and is in compliance with the provisions of this chapter and the Township Building Code, if applicable.

CHURCH — A building or buildings, other than a dwelling, used primarily as a place of worship on a regular basis by a religious denomination, which may also include, as accessory uses, rooms for religious education, social and recreational activities and administrative offices, rectories, parsonages, convents, preschool programs and elderly or child day-care centers.

CLEAR SIGHT TRIANGLE — A triangular area of unobstructed vision at the intersection of two streets or of a driveway and a street, defined by line of sight a given distance from the intersection of the center lines of two streets or the center lines of the driveway and the street. (See illustration in Appendix A.1)

CLINIC — Any establishment, including mobile diagnostic units, where human patients receive medical, dental, chiropractic, psychological and surgical diagnosis, treatment and counseling under the care of a group of licensed medical doctors and dentists and their supporting staff, where said patients are not provided with board or room or kept overnight on the premises.

COLLECTOR STREET — A public street which, in addition to giving access to abutting lots, intercepts local streets and provides a route for carrying considerable volumes of local traffic to community facilities and arterial roads. Streets classified as collector roads in the Township for the purposes of interpreting this chapter are: Baldwin Road, Boyd's Run Road, Ewing Road, Fort Pitt Road, Forsythe Road, Hilltop Road, McMichael Road, Nike Site Road, Noblestown Road, Prestley Road, Ridge Road, Steen Road, Thoms Run Road, Walkers Mill, Vanadium Road and Campbells Run Road.

COMMON OPEN SPACE — A parcel or parcels of land or an area of water, or a combination of land and water, within a development site designed and intended for the use or enjoyment of the occupants or residents of a development, not including streets, parking areas or areas set aside for public facilities.

COMMUNICATIONS ANTENNA — Any structure designed for transmitting or receiving wireless communications of video, voice, data and similar transmissions, including, but not limited to, omnidirectional or whip antennas, directional or panel antennas and satellite or microwave dish antennas, which may be mounted on an existing building, an existing public utility storage or transmission structure or an existing communications tower, excluding transmission and receiving devices licensed by the Federal Communications Commission (FCC) exclusively for private use by citizens.

COMMUNICATIONS EQUIPMENT BUILDING — A manned or unmanned structure which contains the equipment necessary to maintain and operate communications antennas and which covers an area on the ground in excess of 200 square feet.

COMMUNICATIONS EQUIPMENT CABINET — An unmanned structure which contains the equipment necessary to maintain and operate communications antennas and which covers an area on the ground of no more than 200 square feet.

COMMUNICATIONS TOWER — Any structure, whether freestanding or attached to a building, designed to support multiple communications antennas, including monopole, self-supporting and guyed towers and one or more of the following mounts for antennas: rotatable platform, fixed platform, multipoint or side- arm mounts and pipe mounts for microwave dish antennas.

COMPLETELY ENCLOSED BUILDING — A building designed and constructed so that all exterior walls shall be solid from the ground to the roofline, containing no openings except for windows and doors which are designed so that they may be closed and any other small openings required for the ventilation system.

CONDITIONAL USE — A use authorized by this chapter which may be granted only by the Board of Commissioners following review by the Planning Commission and a public hearing subject to express standards and criteria contained in this chapter.

CONICAL SURFACE (ZONE) — An imaginary surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet horizontally to one foot vertically for a horizontal distance of 4,000 feet.

CONSTRUCTION TRAILER, TEMPORARY — A structure designed, used or constructed to provide temporary offices for construction supervision on the site of an approved subdivision or land development during the time that a valid building permit or grading permit is in effect.

CONSULTING FORESTER OR STATE FORESTER — A person employed as a forester by the Commonwealth of Pennsylvania's Department of Conservation and Natural Resources, Bureau of Forestry, or a person listed on said Bureau of Forestry's Register of Consulting Foresters as being a graduate of a forestry school accredited by the Society of American Foresters and employed full-time as a private forestry consultant.

CONTRACTING BUSINESS — The administrative offices of a business that provides landscaping, construction, remodeling, home improvement, land development and related services on a contractual basis and which may include the storage of materials, equipment and vehicles, provided all materials, equipment and vehicles are stored within a completely enclosed building.

CONTRACTOR'S YARD — An establishment which may or may not include administrative offices for a business that provides landscaping, construction, remodeling, home improvement, land development and related services on a contractual basis but which involves the outdoor storage of all or part of the materials, equipment or vehicles used in the business.

CONVENIENCE STORE — A retail store with a gross floor area of 7,500 square feet or less, offering a limited selection of grocery, household and personal items for quick purchase.

CONVENTIONAL GAS WELL — An oil or gas well that consists of a single well on a well site where drilling does not exceed seven consecutive days in any twelve-month period.

CORNER LOT — A lot at the intersection of, and fronting on, two or more street rights-of-way.

CREMATORIUM — A furnace or establishment for the incineration of human or animal corpses.

CUTOFF ANGLE — The angle formed by a line drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source, above which no light is emitted.

DATA CENTER – A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, serves, appliances and other associated components related to digital data operations. The facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the Data Center.

DATA CENTER ACCESSORY USE - Ancillary uses or structures secondary and incidental to a Data Center use, including but not limited to: administrative, logistical, fiber optic, storage, and security buildings or structures; sources of electrical power such as generators used to provide temporary power when the main source of power is interrupted; electrical substations; utility lines; domestic and non-contact cooling water and wastewater treatment facilities; water holding facilities; pump stations; water towers; environmental controls (air conditioning or cooling towers, fire suppression, and related equipment); security features, provided such data center accessory uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a Data Center. The use shall not include energy generation systems used or intended to be used to supply power to the Data Center.

DAY-CARE CENTER — A facility, licensed by the commonwealth, located within a building which is not used as a dwelling unit, for the care, on a regular basis, during part of a twenty-four-hour day, of children under the age of 16 or disabled or elderly persons.

DAY-CARE HOME, FAMILY — A facility, licensed or approved by the commonwealth, as required by the laws of the commonwealth, located within a dwelling in which the operator resides, for the care on a regular basis during part of a twenty-four-hour day of not more than six children under 16 years of age, who are not relatives of the provider, where such use shall be secondary to the use of the dwelling for living purposes and shall meet all applicable requirements for a home occupation

DAY-CARE HOME, GROUP — A facility, licensed or approved by the commonwealth, as required by the laws of the commonwealth, located within a dwelling in which the operator resides, for the care on a regular basis, during part of a twenty-four-hour day, of between seven and 12 children at one time who are not "relatives" of the primary caregiver, under 16 years of age, where such use shall be secondary to the use of the dwelling for living purposes and shall meet all applicable requirements for a home occupation.

DECISION — Final adjudication of any board or other body granted jurisdiction under any land use ordinance or this act to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the court of common pleas of the county and judicial district wherein the municipality lies.

DECK OR PATIO — Any uncovered outdoor living area, without a roof, in excess of 24 square feet, constructed on or above the surface of the ground.

DENSITY, NET RESIDENTIAL — The number of dwelling units in relation to the land area actually in use or proposed to be used for residential purposes, exclusive of public rights-of-way, streets, infrastructure areas (e.g., common parking areas, streets, sidewalks, detention ponds, required common open space, playgrounds, parks, etc.) and environmentally sensitive areas (e.g., wetlands, floodplains, areas of steep slopes, etc.).

DEPARTMENT — Pennsylvania Department of Transportation.

DETERMINATION — The final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the following:

1. The governing body.
2. The Zoning Hearing Board.
3. The planning agency, only if and to the extent the planning agency is charged with final decision on preliminary or final plans under the Subdivision and Land Development Ordinance or planned residential development provisions.

Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

DEVELOPMENT — Any man-made change to an improved or unimproved land or water area, including, but not limited to, construction of buildings or structures or additions thereto, mining, dredging, filling, grading, paving, excavation or drilling operations.

DIRECT VEHICULAR ACCESS — A curb cut on or a private driveway leading directly to a public street right-of-way. In the case of the requirement for direct vehicular access to an arterial or collector street, the point of access shall be onto the arterial or collector street without traversing any other public street right-of-way.

DRIVE-THROUGH FACILITY — Any principal use or accessory use which involves a window, service lane, bay or other facility where customers are provided services either inside or outside their vehicles and where cars may or may not wait in line to access these services, including, but not limited to, "drive-in" or "drive-through" windows at fast-food restaurants, banks or other businesses, exterior automated teller machines (ATMs), quick oil change facilities, car washes and similar automotive services, and other such facilities.

DRIVEWAY — A private vehicular way providing access between a street and a parking area or garage located on a lot.

DWELLING — A building designed exclusively as living quarters for one or more families, including single-family, two-family, triplex, fourplex, modular and multifamily dwellings, group care facilities, personal care boarding homes and transitional dwellings, but not including hotels, motels or boardinghouses.

DWELLING TYPES — The following dwelling types are included in this chapter:

- A. **SINGLE-FAMILY DWELLING** — A detached residential building which is the only principal structure on the lot, designed exclusively for occupancy by one family, as defined herein, and containing one dwelling unit.
- B. **TWO-FAMILY DWELLING** — A residential building which is the only principal structure on the lot, designed exclusively for occupancy by two families living independently of each other, and containing two dwelling units, each with a separate entrance directly to the outside, including double houses and duplexes.
- C. **MULTIFAMILY DWELLING** — A residential building designed exclusively for occupancy by three or more families living independently of each other and containing three or more dwelling units, including townhouses, mid-rise apartments and high-rise apartments.
- D. **MID-RISE APARTMENT** — A multifamily residential building containing no more than four stories.
- E. **HIGH-RISE APARTMENT** — A multifamily residential building containing more than 4 stories but no more than eight stories.
- F. **GROUP CARE FACILITY** — A group living arrangement licensed by the commonwealth that provides room and board and specialized services to permanent residents that exceed the number authorized in the definition of "family" or that fail to meet the criteria for the group living arrangement established in the definition of "family," but not including any short-term or transient residents as regulated by the definition of "transitional dwelling."
- G. **MODULAR DWELLING** — A single-family dwelling which is delivered to its site in at least two sections that are set upon a permanent foundation and the sections

joined together. Such dwellings shall be certified as meeting the minimum standards for manufactured housing in Pennsylvania. Modular dwellings shall be permitted wherever single-family dwellings are allowed, provided they are installed on a permanent foundation and connected to all available utilities.

- H. PERSONAL CARE BOARDING HOME — A dwelling, licensed by the commonwealth, where room and board is provided to more than three permanent residents, who are not relatives of the operator, and who are mobile or semimobile and require specialized services for a period exceeding 24 consecutive hours in such matters as bathing, dressing, diet and medication prescribed for self-administration, but who are not in need of hospitalization or skilled nursing or intermediate nursing care.
- I. TOWNHOUSE — A multifamily residential building, other than a triplex or fourplex, no more than 2 1/2 stories in height, which contains at least three, but no more than five, dwelling units, each of which is separated from the adjoining unit or units by a continuous, unpierced vertical wall extending from the basement to the roof, each unit having independent access directly to the outside and having no other units above or below.
- J. TRANSITIONAL DWELLING — A dwelling unit occupied on a short term basis by persons assigned by a court of law, or referred by a public, semipublic or nonprofit agency, and managed by a public, semipublic or nonprofit agency responsible for the occupants' care, safety, conduct, counseling and supervision for a specified period of time, including alcoholic recovery, shelters for battered persons and their children, maternity homes, community re-entry services following incarceration, prison assignment, house arrest or other court-ordered treatment, and other such short-term supervised assignments.

DWELLING UNIT — Two or more rooms designed for or occupied by one family only and containing sleeping facilities, cooking and food storage facilities, and, in a separate room, a toilet and tub or shower, with hot and cold water supply, all for the exclusive use of the family occupying the dwelling unit.

DWELLING UNIT DENSITY — The number of dwelling units authorized by this chapter per acre of land.

EASEMENT — A right-of-way or other right to use property granted by the property owner to another, such as for access, drainage, utility lines, slope or other purposes.

EDUCATIONAL STUDIO — An establishment that provides training to individuals or groups in specialized recreational activities or avocations, including, but not limited to, dance, gymnastics, martial arts, photography, arts and crafts and similar pursuits.

ELECTRONIC NOTICE — A notice given by a municipality through the internet of the time and place of a public hearing and the particular nature of the matter to be considered at the hearing.

EQUIPMENT STORAGE YARD — An area of land devoted to the storage, whether temporary or permanent, of construction equipment, farm equipment or other heavy equipment or vehicles in excess of 26,000 pounds' GVW.

ESSENTIAL SERVICES — The provision of distribution and collection systems by public utilities, regulated by the Public Utilities Commission (PUC) or any agency, franchisee or authority of Collier Township, of underground or overhead gas, electrical, telephone, steam, or water lines, sewers, fire alarm boxes, traffic signals, hydrants, cable TV (not including towers) and accessories in connection therewith, reasonably necessary to furnish adequate services within Collier Township to the general public.

FAA — Federal Aviation Administration of the United States Department of Transportation.

FAMILY —

- A. One or more persons related by blood, marriage, adoption, or foster care living together as a single housekeeping unit; or
- B. Not more than three unrelated persons living together as a single housekeeping unit; or
- C. A group living arrangement meeting the requirements of federal and state fair housing laws.

FENCE OR WALL — A structure designed for the purpose of enclosing space or separating parcels of land. The term "fence or wall" shall not include retaining walls which are designed and approved in accordance with the Township Grading Ordinance [Chapter 9].

FINANCIAL INSTITUTION — A bank, savings and loan association or similar institution that lends money or is engaged in a finance-related business. For purposes of this chapter, a "minor financial institution" shall be one that has a gross floor area of less than 10,000 square feet, and a "major financial institution" shall be one that has a gross floor area of 10,000 square feet or more.

FIREHOUSES - A building used for housing firefighting and emergency response equipment and personnel. Firehouses may include training facilities, living quarters, dispatch operations, and are typically permitted by right as essential public services.

FLEA MARKET — A building or open area in which stalls or sales areas are set aside and rented or otherwise provided to be used by sellers for the sale of goods to the public at retail, which stalls or sales areas are not owned by the sellers who occupy them and are not subject to long-term leases.

FLOODPLAIN — A relatively flat or low land area adjoining a river, stream or watercourse that is subject to partial or complete inundation; an area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOR AREA, GROSS — The sum of all the horizontal floor areas of a building, measured between exterior faces of walls.

FLOOR AREA, NET — The total floor area of a building designed for tenant occupancy or accessible to the customers, clients or general public, excluding storage areas, equipment rooms and common areas such as halls, corridors, stairwells, elevator shafts, restrooms, interior vehicular parking and loading areas and similar common areas, expressed in square feet and measured from the center line of joint partitions and exteriors of outside walls.

FORESTRY - The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

GARAGE, PRIVATE — An accessory building or a portion of the principal building, not accessible to the general public and designed or used for shelter or storage of private vehicles and personal property of the occupants of the principal building.

GARAGE, PUBLIC — A building, other than a private garage, containing two or more parking spaces accessible to the general public, used for the storage or parking of motor vehicles, or where such vehicles are kept for remuneration, hire or sale, but not including the repair of vehicles or the storage of dismantled or wrecked motor vehicles.

GARBAGE TRANSFER STATION - A facility where municipal solid waste is temporarily deposited, consolidated, and then transferred (usually via tractor-trailer) to a landfill or incinerator.

GARDEN NURSERY — A retail establishment that sells flowers, plants, trees and other natural flora and products which aid their growth and care and which may include a greenhouse or the growing of plant material outside on the lot.

GASOLINE STATION — A structure and surrounding land used for the storage and sale of fuel and lubricants primarily to motor vehicles, and which may or may not include a convenience store.

GOLF COURSE — A recreational facility which has a course, with a minimum of nine regulation-size holes, for playing golf as its principal use and which may have a clubhouse, locker rooms, restaurant, swimming pool, pro shop, facilities for racquet sports, maintenance facilities and similar facilities as accessory uses.

HARVEST AREA — The location on the site where timber harvesting occurs.

HEAVY MANUFACTURING — The mechanical or chemical transformation of raw materials or substances into new products or other raw materials, including refineries for oil, gas or similar products, or any manufacturing process not included in the definition of "light manufacturing" or "high-technology industries."

HEIGHT OF STRUCTURE — The vertical distance measured from the average elevation of the finished grade around the structure to the highest point on the structure.

HIGH-TECHNOLOGY PILOT MANUFACTURING INDUSTRIES — An establishment engaged in the research, testing, assembly, or limited production of advanced products and components, often to evaluate concepts, layouts, processes, materials, and equipment prior to full-scale manufacturing. Such uses exclude any process involving toxic or highly volatile substances and may include, but are not limited to, computer components and accessories; electrical parts and equipment; laboratory apparatus; robotics; optical and precision instruments; surgical, medical, and dental instruments and supplies; timers and timepieces; search, detection, and navigational equipment; musical instruments; photographic equipment and accessories; and similar high-technology products.

HOME OCCUPATION — An accessory use of a service character, conducted entirely within a dwelling by the residents thereof, which use is clearly secondary to the use of the dwelling for living purposes and does not, in any way, change the character of the dwelling.

HORIZONTAL SURFACE (ZONE) — An imaginary plane 150 feet above the established airport elevation that is constructed by swinging arcs of various radii from the center of the end of the primary surface and then connecting the adjacent arc by tangent lines. The radius of each arc is based on the planned approach.

HOSPITAL — An establishment licensed by the commonwealth for the care of human patients suffering from physical or mental illnesses, and which may or may not include facilities for major surgery and which may be publicly or privately operated.

HOTEL - An establishment which offers transient overnight lodging accommodations, including extended stays, to the general public and which also may provide additional supporting services, such as restaurants, meeting rooms, recreation facilities, and living quarters for a resident manager or proprietor.

IMPERVIOUS SURFACE — Surfaces with a coefficient of runoff greater than 0.85, including all buildings, roofed areas, parking areas, driveways, streets, sidewalks and areas paved in concrete and asphalt and any other areas determined by the Township Engineer to be impervious within the meaning of this definition.

IMPERVIOUS SURFACE COVERAGE — The percentage of the total lot area covered by impervious surfaces, as defined herein.

INDOOR ENTERTAINMENT — An establishment operated by a profit-making corporation, partnership or other business entity, located within a completely enclosed

building, as defined by this chapter, for the pursuit of cultural performances and entertainment activities, including, but not limited to, theaters (live and motion picture), arenas, bowling alleys, pool halls, virtual reality and simulation gaming parlors, video arcades, dance halls and similar facilities, but excluding any adult business, as defined herein.

INDOOR STORAGE FACILITY — One or more completely enclosed buildings or a portion thereof that contains various sizes of individual compartmentalized and controlled-access stalls and/or lockers leased to the general public for the dead storage of personal property where the stalls and/or lockers can only be accessed from inside the building or from a common loading dock by means of an interior corridor and where there is no storage of any personal property, including recreational vehicles, as defined herein, outside the completely enclosed building.

JUNKYARD — Any premises devoted wholly or in part to the storage, buying or selling, salvaging, recycling or otherwise handling or dealing in scrap metals, building materials, scrapped or used appliances or other household goods, fixtures, vehicles and vehicle parts, machinery and machinery parts or other forms of discarded materials.

KENNEL — A structure and/or premises where dogs and/or cats are kept, bred, trained or boarded for profit.

LANDING AREA — A designated location on land where the harvested timber, including logs, pulpwood, or firewood, is assembled for transportation off site to processing facilities.

LAND DEVELOPMENT — The improvement of one lot or two or more contiguous lots, tracts or parcels for any purpose involving:

- A. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively; or
- B. A single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
- C. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features; or
- D. A subdivision of land.

LAND DEVELOPMENT PLAN — A plan prepared in accordance with the application requirements of the Township Subdivision and Land Development Ordinance [Chapter 22] for approval of a land development, as defined herein.

LANDFILL — Any site licensed by the Pennsylvania Department of Environmental Protection (PA DEP) for the disposal of solid waste, other than hazardous waste, as defined and regulated by federal statute.

LANDOWNER — The legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LANDSCAPING PLAN — A plan, prepared by a person knowledgeable in the characteristics of plant materials and the proper techniques for installing and maintaining them, including a registered architect or landscape architect or a member of the American Nurserymen's Association, identifying each tree and shrub by size, type and scientific name; the location of each, including a planting diagram; and such other diagrams or reports as are necessary to show the method of planting, staking and mulching, grass seeding specifications and mixtures and existing trees to be preserved, if any.

LANDSLIDE SUSCEPTIBILITY — Areas of moderate to high susceptibility to landsliding produced by the influence of natural and/or man-made

LARGER-THAN-UTILITY RUNWAY — A runway that is constructed for and intended to be used by propeller-driven aircraft of greater than 12,500 pounds' maximum gross weight and jet-powered aircraft. activity.

LIGHT MANUFACTURING — The processing and fabrication of certain materials and products where no process involved will produce noise, vibration, water pollution, fire hazard or noxious emissions which will disturb or endanger neighboring properties. Light manufacturing includes, but is not limited to, the production of the following goods: home appliances, electrical instruments, office machines, precision instruments, electronic devices, timepieces, jewelry, optical goods, musical instruments, novelties, wood products, printed material, lithographic plates, type composition, machine tools, dies and gauges, ceramics, apparel, lightweight nonferrous metal castings, film processing, light sheet metal products, plastic goods, pharmaceutical goods, food products, not including animal slaughtering, curing or rendering of fats, and similar activities.

LOADING SPACE — An area within a principal building or on the same lot with the principal building, designed in accordance with the requirements of this chapter and used for the standing, loading or unloading of tractor-trailer trucks.

LOCAL STREET — Any street in the Township not defined by this chapter as an arterial street or a collector street.

LOT — A designated parcel, tract or area of land established by a plat or otherwise as permitted by law to be used, developed or built upon as a unit.

LOT AREA — The total area within the lot lines, excluding the area within any street right-of-way.

LOT FRONTAGE — That portion of the lot which adjoins the street right-of-way or through which access is provided to a public street. Lot frontage shall be measured as the minimum straight-line distance between the points where each side lot line intersects the front lot line. If the front lot line is curved, frontage shall be measured as the minimum linear distance of the arc that connects the points where the side lot lines intersect the front lot line. In the case of multiple-family dwellings, lot frontage shall be measured for the entire length of the lot containing the dwelling and not for each individual dwelling unit within the multifamily dwelling.

LOT LINE — A line of record bounding a lot which divides one lot from another lot or from a public or private street or other public space.

LOT LINE, FRONT — That lot line which is contiguous with the street center line or the street right-of-way line. In the case of a lot which has no frontage on a street, the front lot line shall be the lot line through which vehicular access is provided, regardless of which way the dwelling faces.

LOT LINE, REAR — That lot line which is generally opposite the front lot line. **LOT LINE, SIDE** — Any lot line which is not a front lot line or rear lot line.

LOT OF RECORD — Any lot which, individually, or as part of a subdivision, has been recorded in the office of the Recorder of Deeds of Allegheny County.

LOT WIDTH — The straight-line distance between the point of intersection of the front building line with the side lot lines.

MAILED NOTICE — A notice, given by a municipality by first-class mail, of the time and place of a public hearing and the particular nature of the matter to be considered at the hearing.

MANUFACTURING — The mechanical or chemical transformation of raw materials or substances into new products or other raw materials, including the assembling of component parts, the manufacturing of products and the blending of materials into finished or semifinished products.

MEDIATION — A voluntary negotiating process in which parties to a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

MEDICAL MARIJUANA — Marijuana authorized for medical use under Pennsylvania law.

MEDICAL MARIJUANA DISPENSARY — Use of the premises by a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, holding a permit, issued by the Commonwealth of Pennsylvania Department of Health, to dispense medical marijuana.

MEDICAL MARIJUANA GROWER/PROCESSOR — The use of the premises by a person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, holding a permit from the Commonwealth of Pennsylvania Department of Health, to grow and/or process medical marijuana, with all growing and processing activity to be conducted indoors.

MEDICAL OFFICES — One or more administrative offices of individual doctors, dentists, chiropractors or other medical practitioners and their supporting staffs, where human patients receive diagnosis, treatment and counseling.

MEMORIAL/HISTORICAL PLAQUE — A commemorative plaque recognized by an agency of the Township, county, commonwealth or federal government or a nonprofit historical or veteran's organization.

MICROBREWERY — An establishment primarily engaged in the production, distribution and/or sale of less than 30,000 barrels per year of specialized craft beer, ale, or other specialized malt beverages for consumption on or off premises and which may offer food or beverages for consumption on the premises.

MINERAL REMOVAL — All or part of the process involved in the extraction and processing of minerals, including mining, drilling, digging, quarrying, batching or mixing. The term "mineral" includes, but is not limited to, anthracite and bituminous coal, lignite, limestone and dolomite, sand, gravel, rock, stone, earth, slag, ore, vermiculite, clay and other mineral resources, excluding mining activities carried out beneath the surface of the earth by means of shafts, tunnels or other underground mine openings. The term "mineral removal" shall include the drilling and operation of oil or gas wells and conventional oil and gas wells, as defined herein. The underground activities and processes used and the migration of gas or oil from a subsurface area to a gas or oil well site at the surface shall not in and of themselves constitute mineral removal and are allowed to occur in all zoning districts.

MINI-WAREHOUSE OR SELF-STORAGE FACILITY — A building or group of buildings in a controlled-access and fenced compound that contains various sizes of individual, compartmentalized and controlled-access stalls and/or lockers leased to the general public for a specified period of time for the dead storage of personal property where the stalls and/or lockers are accessed directly from outside the building or any facility where outside storage areas are proposed for the storage of recreational vehicles, as defined herein.

MIXED-USE DEVELOPMENT — A development containing a mix of residential and nonresidential uses within the same building or on the same site in an integrated design.

MOBILE HOME — A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

MOBILE HOME LOT — A parcel of land in a mobile home park improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

MOBILE/MANUFACTURED HOME PARK — A parcel, or contiguous parcels, of land which has been so designated and improved that it contains two or more mobile home lots for the placement of mobile homes.

MODEL HOME — The temporary use of a dwelling unit in an approved plan that is under construction for the purpose of marketing dwelling units to be constructed.

MOTEL — An establishment providing transient overnight lodging accommodations to the general public, where each guest room has direct access to the exterior via an outdoor walkway, balcony, or corridor, rather than through a central interior hallway. A motel may include limited supporting services such as a small lobby, office, or on-site manager's quarters; however, amenities such as full restaurants, meeting rooms, and extensive recreation facilities are typically minimal or not provided.

MULTI-TENANT LAND USE — Any combination of several multifamily dwellings and/or business establishments in one or more buildings under single ownership or management with common parking facilities, including, but not limited to, a shopping mall, an office building, an apartment complex or a townhouse development with more than one tenant.

NATURAL GAS COMPRESSOR STATION — A facility designed and constructed to compress natural gas that originates from an oil or gas well or collection of such wells operating as a midstream facility for delivery of oil and gas to a transmission pipeline, distribution pipeline, natural gas processing plant, or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.

NATURAL GAS PROCESSING PLANT — A facility used to remove materials such as ethane, butane, and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets, but not including facilities or equipment used primarily to remove water, water vapor, oil or naturally occurring liquids from natural gas.

NATURE AND CONSERVATION FACILITY - A facility or site established for the preservation, study, or public enjoyment of plants, wildlife, and natural resources. Such uses may include arboretums, bird sanctuaries, conservatories, nature centers, nature museums, and similar facilities, which may provide educational programs, exhibits, and passive recreation opportunities.

NEIGHBORHOOD COMMERCIAL USES — A retail store, financial institution, professional or business office or personal service establishment with a gross floor area of 5,000 square feet or less located on an arterial or collector street, providing convenience goods and services for residents of the immediately surrounding area.

NO-IMPACT HOME-BASED BUSINESS — A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

- A. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- B. The business shall employ no employees other than family members residing in the dwelling.
- C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- D. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
- E. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- F. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- G. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
- H. The business may not involve any illegal activity.

NONCONFORMING LOT — Any lot, the area or dimension of which was lawful prior to the adoption or amendment of this chapter, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption or amendment.

NONCONFORMING SIGN — Any sign which was lawfully erected and maintained prior to the adoption or amendment of this chapter, but which fails to conform to all applicable regulations and restrictions of this chapter.

NONCONFORMING STRUCTURE — A structure or part of a structure which does not comply with the applicable area and bulk provisions of this chapter or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this chapter or an amendment thereto, or prior to the application of this chapter or amendment to its location by reason of annexation. Nonconforming signs are included in this definition.

NONCONFORMING USE — A use, whether of land or of a structure, which does not comply with the applicable use provisions in this chapter or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this chapter or an amendment thereto, or prior to the application of this chapter or amendment to its location by reason of annexation.

NURSING HOME — An institution licensed by the commonwealth for the care of human patients requiring skilled nursing or intermediate nursing care, but not including facilities for major surgery or care and treatment of drug or alcohol addiction.

NON-PRECISION-INSTRUMENT RUNWAY — A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area-type navigation equipment, for which a straight-in non-precision-instrument approach procedure has been approved or planned.

OBSTRUCTION — Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth by this section.

OFF STREET PARKING AND LOADING - Areas located outside of public rights-of-way designed to accommodate vehicle parking or the loading/unloading of goods. Subject to minimum space dimensions, landscaping requirements, lighting, and stormwater management standards.

OIL AND GAS WELL — The drilling and operation of oil or gas wells. The oil and gas well use shall be deemed to be located at the wellsite. For the purposes of this chapter, a "wellsite" shall consist of the graded pad and appurtenant area occupied by the facilities, structures and equipment necessary for or incidental to the drilling, production or operation of an oil or gas well at the site, including well site preparation, well site construction, drilling, hydraulic fracturing, site restoration, water and other fluid storage, impoundment and transportation located at the site and used for such activities and installation of associated equipment, the site preparation, construction and installation, maintenance and repair of oil and gas pipelines and associated equipment and other equipment and activities at the site associated with

drilling for, production and transportation of oil and gas, but excluding any structure, facility or use constituting a natural gas compressor station or a natural gas processing plant or any other facility used primarily to refine or process gas or oil.

OPERATOR — The applicant for a conditional use approval for mineral removal and also any "well operator" or "operator," as defined in the Oil and Gas Act.

OUTDOOR HYDRONIC HEATER - A wood-fired heating unit located outside a structure, used to heat water for distribution inside a building. Subject to emissions standards, chimney height, distance from structures and lot lines, and operational restrictions to mitigate smoke and odor.

PARKING AREA — A portion of a lot designated for the parking of motor vehicles in accordance with the requirements of this chapter.

PARKING SPACE — A portion of a garage or parking area designated for the parking of one motor vehicle in accordance with the requirements of this chapter.

PERMITTEE — Any property owner, or individual, partnership, company, firm, association, or corporation representing a property owner, to whom a timber harvesting permit is issued.

PRECISION-INSTRUMENT RUNWAY — A runway having an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document

PERSON — An individual, proprietorship, partnership, corporation, association or other legal entity.

PERSONAL SERVICES — Any enterprise providing services to a person, their apparel or personal effects commonly carried on or about their person, including, but not limited to, shoe repair, tailoring, clothes cleaning, watch repair, beauty shops, barbershops and the like.

PET SERVICES — A business establishment that sells pet food and other pet care products to the general public and that may offer pet grooming and limited veterinary services as accessory uses; or a business establishment that offers services for the bathing and conditioning of domestic pets or the care during part of a twenty-four-hour day of domestic pets as a principal use and which may sell food or other pet care products as an accessory use; provided the uses shall not include an animal hospital specialty veterinary clinic or kennel, as otherwise regulated by this chapter.

PLANNED OFFICE OR RESEARCH PARK — A site under single ownership and control which is developed as a unit for two or more buildings containing professional or business offices and/or research and development establishments in a campus environment utilizing common means of access, parking and loading facilities and uniform signage and may include other shared features.

PLANNED RECREATION COMPLEX — An area of at least 50 contiguous acres on which may be conducted any or all of the following uses or activities:

A. Primary Uses:

- a. The provision of athletic fields or facilities for specified and organized athletic or recreational activities taking place at prescribed sites or fields, including, but not limited to, fields for baseball, soccer, football, lacrosse, courts for tennis, basketball and other court games, and swimming pools for training and competition.
- b. Arenas or other forms of seating for athletic events, including concession and retail operations accessory to the uses of the planned recreation complex; and
- c. Dormitories accessory to the athletic events held within the planned recreation complex.

B. Secondary Uses. Secondary uses may include use of the planned recreation complex facilities for other types of entertainment events, athletic or nonathletic. This definition shall not include racetracks, amusement parks, gambling facilities, nightclubs and/or adult businesses.

PLANNED SHOPPING CENTER — A site under single ownership and control which is developed as a unit for two or more retail businesses in one or more buildings and designed with shared parking, loading and access facilities and uniform signage.

PLANNING COMMISSION — The Planning Commission of Collier Township, Allegheny County, Pennsylvania.

PORCH — A roofed or uncovered accessory structure without enclosing walls with an area of more than 24 square feet that is attached to or part of the principal building and which has direct access to and from the principal building.

PRESCHOOL FACILITY — An establishment which offers private educational services to children who are under the minimum age for education in public schools.

PRIMARY SURFACE (ZONE) — An imaginary surface longitudinally centered on the runway, extending 200 feet beyond the end of paved runways or ending at each end of turf runways. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway center line.

PRINCIPAL BUILDING OR STRUCTURE — The building or structure in which the principal use is conducted.

PRINCIPAL USE — The primary or predominant use to which the property is or may be devoted and to which all other uses on the premises are accessory.

PRINTING ESTABLISHMENT — An establishment engaged in commercial or job printing, including offset printing, engraving, photolithographing, and publishing and binding books, newspapers, pamphlets and other printed materials.

PRIVATE — Owned, operated or controlled by an individual, group of individuals, association or corporation, not for profit, and restricted to members and their guests.

PRIVATE CLUB — Any establishment operated by a private organization for social, recreational, educational, fraternal or sororal purposes, which is open only to members and their guests and not to the general public.

PRIVATE RESIDENTIAL SWIMMING POOLS OR SPORTS COURTS - Outdoor recreational facilities intended for use by the occupants of a single-family dwelling.

PRIVATE STABLE — The keeping of horses, ponies, and/or other large animals for personal use and enjoyment of the residents of the lot, not involving any profit-making activity.

PRIVATE STREET — A street, including the entire private right-of-way, which is privately owned and maintained and which is intended for private, rather than public, use.

PRIVATE USE HELIPAD — A helicopter landing pad licensed by the Pennsylvania Department of Transportation, Bureau of Aviation, and regulated by the Federal Aviation Administration, which is owned by a private entity and restricted to use by helicopters owned by such entity.

PUBLIC — Owned, operated or controlled by a government agency, federal, state, county or local.

PUBLIC BUILDING - Structures owned, leased, or operated by government agencies and used for public administration, service delivery, or civic functions. Includes municipal halls, courthouses, post offices, and other facilities serving the public interest.

PUBLIC HEARING — A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this chapter.

PUBLIC MEETING — A forum held pursuant to notice under 65 Pa.C.S.A. Chapter 7 (relating to open meetings).

PUBLIC NOTICE — Notice published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

PUBLIC PARKING GARAGE — A parking area which is located in a parking structure or parking garage, which is the principal use on the lot and which may be operated by either a public agency or private entity, whether for profit or not, and which is available for use by the general public, usually for a fee.

PUBLIC PARKING LOT — A parking area on the surface of the ground which is the principal use on the lot, which may be operated by either a public agency or private entity, whether for profit or not, and which is available for use by the general public, usually for a fee.

PUBLIC TRANSIT PARK-AND-RIDE FACILITY — A paved surface area parking lot constituting a principal use on a lot, intended for use by transit patrons to park vehicles while using public mass transit.

PUBLIC UTILITY BUILDING OR STRUCTURE — Any administrative building, maintenance building, garage or other structure intended for human occupancy or storage of movable equipment or any part of the essential public utility installation, as defined herein, other than the general transmission distribution system provided by public utilities, regulated by the Public Utilities Commission (PUC) or any agency, franchisee or authority of Collier Township, which is reasonably necessary to furnish adequate services to the general public both within Collier Township and outside the Township, including, but not limited to, long-distance transmission facilities such as electrical power lines or high-pressure natural gas or petroleum lines, switching facilities, substations, treatment plants, reservoirs, water towers, transmission towers and similar facilities.

RECREATIONAL FACILITY — An indoor or outdoor area, structure, improvement, equipment, or amenity designed or intended for active or passive recreational use, including, but not limited to, playgrounds, tot lots, athletic fields and courts, swimming pools, splash pads, trails and pathways, fitness stations, picnic areas and pavilions, community gardens, dog parks, and similar recreational amenities.

RECREATIONAL VEHICLE — A single-axle or multiple-axle structure mounted on wheels or otherwise capable of being made mobile, either with its own motive power or designed to be mounted on or drawn by an automotive vehicle, for the purpose of travel, camping, vacation and recreational use, including, but not limited to: travel trailers, mobile homes, motor homes, tent trailers, boats, boat trailers, pickup campers, horse trailers, snowmobiles, jet skis, wave runners, motorcycles and all-terrain vehicles.

RECREATION, COMMERCIAL — An indoor or outdoor establishment operated by a profit-making corporation, partnership or other business entity for the pursuit of sports and recreational activities, available to the general public for a fee, including, but not limited to, such establishments as miniature golf, golf or batting practice facilities, ice or roller rinks, playing fields, racquet clubs, fitness centers, swimming pools, amusement parks, amphitheaters and similar facilities.

RECREATION, PRIVATE — An enterprise operated by an individual or nonprofit association or corporation, other than a public entity, for the pursuit of sports and recreational activities, which may be advertised to the general public, but the use of which is limited to members and their guests, including, but not limited to, such establishments as country clubs, golf courses, sportsman's club, golf practice facilities, playing fields, tennis or racquet clubs, swimming pools, massages, whirlpool baths, steam rooms, saunas and similar facilities.

RECREATION, PUBLIC — An enterprise owned and operated by a public entity, available to the general public, whether or not an admission fee is charged, including either indoor or outdoor facilities for the pursuit of sports, recreation or leisure activities, including, but not limited to, parks, playgrounds, playing fields, golf courses, golf or batting practice facilities, ice rinks, tennis courts, swimming pools and similar facilities.

RECREATION-RELATED COMMERCIAL USES — Retail stores and services that are directly related to the needs of persons using the recreational facilities on the Panhandle Trail, the Botanical Gardens or the Settlers Cabin Park, including, but not limited to: concession stands, ice cream stores, delicatessens or other food services, bicycle rental, bicycle repair, pro shops, sporting goods rental or sales and similar uses.

RECYCLING CENTER - A facility where recyclable materials (paper, plastics, metals, etc.) are collected, sorted, processed, and sometimes stored for shipment to end users.

REFINERY — A building and equipment for refining or processing oil or gas or similar products.

RENEWABLE ENERGY SYSTEM — An energy system which makes use of recurring natural resources or by-products to produce energy without consuming nonrenewable resources nor causing significant disturbance to natural systems. Renewable energy systems include, but are not limited to: solar and wind energy systems, as well as outdoor hydronic heaters. Such systems are usually independent of the primary utility-supplied energy system but may be connected thereto.

REPAIR SHOP — A service establishment providing maintenance and repairs of personal and household items that can be carried in by hand, including personal effects (such as jewelry, watches, bicycles), small household appliances, office equipment, small gasoline engines and similar items, but not including repair of large appliances, motorized vehicles or heavy equipment.

RESEARCH AND DEVELOPMENT — Any establishment, including laboratories, which carries on investigation in the natural, physical or social sciences, or engineering and development as an extension of such investigation, with the objective of creating end products and which may include supporting storage and transportation facilities.

RESTAURANT — An establishment which offers food and beverages for sale and consumption either on or on and off the premises as the principal use and may serve alcoholic beverages for consumption on the premises as an accessory use.

RETAIL BUSINESS — Any establishment not otherwise specifically defined in this Part that sells on the premises and online commodities and/or services directly to consumers, but not including the manufacturing or processing of any products. For purposes of this chapter, a "minor retail business" shall be one that has a gross floor area of less than 10,000 square feet, and a "major retail business" shall be one that has a gross floor area of 10,000 square feet or more.

RETAIL SALES OF PRODUCTS PRODUCED ON SITE - A commercial activity where goods manufactured or grown on the premises are sold directly to consumers. Examples include artisan goods, baked items, or produce. Retail space must remain ancillary to the primary production use, and on-site signage and customer access are regulated.

RETIREMENT COMMUNITY — A residential development designed primarily or exclusively for occupancy by elderly or retired persons and which features one or more of the following special services associated with the needs of elderly or retired persons, such as transportation, limited nursing facilities, dispensaries, common dining facilities, minimum maintenance, laundry service, recreation programs, personal services (such as beauty and barber shops, or cleaner's valet service), florist and/or gift shop, doctor's offices, branch bank, postal service and similar services or facilities.

RIDING ACADEMY — An establishment where horses are boarded and cared for and where instruction in riding, jumping and showing is offered for a fee and where horses may be hired for riding.

RIGHT-OF-WAY — Land set aside for use as a street, alley or other means of travel, including existing and future rights-of-way, as defined below.

RUNWAY — A defined area of an airport prepared for landing and takeoff of aircraft along its length.

SALES OFFICE — A temporary use for the purpose of marketing the dwelling units in a residential development or the leasable space or other occupancy in a nonresidential development.

SCHOOL, COMMERCIAL — A privately operated, for-profit establishment providing technical or skilled training, vocational or trade educational courses and programs.

SCHOOL, PUBLIC OR PRIVATE — An accredited institution of learning which offers elementary and secondary level instruction or which offers associate, bachelor or higher degrees in the several branches of learning required by the Commonwealth of Pennsylvania.

SEAT — The area required for one individual to sit on as regulated by the Township Building Code.

SIGN — Any structure or device used to attract attention by word or graphic display.

SIGN, SURFACE AREA OF — The area enclosed by one continuous line connecting the extreme points or edges of an advertising panel containing letters; or the sum of the areas of each letter in the case of freestanding letters which are mounted on a building wall rather than painted on or affixed to an advertising panel. In the case of freestanding pole or ground signs, this area shall not include the main supporting sign structure but shall include all other ornamental attachments and connecting features which are not part of the main supports of the sign. In the case of letters which are painted on or affixed to an awning or canopy rather than mounted on a wall or affixed to an advertising panel, the area of the sign shall be the area of the geometric shape formed by outlining the height and width of all of the letters, including the space between the individual letters. For two-sided signs, only one face is counted in computing the surface area.

SIGN TYPES — See definitions for various types of signs in Part 21.

SITE — A tract of land or one or more contiguous lots proposed for development.

SITE AREA — The total area within the boundary lines of a site proposed for development, expressed in acres or square feet.

SKIDDING — The process of dragging trees on the ground, by any means necessary, from the harvest area to the landing area.

SKID TRAIL — The trail, path, temporary roadway, or any other unencumbered route, utilized by the timber harvesting operator to move felled trees from the harvest area to the landing area.

SLASH — The woody debris left on the land after timber harvesting, including logs, chunks, bark, branches, uprooted stumps, and broken or uprooted trees or shrubs.

SLOPE — The degree of rise or descent of the land surface calculated by dividing the number of feet of vertical rise/descent in elevation by the number of feet of horizontal distance, expressed as a percentage.

SOLAR ACCESS — The access of a solar energy system to direct sunlight.

SOLAR EASEMENT — A legal agreement that protects access to sunlight on a property.

SOLAR ENERGY SYSTEM — An energy conversion system, including appurtenances, which converts solar energy to a usable form of energy to meet all or part of the energy or heating requirements of the on-site user, or which is to be sold to a utility company to be used by others, or sold directly to other users. A solar energy system may be ground-mounted (i.e., placed on top of the ground surface) or roof-mounted (i.e., placed on or as an integral part of a building).

- A. **SMALL SOLAR ENERGY SYSTEM** — Solar energy systems installed for personal use in residences, commercial properties and institutions.

B. LARGE SOLAR ENERGY SYSTEM — Solar energy systems installed on large parcels of land for the purpose of generating revenue or utility-scale systems installed to benefit the community or an entire institution.

SPECIALITY VETERINARY CLINIC – An establishment for the medical or surgical treatment of animals that does not include the boarding of hospitalized animals.

SPORTS COURT — A surfaced outdoor area accessory to a dwelling or dwellings, used for playing sports, including, but not limited to, tennis, handball, basketball and similar sports.

STEEP SLOPE — A land area wherein the inclination of the land surface from the horizontal is 15% or greater.

STOOP — A covered or uncovered porch located at a front, side or rear door to a dwelling unit, not exceeding 24 square feet in area.

STORAGE — The placement, keeping, stockpiling, accumulation, or parking of materials, merchandise, equipment, vehicles, machinery, supplies, products, or waste on a lot for more than 72 consecutive hours, whether for sale, use, processing, repair, or disposal.

STORY — That portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, then the space between any floor and the ceiling next above it, excluding cellars.

STREET — A public or private recorded right-of-way which affords primary means of vehicular access to abutting property, but not including alleys.

STREET LINE — The legal right-of-way line which forms the dividing line between the street and the lot.

STREET, PUBLIC — A public right-of-way dedicated and open for public use which has been adopted by the Township, county, commonwealth or governmental body.

STRUCTURAL ALTERATIONS — A change or rearrangement of the structural parts or in the exit facilities, or an enlargement or diminution of the structure, whether by extending on the side or increasing the height or depth, or the moving from one location or position to another.

STRUCTURE — Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVISION — The division of a lot, tract or parcel of land by any means into two or more lots, tracts or parcels or other divisions of land, including any changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels

of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SUPPLY YARD — A commercial establishment engaged in storing and selling building supplies, industrial supplies or feed and grain primarily to businesses, rather than the general public.

SWIMMING POOL — Any body of water or receptacle for water having a depth at any point greater than two feet and a surface area greater than 100 square feet, used or intended to be used for swimming or bathing and constructed, installed or maintained outside any building.

TEMPORARY USE OR STRUCTURE — Any use or structure that is intended to be used either on a seasonal basis, during the time of construction and completion of an approved development, or for any other period of time that is six months or less.

TIMBER HARVESTING/LOGGING OPERATOR — Any individual, partnership, company, firm, association or corporation engaged in timber harvesting, including agents, subcontractors, and employees thereof.

TIMBER HARVESTING OR LOGGING — The cutting down and removal of trees and logs to be converted to any forest product or for sale to others or for other purposes. Timber harvesting shall not include the removal of dead or diseased trees or a homeowner cutting on his own property for his own use.

TOP — The upper portions of a felled tree that are unmarketable because of small size, taper or defect.

TOWNSHIP — The Township of Collier, Allegheny County, Pennsylvania.

TRAFFIC IMPACT ANALYSIS — A study prepared by a qualified traffic engineer, in accordance with the technical requirements specified in the Township Subdivision and Land Development Ordinance [Chapter 22], analyzing the expected trip generation from a proposed development using the Institute of Transportation Engineers (ITE) current standards and the impact of the traffic generated by the proposed development on the capacities and levels of service of all streets and intersections in the vicinity of the site.

TRANSITIONAL SURFACE (ZONE) — An imaginary surface that extends outward and upward from the edge of the primary surface to the horizontal surface at a slope of seven feet horizontally to one foot vertically.

TRUCK AND HEAVY EQUIPMENT RENTAL, SALES AND SERVICE — An establishment engaged in the rental, sale and/or service of vehicles in excess of 26,000 pounds GVW and/or any other heavy equipment, including, but not limited to, construction or farm equipment, whether or not the equipment is classified as a motor vehicle.

TRUCK TERMINAL — A facility to accommodate the fueling, routine maintenance and storage of trucks and other motorized equipment and trailers and which may provide warehousing and transfer facilities, as accessory uses.

UNCONVENTIONAL GAS WELL — An oil or gas well that is drilled into a geologic shale formation below the base of the Elk Sandstone or its geologic equivalent, where natural gas generally cannot be produced except by horizontal or vertical well bores stimulated by hydraulic fracturing.

UTILITY RUNWAY — A runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds' maximum gross weight or less.

USE — The purpose, business or activity for which any land or structure is utilized.

USE BY SPECIAL EXCEPTION — A use authorized by this chapter which may be granted only by the Zoning Hearing Board following a public hearing, subject to express standards and criteria contained in this chapter.

VARIANCE — A departure from the specific regulations of this chapter which may be granted by the Zoning Hearing Board in accordance with the criteria established by the Pennsylvania Municipalities Planning Code (Act 247, as amended) for a particular piece of property which, because of special circumstances applicable to it, cannot be developed in compliance with the literal terms of this chapter without undue physical hardship.

VEHICLE ACCESSORIES SALES AND INSTALLATION — An establishment engaged in the retail sales and installation of accessories for trucks, automobiles and motorcycles, including, but not limited to, such items as tires, hubcaps, mirrors, seat covers, floor mats, tonneau covers, truck caps, windshield wipers, trim packages, running boards and the like, but not including any mechanical parts.

VEHICLE RENTAL, SALES AND SERVICE — The rental, sales and service of automobiles, motorcycles and trucks under 26,000 pounds GVW, but not including any heavy equipment or any other vehicle or equipment which is not classified as a "motor vehicle" under the Pennsylvania Motor Vehicle Code.

VEHICLE REPAIR GARAGE — A structure and surrounding land used for the servicing and repair of motor vehicles, including engine overhaul, body work and recapping/retreading of tires, and where all storage of parts and dismantled vehicles and all repair work are conducted entirely inside a "completely enclosed building," as defined by this chapter.

VEHICLE SERVICE STATION — A structure and surrounding land used for the sale of automotive lubricants, accessories or supplies, the incidental washing of motor vehicles and the performing of minor repairs such as tire, battery, oil servicing, and detailing, and may or may not include a convenience store and/or a gasoline station as an accessory use.

VISUAL RUNWAY — A runway intended solely for the operation of aircraft using visual approach procedures.

WAREHOUSING AND DISTRIBUTION — A building used for the storage and handling of freight or merchandise, but not including the maintenance or fueling of commercial vehicles. Warehousing which is incidental to retail sales and which does not constitute in excess of 30% of the total floor area of the retail establishment shall be excluded from this definition.

WAREHOUSING OF PRODUCTS PRODUCED ON SITE - Storage of goods or materials that are manufactured or assembled on the same premises. Warehousing is limited to supporting the principal use and may not exceed specified floor area ratios. Loading areas must be screened and not interfere with circulation.

WHOLESALE BUSINESS — An establishment engaged in selling merchandise to retailers, institutional, commercial or professional business customers or other wholesalers, rather than to the general public, or acting as a broker for such merchandise sales.

WHOLESALE SALES IN CONJUNCTION WITH RETAIL- The sale of goods in bulk to businesses, institutions, or other resellers, offered alongside direct retail sales to the public. Wholesale activity must remain subordinate to the retail function and may require separate customer access or loading facilities.

WIND ENERGY SYSTEM — Any electric generation facility whose main purpose is to convert and store wind energy into usable forms of energy and that includes the wind turbine(s), structural supports, electrical infrastructure, and other appurtenant structures and facilities.

- A. **SMALL WIND ENERGY SYSTEM** — A small wind energy system consists of a maximum of one wind turbine, installed for personal use in residences, commercial properties and institutions.
- B. **LARGE WIND ENERGY SYSTEM** — Wind energy systems installed on large parcels of land for the purpose of generating revenue or utility-scale systems installed to benefit the community or an entire institution.

WOODLANDS — Areas, groves or stands of mature or largely mature trees which are greater than six inches' caliper (diameter) at a height of 14 inches above the ground which cover a land area greater than 0.25 of an acre; or any grove of more than 10 individual trees which are mature having a caliper (diameter) greater than 12 inches at a height of 14 inches above the ground.

YARD — A required open space located on a lot, which is unobstructed by any portion of a principal structure, other than certain projections expressly permitted by this chapter.

YARD, FRONT — A yard extending between side lot lines across the full lot width from the street right- of-way line to a line parallel to the front lot line known as the "front building line," the minimum horizontal distance required by this chapter.

YARD, REAR — A yard extending across the rear of the lot between the required side yard lines parallel to the rear lot line, the minimum horizontal distance required by this chapter.

YARD, SIDE — A yard extending from the required front building line to the rear lot line parallel to the side lot line, the minimum horizontal distance required by this chapter.

ZONING AMENDMENT — A change to the text of this chapter or to the Zoning District Map proposed for adoption by the Board of Commissioners pursuant to the procedures specified in this chapter.

ZONING CERTIFICATE — A document issued by the Zoning Officer indicating that approval of a conditional use has been granted by the Board of Commissioners, or approval of a use by special exception has been granted by the Zoning Hearing Board, or approval has been granted by the Zoning Officer for a permitted use by right, pursuant to the procedures of this chapter, indicating compliance with all applicable requirements of this chapter, which approval is prerequisite to the issuance of a building permit and/or certificate of occupancy.

ZONING DISTRICT — An area accurately defined as to boundaries and location on the Zoning District Map and within which area only certain types of land uses are permitted and within which other types of land uses are excluded, as set forth in this chapter.

ZONING DISTRICT MAP — The official map delineating the zoning districts of Collier Township, Allegheny County, Pennsylvania, together with all amendments subsequently adopted, which is incorporated in and made a part of this chapter by reference thereto.⁴

ZONING HEARING BOARD — The Zoning Hearing Board of the Township of Collier, Allegheny County, Pennsylvania.

ZONING OFFICER — That person appointed by the Collier Township Board of Commissioners and charged with the responsibility of administering and enforcing this chapter.

PART 3

DISTRICT REGULATIONS

§ 27-301 Zoning District Map.

- 301.1 The Township is hereby divided into zoning districts, as shown on the Official Zoning District Map, which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter.
- 301.2 The Official Zoning District Map shall be identified by the signature of the Chairman of the Board of Commissioners, attested by the Township Secretary and certified by the Township Engineer, and shall bear the seal of the Township under the following words: "This is to certify that this is the Official Zoning District Map referred to in Article III of Ordinance Number 687, as amended, of Collier Township, Allegheny County, Pennsylvania," together with the date of adoption of this chapter.
- 301.3 All amendments affecting district boundaries shall be noted on the Official Zoning District Map by the Township Engineer, including the date of adoption, and shall be attested to by the Township Secretary.
- 301.4 No changes of any nature shall be made in the Official Zoning District Map or matter shown thereon except in conformity with the procedures set forth in this chapter. Any unauthorized change of whatever kind by any person shall be considered a violation of this chapter and punishable as provided under § 27-2402 of this chapter.
- 301.5 The Official Zoning District Map, which shall be located in the Township Municipal Building, shall be the final authority as to the current zoning status of land and water areas, buildings and other structures in the Township.

§ 27-302 Zoning Districts.

- 302.1 The Township is hereby divided into zoning districts, as shown on the Official Zoning District Map, which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter. The zoning districts are:

S-C	Special Conservation District
R-1	Rural Residential District
R-2	Suburban Residential District
R-3	Medium Density Residential District

R-3-A	Village Center District
R-4	Planned Residential Community District
R-5	Medium Density Residential
B-1	Planned Shopping Center District
B-1-A	Highway Interchange District
B-2	Highway Commercial District
B-3	Special Commercial District
PEDD	Planned Economic Development District
I-1	Industrial District

§ 27-303 District Boundaries.

- 303.1 Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning District Map, the following rules shall apply.
- 303.2 District boundaries indicated as appearing to follow the center lines of streets, highways or alleys shall be construed to follow such center lines.
- 303.3 District boundaries indicated as appearing to follow platted lot lines shall be construed as following such lot lines.
- 303.4 District boundaries indicated as appearing to follow municipal boundaries shall be construed as following municipal boundaries.
- 303.5 District boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- 303.6 District boundaries indicated as approximately following the center lines of streams, rivers or other bodies of water shall be construed to follow center lines, and in the event of change in the location of streams, rivers and other bodies of water, shall be construed as moving with the actual body of water and following the center line.

303.7 Distances not specifically indicated on the Official Zoning District Map shall be determined by the scale of the map.

§ 27-304 General District Regulations.

304.1 Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning District Map, the following rules shall apply. In the S-C, R-1, R-2, R-3, R-3-A, R-4 and R-5 Districts, any use not specifically listed as an authorized use in the zoning district shall not be permitted in that zoning district.

304.2 In the B-1, B-1-A, B-2, B-3, PEDD and I-1 Districts, any use not specifically listed in the authorized uses for the zoning district shall not be permitted in that zoning district, unless such use is authorized by the Zoning Hearing Board as a use by special exception in accordance with the applicable express standards and criteria for "comparable uses not specifically listed" specified in § 27-1805 of this chapter.

304.3 In all zoning districts where single-family dwellings or two-family dwellings are an authorized use or are a legally nonconforming use, the single-family dwelling or two-family dwelling shall be the only principal structure on the lot.

304.4 In all zoning districts where authorized by this chapter, two or more multifamily dwellings may occupy the same lot, two or more nonresidential buildings may occupy the same lot, and two or more nonresidential uses may occupy the same building, provided, in all cases, that all applicable requirements for each of the structures or uses can be met on the lot.

304.5 In all zoning districts, all accessory structures shall be located on the same lot with the principal structure to which they are accessory. Any accessory structure shall not be built unless or until the principal structure it serves exists on the lot.

PART 4

S-C SPECIAL CONSERVATION DISTRICT

§ 27-401 Purpose.

The purpose of the S-C Special Conservation District is to preserve natural features, environmentally sensitive lands, and open space resources; to protect key Township and regional recreational facilities; and to permit limited residential, recreational, and related accessory uses that are compatible with conservation objectives.

§ 27-402 Authorized Uses.

In the S-C Special Conservation District, only the following uses are authorized:

402.1 Permitted Uses.

A. Principal Uses:

1. Agriculture, subject to § 27-1909.
2. Single-family dwelling.
3. Arboretum; conservatory.
4. Essential services.
5. Forestry.
6. Public recreation.
7. Private recreation.
8. Nature and conservation facility.

B. Accessory Uses:

1. Agricultural sales, subject to § 27-1909.
2. Fences, subject to § 27-1904.
3. No-impact home-based business.
4. Off-street parking and loading, subject to Part 20.
5. Outdoor hydronic heater, subject to § 27-1806.50.

6. Private garages and storage buildings subject to § 27-1904.
7. Private residential swimming pools or sports courts, subject to § 27-1904.
8. Signs, subject to Part 21.
9. Solar energy system (small), subject to § 27-1806.50.
10. Temporary construction trailer, model home or sales office, subject to § 27-1908.
11. Wind energy system (small), subject to § 27-1806.50.
12. Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this district.

402.2 Conditional Uses.

A. Principal Uses:

1. Assembly hall, subject to § 27-1806.3.
2. Boarding stable or riding academy, subject to § 27-1806.7.
3. Oil and gas wells, subject to § 27-1806.40.
4. Public buildings, subject to § 27-1806.10.
5. Public utility building or structure, subject to § 27-1806.48.
6. Recreation-related commercial uses, subject to § 27-1806.49.
7. Schools (public or private), subject to § 27-1806.10.

B. Accessory Uses:

1. Solar energy system (large), subject to § 27-1806.50.
2. Uses accessory to an approved conditional use, other than fences or signs, subject to § 27-1803.2.

402.3 Uses by Special Exception.

A. Principal Uses:

1. None.

B. Accessory Uses:

1. Home occupation, subject to § 27-1806.25.
2. Family day-care home, subject to § 27-1806.17

§ 27-403 Area and Bulk Regulations.

In the S-C Special Conservation District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 18.

403.1 Minimum Lot Area:

- A. Agriculture: 10 acres.
- B. Single-family dwelling: 100,000 square feet.
- C. Boarding stable or riding academy: 10 acres.
- D. Recreation-related commercial uses: 20,000 square feet.
- E. Regulation golf course; country club: 40 acres.
- F. All other principal uses: one acre.

403.2 Minimum Lot Width:

- A. Single-family dwelling: 200 feet.
- B. All others: 100 feet.

403.3 Minimum Lot Frontage: 50 feet.

403.4 Maximum Impervious Surface Coverage: 15%.

403.5 Minimum Front Yard:

- A. Recreation-related commercial uses: 30 feet.
- B. All other principal uses: 50 feet.

403.6 Minimum Rear Yard:

- A. Recreation-related commercial uses: 30 feet.
- B. All other principal uses: 50 feet.
- C. Accessory structures: See § 27-1904.3 for setbacks applicable to the particular uses specified therein.

403.7 Minimum Side Yard:

- A. Principal structures: 20 feet.
- B. Accessory structures: See § 27-1904.3 for setbacks applicable to the particular uses specified therein.

403.8 Special Yard Requirements: See § 27-1904.

403.9 Permitted Projections into Required Yards: See § 27-1905.

403.10 Maximum Height:

- A. All principal structures: three stories but no more than 35 feet.
- B. All accessory structures: one story but no more than 20 feet.

403.11 Height Exceptions: See § 27-1906.

§ 27-404 Parking and Loading.

See Part 20.

§ 27-405 Signs.

See Part 21

§ 27-406 Buffer Areas and Landscaping.

See § 27-1903.

§ 27-407 Storage.

See § 27-1910.

PART 5

R-1 RURAL RESIDENTIAL DISTRICT

§ 27-501 Purpose.

The purpose of the R-1 Rural Residential District is to protect agricultural uses, preserve natural features and environmental resources, and encourage low-density single-family residential development suited to natural site conditions. The district also permits accessory uses and compatible public and semipublic uses as conditional uses or uses by special exception.

§ 27-502 Authorized Uses.

In the R-1 Rural Residential District, only the following uses are authorized:

502.1 Permitted Uses.

A. Principal Uses:

1. Agriculture, subject to § 27-1909.
2. Single-family dwelling.
3. Essential services.
4. Forestry.
5. Kennel, subject to § 27-1806.29
6. Public recreation.

B. Accessory Uses:

1. Agricultural sales, subject to § 27-1909.
2. Fences, subject to § 27-1904.
3. No-impact home-based business.
4. Off-street parking and loading, subject to Part 20.
5. Outdoor hydronic heater, subject to § 27-1806.50.
6. Private garages and storage buildings, subject to § 27-1904.
7. Private residential swimming pools or sports courts, subject to § 27-1904.
8. Private stable, subject to § 27-1909.

9. Signs, subject to Part 21.
10. Solar energy system (small), subject to § 27-1806.50.
11. Temporary construction trailer, model home or sales office, subject to § 27-1908.
12. Wind energy system (small), subject to § 27-1806.50.
13. Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this district.

502.2 Conditional Uses.

A. Principal Uses:

1. Bed-and-breakfast, subject to § 27-1806.5.
2. Boarding stable or riding academy, subject to § 27-1806.7
3. Cemetery, subject to § 27-1806.9.
4. Churches, subject to § 27-1806.10.
5. Firehouses, subject to § 27-1806.10.
6. Mineral removal, subject to § 27-1806.34 except that oil and gas well is not permitted.
7. Public buildings, subject to § 27-1806.10.
8. Public utility building or structure, subject to § 27-1806.48

B. Accessory Uses:

1. Solar Communications antenna mounted on an existing building or existing public utility storage or transmission structure, subject to § 27-1806.11.
2. Uses accessory to an approved conditional use, other than fences or signs, subject to § 27-1803.2.

502.3 Uses by Special Exception.

A. Principal Uses:

3. Temporary use or structure, other than a construction trailer, model home or sales office, subject to § 27-1806.53

C. Accessory Uses:

1. Family day-care home, subject to § 27-1806.18.
2. Home occupation, subject to § 27-1806.25.
3. Uses accessory to an approved use by special exception, other than fences or signs, subject to § 27-1803.2.

§ 27-503 Area and Bulk Regulations.

In the R-1 Rural Residential District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 18.

503.1 Minimum Lot Area:

- G. Agriculture: 10 acres.
- H. Boarding stable or riding academy: 10 acres.
- I. Private stable: three acres.
- J. Single-family dwelling:
 1. Without public sewers: one acre.
 2. With public sewers: 32,000 square feet.
- K. All other principal uses: one acre.

503.2 Minimum Lot Width:

- A. Single-family dwelling:

1. Without public sewers: 175 feet.
 2. With public sewers: 125 feet.
- C. All other principal uses: 100 feet.

503.3 Impervious Surface Coverage:

- A. Single-family dwelling: 35%.

503.4 Minimum Front Yard:

- A. Principal and accessory structures:

1. Single-family dwelling: 40 feet.

503.5 Minimum Rear Yard:

- A. Principal structures:

1. Single-family dwelling: 35 feet.

- B. Accessory structures: See § 27-1904.3 for setbacks applicable to the particular uses specified therein.

503.6 Minimum Side Yard:

- A. Principal structures:

1. Single-family dwelling: 20 feet.

- B. Accessory structures: See § 27-1904.3 for setbacks applicable to the particular uses specified therein.

503.7 Special Yard Requirements: See § 27-1904.

503.8 Permitted Projections into Required Yards: See § 27-1905.

503.9 Maximum Height:

A. All principal structures: 2 1/2 stories but no more than 35 feet.

B. All accessory structures: one story but no more than 20 feet.

503.10 Height Exceptions: See § 27-1906.

503.11 Minimum Lot Frontage: 50 feet.

§ 27-504 Parking and Loading.

See Part 20.

§ 27-505 Signs.

See Part 21

§ 27-506 Buffer Areas and Landscaping.

See § 27-1903.

§ 27-507 Storage.

See § 27-1910

PART 6

R-2 SUBURBAN RESIDENTIAL DISTRICT

§ 27-601 Purpose.

The purpose of the R-2 Suburban Residential District is to encourage single-family and compatible residential development at suburban densities in areas where public utilities and transportation facilities exist or are planned, while permitting appropriate accessory, public, and semipublic uses.

§ 27-602 Authorized Uses.

In the R-2 Suburban Residential District, only the following uses are authorized:

602.1 Permitted Uses.

A. Principal Uses:

1. Single-family dwelling.
2. Essential services.
3. Forestry.
4. Public recreation.

B. Accessory Uses:

1. Fences, subject to § 27-1904.
2. No-impact home-based business.
3. Off-street parking and loading, subject to Part 20.
4. Outdoor hydronic heater, subject to § 27-1806.50.
5. Private garages and storage buildings, subject to § 27-1904.
6. Private residential swimming pools or sports courts, subject to § 27-1904.
7. Signs, subject to Part 21.
8. Solar energy system (small), subject to § 27-1806.50.
9. Temporary construction trailer, model home or sales office, subject to § 27-1908.
10. Wind energy system (small), subject to § 27-1806.50.

11. Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this district.

602.2 Conditional Uses.

A. Principal Uses:

1. Bed-and-breakfast, subject to § 27-1806.5.
2. Churches, subject to § 27-1806.10.
3. Firehouses, subject to § 27-1806.10.
4. Public buildings, subject to § 27-1806.10.
5. Public utility building or structure, subject to § 27-1806.48.

B. Accessory Uses:

1. Solar Communications antenna mounted on an existing building or existing public utility storage or transmission structure, subject to § 27-1806.11.
2. Uses accessory to an approved conditional use, other than fences or signs, subject to § 27-1803.2.

602.3 Uses by Special Exception.

A. Principal Uses:

1. Temporary use or structure, other than a construction trailer, model home or sales office, subject to § 27-1806.54.

B. Accessory Uses:

1. Family day-care home, subject to § 27-1806.18.
2. Home occupation, subject to § 27-1806.25.
3. Uses accessory to an approved use by special exception, other than fences or signs, subject to § 27-1803.2.

§ 27-603 Area and Bulk Regulations.

In the R-2 Suburban Residential District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 18.

603.1 Minimum Lot Area:

A. Single-family dwelling:

1. Without public sewers: one acre.
2. With public sewers: 16,000 square feet.

B. All other principal uses: one acre.

603.2 Minimum Lot Width:

A. Single-family dwelling

1. Without public sewers: 150 feet.
2. With public sewers: 100 feet.

B. All other principal uses: 100 feet.

603.3 Maximum Impervious Surface Coverage:

A. Conventional: 35%.

603.4 Minimum Front Yard:

A. Conventional: 35 feet

603.5 Minimum Rear Yard:

A. Principal structures:

1. Conventional: 35 feet

- B. Accessory structures: See § 27-1904.3 for setbacks applicable to the particular uses specified therein.

603.6 Minimum Side Yard:

- A. Principal structures:

- 1. Conventional: 15 feet

- B. Accessory structures: See § 27-1904.3 for setbacks applicable to the particular uses specified therein.

603.7 Special Yard Requirements: See § 27-1904.

603.8 Permitted Projections into Required Yards: See § 27-1905.

603.9 Maximum Height:

- A. All principal structures: 2 1/2 stories but no more than 35 feet.

- B. All accessory structures: one story but no more than 20 feet.

603.10 Height Exceptions: See § 27-1906.

603.11 Minimum Lot Frontage: 50 feet.

§ 27-604 Parking and Loading.

See Part 20.

§ 27-605 Signs.

See Part 21

§ 27-606 Buffer Areas and Landscaping.

See § 27-1903.

§ 27-607 Storage.

See § 27-1910.

PART 7

R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT

§ 27-701 Purpose.

The purpose of the R-3 Medium Density Residential District is to provide for medium-density single-family development, to provide multifamily housing opportunities through planned residential development formats, and to permit compatible public, semipublic, and accessory uses as conditional uses or uses by special exception.

§ 27-702 Authorized Uses.

In the R-3 Medium Density Residential District, only the following uses are authorized:

702.1 Permitted Uses.

A. Principal Uses:

1. Single-family dwelling.
2. Essential services.
3. Forestry.
4. Public recreation.

B. Accessory Uses:

1. Fences, subject to § 27-1904.
2. No-impact home-based business.
3. Off-street parking and loading, subject to Part 20.
4. Outdoor hydronic heater, subject to § 27-1806.50.
5. Private garages and storage buildings, subject to § 27-1904.
6. Private residential swimming pools or sports courts, subject to § 27-1904.
7. Signs, subject to Part 21.
8. Solar energy system (small), subject to § 27-1806.50.
9. Temporary construction trailer, model home or sales office, subject to § 27-1908.

10. Wind energy system (small), subject to § 27-1806.50.

11. Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this district.

702.2 Conditional Uses.

A. Principal Uses:

1. Bed-and-breakfast, subject to § 27-1806.5.
2. Churches, subject to § 27-1806.10.
3. Day Care Center, subject to § 27-1806.16
4. Firehouses, subject to § 27-1806.10.
5. Funeral Home, subject to § 27-1806.20.
6. Neighborhood commercial uses, subject to § 27-1806.39.
7. Public buildings, subject to § 27-1806.10.
8. Public utility building or structure, subject to § 27-1806.48.
9. Retirement community, subject to § 27-1806.52.

B. Accessory Uses:

1. Solar Communications antenna mounted on an existing building or existing public utility storage or transmission structure, subject to § 27-1806.11.
2. Uses accessory to an approved conditional use, other than fences or signs, subject to § 27-1803.2.

702.3 Uses by Special Exception.

A. Principal Uses:

1. Temporary use or structure, other than a construction trailer, model home or sales office, subject to § 27-1806.54.

B. Accessory Uses:

1. Family day-care home, subject to § 27-1806.18.
2. Home occupation, subject to § 27-1806.25.
3. Uses accessory to an approved use by special exception, other than fences or signs, subject to § 27-1803.2.

§ 27-703 Area and Bulk Regulations.

In the R-3 Medium Density Residential District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 18.

703.1 Minimum Lot Area:

A. Single-family dwelling:

1. Without public sewers: one acre.
2. With public sewers: 7,500 square feet.

B. All other principal uses: one acre.

703.2 Minimum Lot Width:

A. Single-family dwelling

1. Without public sewers: 175 feet.
2. With public sewers: 60 feet.

B. All other principal uses: 100 feet.

703.3 Maximum Impervious Surface Coverage:

A. Single-family dwelling: 45%.

703.4 Minimum Front Yard:

- A. Single-family dwelling: 25 feet.

703.5 Minimum Rear Yard:

- A. Principal structures:

- 1. Single-family dwelling: 25 feet.

- B. Accessory structures: See § 27-1904.3 for setbacks applicable to the particular uses specified therein.

703.6 Minimum Side Yard:

- A. All principal structures: 8 feet.

- B. Accessory structures: See § 27-1904.3 for setbacks applicable to the particular uses specified therein.

703.7 Special Yard Requirements: See § 27-1904.

703.8 Permitted Projections into Required Yards: See § 27-1905.

703.9 Maximum Height:

- C. All principal structures: 3 stories but no more than 45 feet.

- D. All accessory structures: one story but no more than 20 feet.

703.10 Height Exceptions: See § 27-1906.

703.11 Minimum Lot Frontage: 50 feet.

§ 27-704 Parking and Loading.

See Part 20.

§ 27-705 Signs.

See Part 21

§ 27-706 Buffer Areas and Landscaping.

See § 27-1903.

§ 27-707 Storage.

See § 27-1910.

PART 8

R-3-A VILLAGE CENTER DISTRICT

§ 27-801 Purpose.

The purpose of the R-3-A Village Center District is to facilitate the reuse and redevelopment of a former United States military facility in a manner that integrates the site with adjacent residential neighborhoods, enables reuse of historic and institutional assets, and permits a mix of neighborhood-serving uses that support a village center for surrounding neighborhoods and visitors to Township park facilities.

§ 27-802 Authorized Uses.

In the R-3-A Village Center District, only the following uses are authorized:

802.1 Permitted Uses.

A. Principal Uses:

1. Education Studio.
2. Essential services.
3. Forestry.
4. Neighborhood commercial uses, subject to § 27-1806.39, including and limited to the following uses proposed in a single building or a shopping center:
 - i. Business or professional offices.
 - ii. Financial institution.
 - iii. Personal services.
 - iv. Retail stores, excluding establishments that offer general merchandise in a discount setting, establishments that dispense gasoline and establishments that constitute an adult business as defined herein.
5. Public recreation.
6. Multifamily dwelling, mid-rise apartment, subject to § 27-1806.38.
7. Bar/Tavern/Brewpub.
8. Microbrewery.

B. Accessory Uses:

1. Fences, subject to § 27-1904.
2. No-impact home-based business.
3. Off-street parking and loading, subject to Part 20.
4. Outdoor hydronic heater, subject to § 27-1806.50.
5. Private garages and storage buildings, subject to § 27-1904.
6. Private residential swimming pools or sports courts, subject to § 27-1904.
7. Signs, subject to Part 21.
8. Solar energy system (small), subject to § 27-1806.50.
9. Temporary construction trailer, model home or sales office, subject to § 27-1908.
10. Wind energy system (small), subject to § 27-1806.50.
11. Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this district.

802.2 Conditional Uses.

A. Principal Uses:

1. Commercial recreation, subject to § 27-1806.12.
2. Day-care center, subject to § 27-1806.15.
3. Firehouse, subject to § 27-1806.10.
4. Mixed-use development, subject to § 27-1806.36.
5. Planned shopping center, subject to § 27-1806.44.
6. Public buildings, subject to § 27-1806.10.

B. Accessory Uses:

1. Uses accessory to an approved conditional use, other than fences or signs, subject to § 27-1803.2.

802.3 Uses by Special Exception.

A. Principal Uses:

1. Temporary use or structure, other than a construction trailer, model home or sales office, subject to § 27-1806.54.

B. Accessory Uses:

1. Family day-care home, subject to § 27-1806.18.
2. Home occupation, subject to § 27-1806.25.
3. Uses accessory to an approved use by special exception, other than fences or signs, subject to § 27-1803.2.

§ 27-803 Area and Bulk Regulations.

In the R-3-A Village Center, District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 18.

803.1 Minimum Lot Area:

- A. Single-family dwelling: 10,500 square feet.
- B. Single neighborhood commercial building: 20,000 square feet.
- C. Mixed-use building, shopping center, townhouses: one acre.
- D. All other principal uses: one acre.

803.2 Minimum Lot Width:

- A. Single-family dwelling: 80 feet.

B. All other principal uses: 100 feet.

803.3 Maximum Impervious Surface Coverage: 60%

803.4 Minimum Front Yard:

A. Single-family dwelling: 35 feet.

B. Two-family dwellings and townhouse dwelling: 25 feet.

C. All other principal and accessory structures: 40 feet.

803.5 Minimum Rear Yard:

A. Single-family dwelling: 35 feet.

B. All other principal structures:

1. Adjoining any S-C, R-1, R-2, or R-3 District: 30 feet.

2. All other rear yards: 25 feet.

C. Accessory structures: See § 27-1904.3 for setbacks applicable to the particular uses specified therein.

803.6 Minimum Side Yard:

A. Single-family dwelling: 10 feet.

B. Two-family dwelling and townhouse dwelling: 15 feet.

C. All other principal structures:

1. Adjoining any S-C, R-1, R-2, or R-3 District: 50 feet.

2. All other rear yards: 20 feet.

D. Accessory Structures: See § 27-1904.3

803.7 Distance between buildings (where two or more buildings exist on the same lot): 30 feet.

803.8 Special Yard Requirements: See § 27-1904.

803.9 Permitted Projections into Required Yards: See § 27-1905.

803.10 Maximum Height:

- A. Single-family dwellings: 2 1/2 stories but no more than 35 feet.
- B. Townhouses: three stories but no more than 45 feet.
- C. Mixed-use building: three stories but no more than 45 feet.
- D. Single neighborhood commercial building: one story but no more than 20 feet.
- E. Shopping center: one story but no more than 20 feet.
- F. All other principal structures: three stories but no more than 45 feet.
- G. All accessory structures: one story but no more than 20 feet.

803.11 Height Exceptions: See § 27-1906.

803.12 Minimum Lot Frontage: 50 feet.

§ 27-804 Parking and Loading.

See Part 20.

§ 27-805 Signs.

See Part 21

§ 27-806 Buffer Areas and Landscaping.

See § 27-1903.

In addition to complying with the buffer area requirements of § 27-1703, all permitted commercial uses in the R-3-A District, whether permitted by right, special exception, or conditional use, shall provide Buffer Area B along all property lines adjoining an S-C or R Zoning District.

§ 27-807 Storage.

See § 27-1910.

§ 27-808 Design Standards.

808.1 Minimum Lot Area: All development in the R-3-A District shall be subject to the following standards:

- A. Sidewalks shall be installed along the frontage of all public streets and where necessary to connect parking areas with building entrances.
- B. The design shall include decorative street lamps, street trees and street furniture.
- C. The architectural design of mixed-use buildings and nonresidential buildings shall have a residential character. Architectural features such as bay or box windows, recessed entrances, window and door moldings and details, cornices and awnings shall be considered in the design.
- D. The building materials utilized for the exterior of a mixed-use building or nonresidential building shall be similar to those used for residential dwellings. Exterior wall materials that shall not be permitted include large split-face block (eight inches by 16 inches or greater), tilt-up concrete panels, prefabricated metal panels and standard concrete masonry units (CMUs).
- E. The design shall consider the feasibility of establishing a public gathering place, such as a plaza, courtyard or square or public or private urban gardens or parklets, in appropriate locations.
- F. Microbreweries.
 - 1. No microbrewery use may be conducted on a property in the R3-A Zoning District located within 1,500 feet of another property containing a microbrewery use and located in the R3-A Zoning District.
 - 2. All production, processing and distribution activities must be conducted within an enclosed structure, provided that this section shall not apply to outdoor consumption of food or beverages.
 - 3. Storage and sales of goods, wares, merchandise or materials used in the production process shall only be permitted within an enclosed structure. Outside storage and/or display of materials, goods, wares or merchandise is prohibited unless screened on all sides and out of public view.

4. Silos, standpipes, towers and other similar structures not intended for human occupancy shall not exceed the height of the principal structure by more than 20 feet.
 5. Bottling or canning shall be permitted only in an enclosed structure.
- 808.2 Any of the nonresidential uses authorized by conditional use in § 27-802.2 may be located in a single freestanding building or in a shopping center, subject to the following standards:
- A. All exterior lighting shall have cutoff luminaires as per Appendix B of this chapter.16
 - B. Rooftop mechanicals shall be screened from public view.
 - C. Dumpsters shall be completely enclosed by a wall or solid fence at least six feet in height. Dumpsters shall not be located in the front yard.
 - D. If parking is located to the rear of the building, the front yard setback may be reduced from 40 feet to no less than 10 feet, provided a five-foot-wide sidewalk and a minimum five-foot-wide planting strip are established in the reduced setback.
 - E. The maximum gross floor area of any freestanding nonresidential building, other than commercial recreation, a firehouse or a public building, shall be 3,500 square feet.
 - F. The maximum gross floor area of any single business establishment in a multi-tenant shopping center shall be 2,000 square feet.
 - G. The maximum gross floor area of any multi-tenant shopping center shall be 10,000 square feet.
 - H. The maximum number of business establishments located in a shopping center shall be seven.

PART 9

R-4 PLANNED RESIDENTIAL COMMUNITY DISTRICT

§ 27-901 Purpose.

The purpose of the R-4 Planned Residential Community District is to continue the character of the established planned residential community at Nevillewood; to encourage a mix of housing types within a coordinated planned residential development organized around recreational or natural features; to promote development in locations convenient to shopping and regional transportation; and to permit compatible public, semipublic, and accessory uses.

§ 27-902 Authorized Uses.

In the R-4 Planned Residential Community District, only the following uses are authorized:

902.1 Permitted Uses.

A. Principal Uses:

1. Single-family dwelling.
2. Approved dwellings in a recorded planned residential development.
3. Essential services.
4. Forestry.
5. Public recreation.

B. Accessory Uses:

1. Fences, subject to § 27-1904.
2. No-impact home-based business.
3. Off-street parking and loading, subject to Part 20.
4. Outdoor hydronic heater, subject to § 27-1806.50.
5. Private garages and storage buildings, subject to § 27-1904.
6. Private residential swimming pools or sports courts, subject to § 27-1904.
7. Signs, subject to Part 21.
8. Solar energy system (small), subject to § 27-1806.50.

9. Temporary construction trailer, model home or sales office, subject to § 27-1908.
10. Wind energy system (small), subject to § 27-1806.50.
11. Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this district.

902.2 Conditional Uses.

A. Principal Uses:

1. Planned residential development, subject to Part 17
2. Private recreation, subject to § 27-1806.22.
3. Public buildings, subject to § 27-1806.10.

B. Accessory Uses:

1. Uses accessory to an approved conditional use, other than fences or signs, subject to § 27-1803.2.

902.3 Uses by Special Exception.

A. Principal Uses:

1. Temporary use or structure, other than a construction trailer, model home or sales office, subject to § 27-1806.54.

B. Accessory Uses:

1. Family day-care home, subject to § 27-1806.18.
2. Home occupation, subject to § 27-1806.25.

§ 27-903 Area and Bulk Regulations.

In the R-4 Planned Residential Community District, all uses shall be subject to the following regulations, except as they may be modified by Part 17 governing planned residential developments or by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 18.

903.1 Minimum Lot Area:

- A. Single-family dwellings: same as R-2 District.
- B. All others: as approved in the PRD.

903.2 Minimum Lot Width:

- A. Single-family dwellings: same as R-2 District.
- B. All others: as approved in the PRD.

903.3 Maximum Dwelling Unit Density: 10 units per acre.

903.4 Maximum Length of Residential Building: 250 feet.

903.5 Minimum Lot Frontage: 50 feet.

903.6 Maximum Number of Dwelling Units Per Building:

- A. Townhouses: six units per building.
- B. Mid-rise apartments: 36 units per building.

903.7 Minimum Distance Between Buildings: 20 feet (where two or more buildings exist on the same lot).

903.8 Maximum Impervious Surface: 25%

903.9 Minimum Front Yard:

- A. Abutting a public street: 50 feet.
- B. Abutting a private street or common driveway: 25 feet.

903.10 Minimum Rear Yard:

- A. Single-family or two-family dwellings: 50 feet.

B. Mid-rise apartment or townhouse:

1. Adjoining any S-C, R-1, R-2, or R-3 Districts: 75 feet.
2. All other rear yards: 50 feet.

C. All other principal structures: 50 feet.

D. Accessory structures: See § 27-1904.3

903.11 Minimum Side Yard:

A. Single-family or two-family dwellings: 15 feet.

B. Mid-rise apartment or townhouse:

1. Adjoining any S-C, R-1, R-2, or R-3 Districts: 75 feet.
2. All other rear yards: 20 feet.

C. All other principal structures: 20 feet.

D. Accessory structures: See § 27-1904.3

903.12 Special Yard Requirements: See § 27-1904.

903.13 Permitted Projections into Required Yards: See § 27-1905.

903.14 Maximum Height:

E. All principal structures: 3 stories but no more than 45 feet.

F. All accessory structures: one story but no more than 20 feet.

903.15 Height Exceptions: See § 27-1906.

903.16 Minimum Lot Frontage: 50 feet.

§ 27-904 Parking and Loading.

See Part 20.

§ 27-905 Signs.

See Part 21

§ 27-906 Buffer Areas and Landscaping.

See § 27-1903.

§ 27-907 Storage.

See § 27-1910.

§ 27-908 Planned Residential Development Regulations.

See Part 17

PART 10
R-5 MEDIUM DENSITY RESIDENTIAL CONSERVATION
COMMUNITY DISTRICT

§ 27-1001 Purpose.

The purpose of the R-5 Medium Density Residential Conservation Community District is to provide for medium-density residential development within a large-scale conservation community; to permit a mix of single-family and attached housing types; to preserve significant open space resources; and to allow compatible public, semipublic, and accessory uses. Development within this district shall occur on a minimum tract of 50 contiguous acres.

§ 27-1002 Authorized Uses.

In the R-5 Medium Density Residential Conservation Community District, only the following uses are authorized:

1002.1 Permitted Uses.

A. Principal Uses:

1. Single-family dwelling.
2. Two-family dwellings.
3. Townhomes – five unit attached maximum.
4. Essential services.
5. Forestry.

B. Accessory Uses:

1. Fences, subject to § 27-1904.
2. No-impact home-based business.
3. Off-street parking and loading, subject to Part 20.
4. Outdoor hydronic heater, subject to § 27-1806.50.
5. Private garages and storage buildings, subject to § 27-1904.
6. Private residential swimming pools or sports courts, subject to § 27-1904.
7. Signs, subject to Part 21.

8. Solar energy system (small), subject to § 27-1806.50.
9. Temporary construction trailer, model home or sales office, subject to § 27-1908.
10. Wind energy system (small), subject to § 27-1806.50.
11. Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this district.

1002.2 Conditional Uses.

A. Principal Uses:

1. Firehouses, subject to § 27-1806.10.
2. Public buildings, subject to § 27-1806.10.
3. Mobile/Manufactured Home Park, subject to § 27-1806.37.
4. Transitional dwelling, subject to § 27-1806.23.

B. Accessory Uses:

- C. Uses accessory to an approved conditional use, other than fences or signs, subject to § 27-1803.2.

1002.3 Uses by Special Exception.

A. Principal Uses:

1. Temporary use or structure, other than a construction trailer, model home or sales office, subject to § 27-1806.54.

B. Accessory Uses:

1. Family day-care home, subject to § 27-1806.18.
2. Home occupation, subject to § 27-1806.25.

§ 27-1003 Area and Bulk Regulations.

In the R-5 Medium Density Residential Community District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 18. The area in bulk must also be serviced with public sanitary sewer and public water and have a minimum of 30% proposed open space.

1003.1 Minimum Lot Area:

- A. Single-family dwelling: 8,000 square feet.
- B. Two-family dwelling/duplex: 5,000 square feet.
- C. Townhouse dwelling: 2,000 square feet.

1003.2 Minimum Lot Width:

- A. Single-family dwelling: 60 feet.
- B. Two-family dwelling/duplex: 40 feet.
- C. Townhouse dwelling: 20 feet.

1003.3 Maximum Impervious Surface Coverage:

- A. Single-family dwelling: 60%.
- B. Two-family dwelling/duplex/townhome: N/A

1003.4 Minimum Front Yard:

- A. Single-family dwelling: 25 feet.
- B. Two-family dwelling/duplex: 25 feet.
- C. Townhouse dwelling: 25 feet.

1003.5 Minimum Rear Yard:

A. Principal structures:

1. Single-family dwelling: 20 feet.
2. Two-family/duplex: 10 feet.
3. Townhome: 10 feet

B. Accessory structures: See § 27-1904.3 for setbacks applicable to the particular uses specified therein.

1003.6 Minimum Side Yard:

A. Principal structures:

1. Single-family dwelling: 10 feet.
2. Two-family/duplex dwelling: 10 feet.
3. Townhouse dwelling: 10 feet. Note: For the side yard occupied by the party wall between the units, the minimum side yard shall be zero feet. For any subdivision containing two or more multifamily buildings of one or more types on a single lot, side yard setbacks shall not apply between buildings and shall be replaced by a minimum distance between buildings of 30 feet. Front setbacks shall apply to any wall facing an internal street. Rear setbacks shall continue to apply to any wall abutting a rear lot line.
4. No principal structure shall be located closer than 50 feet to the boundary of a residential zoning district.

B. Accessory structures: See § 27-1904.3 for setbacks applicable to the particular uses specified therein.

1003.7 Special Yard Requirements: See § 27-1904.

1003.8 Permitted Projections into Required Yards: See § 27-1905.

1003.9 Maximum Height:

- A. Single-family dwellings: 2 1/2 stories but no more than 35 feet.
- B. Two-family dwellings/duplex: 2 1/2 story but no more than 35 feet.
- C. Townhomes: 2 stories but not more than 30 feet.

1003.10 Height Exceptions: See § 27-1906.

1003.11 Minimum Lot Frontage: 50 feet.

§ 27-1004 Parking and Loading.

See Part 20.

§ 27-1005 Signs.

See Part 21

§ 27-1006 Buffer Areas and Landscaping.

See § 27-1903.

§ 27-1007 Storage.

See § 27-1910.

§ 27-1008 Design Standards.

1008.1 All development in the R-5 District shall be subject to the following standards:

- A. Conservation Open Space.
 - 1. Conservation open space shall comprise at least 30% of the total gross site area.
 - 2. Of the required conservation open space, no more than 10% may be covered by water.
 - 3. No more than 60% of the required conservation open space shall be in excess of a 25% slope.

4. The conservation open space shall be accessible to at least one public street for vehicular access.
5. The conservation open space shall be free from encumbrances or liens which may prevent, limit, or restrict use in any way.
6. The conservation open space shall not include any wetlands as defined by either the PADEP or the Army Corp of Engineers. The lot shall not include any areas defined as floodplains including floodways and floodway fringe areas as defined by FEMA.
7. Recreational amenities such as walking trails, clubhouses, swimming pools, etc., shall be permitted in the conservation open space provided they do not occupy more than 20% of the required open space.
8. Specifically prohibited in the conservation open space:
 - i. Facilities for motorized off-road vehicles, shooting ranges and other uses similar in character and impact as determined by the Township.
 - ii. Surface mining, quarrying, oil and gas drilling.

B. Building Length/Number of Townhouse Units:

1. The maximum length of a townhouse building shall be 200 feet.
2. No more than five townhouse dwelling units shall be attached in any single row. In addition, not more than 40% of the total townhouse buildings proposed shall be a five-unit building. The remaining townhouse buildings must be four-unit, three-unit, or two-unit buildings.
3. At least 60% of the total number of units in the R-5 Zoning District shall be single-family detached dwelling units.

C. Street Tree Requirement.

1. One street tree is required for every 50 feet of road.

PART 11

B-1 PLANNED SHOPPING CENTER DISTRICT

§ 27-1101 Purpose.

The purpose of the B-1 Planned Shopping Center District is to provide for the controlled development and redevelopment of commercial areas surrounding established community shopping centers in order to meet the shopping and service needs of Township residents and the broader market area. Development within this district shall occur on sites with access to the regional highway network and shall be designed to minimize impacts on adjacent residential districts.

§ 27-1102 Authorized Uses.

In the B-1 Planned Shopping Center District, only the following uses are authorized:

1102.1 Permitted Uses.

A. Principal Uses:

1. Assembly hall, subject to § 27-1806.3.
2. Animal hospital, subject to § 27-1806.2.
3. Bar/tavern/brewpub.
4. Business or professional office, minor.
5. Business services.
6. Car wash.
7. Clinic.
8. Commercial school.
9. Convenience store.
10. Day-care center.
11. Educational studio.
12. Essential services.

13. Financial institution, minor.
14. Firehouses.
15. Forestry.
16. Gasoline station.
17. Garden nursery.
18. Hotel
19. Indoor entertainment.
20. Medical office.
21. Microbrewery.
22. Personal services.
23. Pet services.
24. Private recreation.
25. Public building.
26. Public utility building or structure.
27. Public parking lot & garage.
28. Restaurant.
29. Retail business, minor.
30. Vehicle accessories sales and installation.
31. Vehicle rental, sales and service.
32. Vehicle repair garage and vehicle service station.

B. Accessory Uses:

1. Drive-through facilities, subject to § 27-1907.
2. Fences, subject to § 27-1904.
3. Home Occupation in a dwelling which is a nonconforming use.
4. Off-street parking and loading, subject to Part 20.
5. Outdoor hydronic heater, subject to § 27-1806.50.
6. Signs, subject to Part 21.
7. Solar energy system (small), subject to § 27-1806.50.
8. Temporary construction trailer, model home or sales office, subject to § 27-1908.
9. Wind energy system (small), subject to § 27-1806.50.
10. Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this district.

1102.2 Conditional Uses.

A. Principal Uses:

1. Multifamily dwelling, mid-rise apartment, subject to § 27-1806.38.
2. Multifamily dwelling, high-rise apartment, subject to § 27-1806.38.
3. Flea market, subject to § 27-1806.19.
4. Major business or professional office, subject to § 27-1806.32.
5. Major financial institution, subject to § 27-1806.32.
6. Major retail business, subject to § 27-1806.33.
7. Oil and gas wells, subject to § 27-1806.40.

8. Planned shopping center, subject to § 27-1806.44.
9. Solar energy system (large), subject to § 27-1806.50.
10. Schools (public or private), subject to § 27-1806.10.

B. Accessory Uses:

1. Communications antenna mounted on an existing building or existing public utility storage or transmission structure, subject to § 27-1806.11.
2. Wholesale sales in conjunction with major or minor retail business, subject to § 27-1806.61.
3. Uses accessory to an approved conditional use, other than fences or signs, subject to § 27-1803.2.

1102.3 Uses by Special Exception.

A. Principal Uses:

1. Temporary use or structure, other than a construction trailer, model home or sales office, subject to § 27-1806.54.
2. Comparable uses not specifically listed, subject to § 27-1805.

B. Accessory Uses:

1. Uses accessory to an approved use by special exception, other than fences or signs, subject to § 27-1803.2.

§ 27-1103 Area and Bulk Regulations.

In the B-1 Planned Shopping Center District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 18.

1103.1 Minimum Lot Area: 20,000 square feet.

1103.2 Minimum Lot Width: 100 feet.

1103.3 Minimum Lot Frontage: 50 feet.

1103.4 Maximum Impervious Surface Coverage: 75%.

1103.5 Minimum Front Yard: 50 feet.

1103.6 Minimum Rear Yard:

A. All principal and accessory structures:

1. Adjoining any S-C or R District: 50 feet.
2. Adjoining all other districts: 25 feet. 1103.7.

1103.7 Minimum Side Yard:

A. All principal and accessory structures:

1. Adjoining any S-C or R District: 50 feet.
2. Adjoining all other districts: 20 feet.

1103.8 Special Yard Requirements: See § 27-1904.

1103.9 Permitted Projections into Required Yards: See § 27-1905.

1103.10 Maximum Height:

- A. High-rise apartments: eight stories but no more than 100 feet.
- B. Mid-rise apartments: four stories but no more than 75 feet.
- C. All other principal structures: four stories but no more than 50 feet.
- D. All accessory structures: one story but no more than 20 feet.

1103.11 Height Exceptions: See § 27-1906.

§ 27-1104 Parking and Loading.

See Part 20.

§ 27-1105 Signs.

See Part 21

§ 27-1106 Buffer Areas and Landscaping.

See § 27-1903.

§ 27-1107 Storage.

See § 27-1910.

PART 12

B-1-A HIGHWAY INTERCHANGE DISTRICT

§ 27-1201 Purpose.

The purpose of the B-1-A Highway Interchange District is to permit commercial, industrial, and related development in areas served directly by an Interstate 79 interchange in order to accommodate traffic-intensive uses without burdening the local road network. Development in this district is intended to capitalize on regional highway access while protecting surrounding residential areas.

§ 27-1202 Authorized Uses.

In the B-2 Highway Interchange District, only the following uses are authorized:

1202.1 Permitted Uses.

A. Principal Uses:

1. Bar/tavern/brewpub.
2. Business or professional office, minor.
3. Contracting business and contractor's yard.
4. Essential services.
5. Financial institution, minor.
6. Forestry.
7. Light manufacturing.
8. Medical office.
9. Microbrewery.
10. Mini-warehouse or self-storage facility.
11. Printing establishments.
12. Public utility building or structure.

13. Repair shop.
14. Retail business, minor.
15. Research and development.
16. Restaurant.
17. Supply yard.
18. Vehicle repair garage.
19. Warehousing and distribution.
20. Wholesale business.

B. Accessory Uses:

11. Drive-through facilities, subject to § 27-1907.
12. Fences, subject to § 27-1904.
13. Home Occupation in a dwelling which is a nonconforming use.
14. Off-street parking and loading, subject to Part 20.
15. Outdoor hydronic heater, subject to § 27-1806.50.
16. Retail sales of products produced on site.
17. Signs, subject to Part 21.
18. Solar energy system (small), subject to § 27-1806.50.
19. Temporary construction trailer, model home or sales office, subject to § 27-1908.
20. Wind energy system (small), subject to § 27-1806.50.
21. Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this district.

1202.2 Conditional Uses.

A. Principal Uses:

1. Auto auction, subject to § 27-1806.4.
2. Major retail business, subject to § 27-1806.33 and § 27-1804.
3. Major business or professional office, subject to § 27-1806.31 and § 27-1804.
4. Major financial institution, subject to § 27-1806.31 and § 27-1804.
5. Multifamily dwelling, mid-rise apartment, subject to § 27-1806.38.
6. Hotel, subject to § 27-1806.27 and § 27-1804.
7. Planned shopping center, subject to § 27-1806.44 and § 27-1804.
8. Vehicle accessories sales and installation, subject to § 27-1806.57 and § 27-1804.
9. Vehicle service station, subject to § 27-1806.58 and § 27-1804.
10. Oil and gas wells, subject to § 27-1806.40.
11. Schools (public or private), subject to § 27-1806.10.

B. Accessory Uses:

1. Communications antenna mounted on an existing building or existing public utility storage or transmission structure, subject to § 27-1806.11.
2. Solar energy system (large), subject to § 27-1806.50.
3. Uses accessory to an approved conditional use, other than fences or signs, subject to § 27-1803.2.

1202.3 Uses by Special Exception.

A. Principal Uses:

1. Temporary use or structure, other than a construction trailer, model home or sales office, subject to § 27-1806.54.
2. Comparable uses not specifically listed, subject to § 27-1805.

B. Accessory Uses:

1. Uses accessory to an approved use by special exception, other than fences or signs, subject to § 27-1803.2.

§ 27-1203 Area and Bulk Regulations.

In the B-1-A Highway Interchange District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 18.

1203.1 Minimum Lot Area:

- A. All permitted uses: 40,000 square feet.
- B. All conditional uses: 20,000 square feet.

1203.2 Minimum Lot Width: 100 feet.

1203.3 Minimum Lot Frontage: 50 feet.

1203.4 Maximum Impervious Surface Coverage: 75%.

1203.5 Minimum Front Yard:

- A. All permitted uses:
 1. Facing any S-C or R District: 100 feet.
 2. Facing any other district: 50 feet.
- B. All conditional uses: 50 feet.

1203.6 Minimum Rear Yard:

A. All permitted uses:

1. Principal structures:

- i. Adjoining any S-C or R District: 100 feet.
- ii. Adjoining all other districts: 50 feet.

B. Accessory structures: 50 feet.

C. All conditional uses:

1. All principal and accessory structures:

- i. Adjoining any S-C or R District: 50 feet.
- ii. Adjoining all other districts: 25 feet.

1203.7 Minimum Side Yard:

A. All permitted uses:

1. Principal structures:

- i. Adjoining any S-C or R District: 100 feet.
- ii. Adjoining all other districts: 30 feet.

B. Accessory structures: 30 feet.

C. All conditional uses:

1. All principal and accessory structures:

- i. Adjoining any S-C or R District: 50 feet.
- ii. Adjoining all other districts: 20 feet.

1203.8 Special Yard Requirements: See § 27-1904.

1203.9 Permitted Projections into Required Yards: See § 27-1905.

1203.10 Maximum Height:

A. All principal structures: four stories but no more than 50 feet.

B. All accessory structures: one story but no more than 20 feet.

1203.11 Height Exceptions: See § 27-1906.

§ 27-1204 Parking and Loading.

See Part 20.

§ 27-1205 Signs.

See Part 21

§ 27-1206 Buffer Areas and Landscaping.

See § 27-1903.

§ 27-1207 Storage.

See § 27-1910.

PART 13

B-2 HIGHWAY COMMERCIAL DISTRICT

§ 27-1301 Purpose.

The purpose of the B-2 Highway Commercial District is to provide for commercial uses that depend upon direct access to an arterial highway, may generate truck traffic, and may not be compatible with commercial areas primarily devoted to retail shopping within planned shopping centers. Development within this district is intended to accommodate highway-oriented businesses while protecting adjacent residential districts.

§ 27-1302 Authorized Uses.

In the B-2 Highway Commercial District, only the following uses are authorized:

1302.1 Permitted Uses.

A. Principal Uses:

1. Assembly hall, subject to § 27-1806.3.
2. Bar/tavern/brewpub.
3. Business or professional office, minor.
4. Business services.
5. Car wash, subject to § 27-1806.8.
6. Contracting business and contractor's yard.
7. Convenience store.
8. Essential services.
9. Financial institution, minor.
10. Forestry.
11. Gasoline station, subject to § 27-1806.21.
12. Hotel, subject to § 27-1806.27.

13. Kennel, subject to § 27-1806.29.
14. Medical marijuana dispensary, subject to § 1303.12.
15. Medical marijuana grower/processor.
16. Medical office.
17. Microbrewery.
18. Motel
19. Repair Shop.
20. Retail business, minor.
21. Restaurant.
22. Vehicle accessories sales and installation.
23. Vehicle rental, sales and service.
24. Vehicle repair garage and vehicle service station.

B. Accessory Uses:

1. Drive-through facilities, subject to § 27-1907.
2. Fences, subject to § 27-1904.
3. Home Occupation in a dwelling which is a nonconforming use.
4. Off-street parking and loading, subject to Part 20.
5. Outdoor hydronic heater, subject to § 27-1806.50.
6. Signs, subject to Part 21.
7. Solar energy system (small), subject to § 27-1806.50.

8. Temporary construction trailer, model home or sales office, subject to § 27-1908.
9. Wind energy system (small), subject to § 27-1806.50.
10. Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this district.

1302.2 Conditional Uses.

A. Principal Uses:

1. Adult business, subject to § 27-1806.1.
2. Billboards, subject to § 27-1806.6.
3. Commercial recreation, subject to § 27-1806.12.
4. Communications tower, subject to § 27-1806.13.
5. Crematorium, subject to § 27-1806.14.
6. Mini-warehouses or self-storage facilities, subject to § 27-1806.35.
7. Major business or professional office, subject to § 27-1806.32.
8. Major financial institution, subject to § 27-1806.32.
9. Major retail business, subject to § 27-1806.33.
10. Mobile/Manufactured Home Park subject to § 27-1806.37.
11. Oil and gas wells, subject to § 27-1806.40.
12. Truck and heavy equipment rental, sales and service, subject to § 27-1806.55.

B. Accessory Uses:

1. Communications antenna mounted on an existing building or existing public utility storage or transmission structure, subject to § 27-1806.11.
2. Solar energy system (large), subject to § 27-1806.50.

3. Uses accessory to an approved conditional use, other than fences or signs, subject to § 27-1803.2.

1302.3 Uses by Special Exception.

A. Principal Uses:

1. Temporary use or structure, other than a construction trailer, model home or sales office, subject to § 27-1806.54.
2. Comparable uses not specifically listed, subject to § 27-1805.

B. Accessory Uses:

1. Uses accessory to an approved use by special exception, other than fences or signs, subject to § 27-1803.2.

§ 27-1303 Area and Bulk Regulations.

In the B-2 Highway Commercial District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 18.

1303.1 Minimum Lot Area: 20,000 square feet.

1303.2 Minimum Lot Width: 100 feet.

1303.3 Minimum Lot Frontage: 50 feet.

1303.4 Maximum Impervious Surface Coverage: 75%.

1303.5 Minimum Front Yard: 50 feet.

1303.6 Minimum Rear Yard:

A. All principal and accessory structures:

1. Adjoining any S-C or R District: 50 feet.
2. Adjoining all other districts: 25 feet.

B. Accessory structures: 10 feet.

1303.7 Minimum Side Yard:

A. All principal and accessory structures:

1. Adjoining any S-C or R District: 50 feet.
2. Adjoining all other districts: 25 feet.

B. Accessory structures: 10 feet.

1303.8 Special Yard Requirements: See § 27-1904.

1303.9 Permitted Projections into Required Yards: See § 27-1905.

1303.10 Maximum Height:

A. All principal structures: four stories but no more than 50 feet.

B. All accessory structures: one story but no more than 20 feet.

1303.11 Height Exceptions: See § 27-1906.

1303.12 Medical Marijuana Dispensary Buffer Distance. A medical marijuana dispensary may not be located within 1,000 feet of the property line of a public, private or parochial school or a day-care center.

§ 27-1304 Parking and Loading.

See Part 20.

§ 27-1305 Signs.

See Part 21

§ 27-1306 Buffer Areas and Landscaping.

See § 27-1903.

§ 27-1307 Storage.

See § 27-1910.

PART 14

B-3 SPECIAL COMMERCIAL DISTRICT

§ 27-1401 Purpose.

The purpose of the B-3 Special Commercial District is to provide for commercial uses, including a specialty retail shopping complex related to nearby historic facilities, and to complement the existing large-scale commercial center within the Route 50 corridor. Development within this district is intended to balance commercial activity with enhanced buffering where adjoining residential districts, historic resources, and public parks are present.

§ 27-1402 Authorized Uses.

In the B-3 Special Commercial District, only the following uses are authorized:

1402.1 Permitted Uses.

A. Principal Uses:

1. Assembly hall, subject to § 27-1806.3.
2. Bar/tavern/brewpub.
3. Business or professional office, minor.
4. Business services.
5. Clinic
6. Day-care center, subject to § 27-1806.15.
7. Educational studio.
8. Essential services.
9. Forestry.
10. Major business or professional office, subject to § 27-1806.32.
11. Major financial institution, subject to § 27-1806.32.
12. Medical office.

13. Personal services.

14. Restaurant.

B. Accessory Uses:

1. Fences, subject to § 27-1904.
2. Off-street parking and loading, subject to Part 20.
3. Outdoor hydronic heater, subject to § 27-1806.50.
4. Signs, subject to Part 21.
5. Solar energy system (small), subject to § 27-1806.50.
6. Temporary construction trailer, model home or sales office, subject to § 27-1908.
7. Wind energy system (small), subject to § 27-1806.50.
8. Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this district.

1402.2 Conditional Uses.

A. Principal Uses:

1. Hotel, subject to § 27-1806.27.
2. Mini-warehouses or self-storage facilities, subject to § 27-1806.35.

B. Accessory Uses:

1. Communications antenna mounted on an existing building or existing public utility storage or transmission structure, subject to § 27-1806.11.
2. Solar energy system (large), subject to § 27-1806.50.
3. Uses accessory to an approved conditional use, other than fences or signs, subject to § 27-1803.2.

1402.3 Uses by Special Exception.

A. Principal Uses:

1. Temporary use or structure, other than a construction trailer, model home or sales office, subject to § 27-1806.54.
2. Specialty Veterinary Clinic, subject to § 27-1806.53.
3. Comparable uses not specifically listed, subject to § 27-1805.

B. Accessory Uses:

1. Uses accessory to an approved use by special exception, other than fences or signs, subject to § 27-1803.2.

§ 27-1403 Area and Bulk Regulations.

In the B-3 Special Commercial District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 18.

1403.1 Minimum Lot Area: 15,000 square feet.

1403.2 Minimum Lot Width: 75 feet.

1403.3 Minimum Lot Frontage: 50 feet.

1403.4 Maximum Impervious Surface Coverage: 65%.

1403.5 Minimum Front Yard: 35 feet.

1403.6 Minimum Rear Yard:

A. All principal structures:

1. Adjoining any S-C or R District: 75 feet.
2. Adjoining a registered historic structure or public park: 100 feet.
3. Adjoining all other districts: 30 feet.

B. Accessory structures: 10 feet.

1403.7 Minimum Side Yard:

A. All principal structures:

1. Adjoining any S-C or R District: 75 feet.
2. Adjoining a registered historic structure or public park: 100 feet.
3. Adjoining all other districts: 25 feet.

B. Accessory structures: 10 feet.

1403.8 Special Yard Requirements: See § 27-1904.

1403.9 Permitted Projections into Required Yards: See § 27-1905.

1403.10 Maximum Height:

C. All principal structures: four stories but no more than 45 feet.

D. All accessory structures: one story but no more than 20 feet.

1403.11 Height Exceptions: See § 27-1906.

§ 27-1404 Parking and Loading.

See Part 20.

§ 27-1405 Signs.

See Part 21

§ 27-1406 Buffer Areas and Landscaping.

See § 27-1903.

PART 15

PEDD PLANNED ECONOMIC DEVELOPMENT DISTRICT

§ 27-1501 Purpose.

The PEDD Planned Economic Development District is intended to promote economic development on large undeveloped tracts in a campus-style environment. This district permits a compatible mix of employment, research, recreational, and limited residential uses designed to encourage an integrated living and working environment, support high-technology and research-based development, preserve substantial buffers between dissimilar uses, and maintain high-quality site design standards

§ 27-1502 Authorized Uses.

In the PEDD Planned Economic Development District, only the following uses are authorized:

1502.1 Permitted Uses.

A. Principal Uses:

1. Business or professional office, minor.
2. Commercial recreation, subject to § 27-1806.12.
3. Commercial school.
4. Day-care center, subject to § 27-1806.15.
5. Essential services.
6. Forestry.
7. Financial institution, minor.
8. High-technology and pilot manufacturing.
9. Major business or professional office, subject to § 27-1806.32.
10. Major financial institution, subject to § 27-1806.32.
11. Medical office.
12. Private recreation, subject to § 27-1806.22.

13. Research and development, subject to § 27-1806.51.

B. Accessory Uses:

1. Fences, subject to § 27-1904.
2. Home Occupation in a dwelling which is a nonconforming use.
3. Off-street parking and loading, subject to Part 20.
4. Outdoor hydronic heater, subject to § 27-1806.50.
5. Signs, subject to Part 21.
6. Solar energy system (small), subject to § 27-1806.50.
7. Temporary construction trailer, model home or sales office, subject to § 27-1908.
8. Warehousing of products produced on site, comprising no more of 25% of the gross floor area of the building.
9. Wind energy system (small), subject to § 27-1806.50.
10. Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this district.

1502.2 Conditional Uses.

A. Principal Uses:

1. Car wash, subject to § 27-1806.8
2. Cemetery, subject to § 27-1806.9.
3. Clinic, subject to § 27-1806.26.
4. Communications tower, subject to § 27-1806.13.
5. Group care facility, subject to § 27-1806.23.
6. Hospital, subject to § 27-1806.26.

7. Hotel subject to § 27-1806.27.
8. Mineral removal, subject to § 27-1806.34.
9. Nursing home, subject to § 27-1806.26.
10. Personal care boarding home, subject to § 27-1806.23.
11. Planned office or research park, subject to § 27-1806.42.
12. Planned recreation complex, subject to § 27-1806.43.
13. Planned residential development, subject to Part 17.
14. Private-use helipad, subject to § 27-1806.46.
15. Public transit park-and-ride facility, subject to § 27-1806.47.
16. Public utility building or structure, subject to § 27-1806.48.
17. Retirement community, subject to § 27-1806.52.

B. Accessory Uses:

1. Communications antenna mounted on an existing building or existing public utility storage or transmission structure, subject to § 27-1806.11.
2. Solar energy system (large), subject to § 27-1806.50.
3. Supporting commercial uses in a planned office or research park.
4. Uses accessory to an approved conditional use, other than fences or signs, subject to § 27-1803.2.

1502.3 Uses by Special Exception.

A. Principal Uses:

1. Temporary use or structure, other than a construction trailer, model home or sales office, subject to § 27-1806.54.

2. Comparable uses not specifically listed, subject to § 27-1805.

B. Accessory Uses:

1. Uses accessory to an approved use by special exception, other than fences or signs, subject to § 27-1803.2.

§ 27-1503 Area and Bulk Regulations.

In the PEDD Planned Economic Development District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 18.

1503.1 Minimum Site:

- A. Planned office or research park: 30 acres.
- B. Planned residential development: 30 acres.

1503.2 Minimum Lot Area:

- A. Planned residential development: same as R-3 District.
- B. All other individual lots: 2 acres.

1503.3 Minimum Lot Width:

- A. Planned residential development: Same as R-3 District.
- B. All other individual lots: 200 feet.

1503.4 Minimum Lot Frontage: 50 feet.

1503.5 Maximum Impervious Surface Coverage: 50%.

1503.6 Minimum Building Size: 10,00 square feet (gross floor area).

1503.7 Minimum Front Yard:

- A. Planned residential development: same as R-3 District.
- B. All other individual lots: 50 feet.

1503.8 Minimum Rear Yard:

- A. Planned residential development: Same as R-3 District.
- B. All other principal structures:
 - 1. Adjoining any S-C or R District: 100 feet.
 - 2. Adjoining all other districts: 50 feet.
- C. All other accessory structures: 50 feet.

1503.9 Minimum Side Yard:

- A. Planned residential development: See Part 17
- B. All other principal structures:
 - 1. Adjoining any S-C or R District: 100 feet.
 - 2. Adjoining all other districts: 25 feet or 75% of building height, whichever is greater.
- C. Accessory structures: 30 feet.

1503.10 Special Yard Requirements: See § 27-1904.

1503.11 Permitted Projections into Required Yards: See § 27-1905.

1503.12 Maximum Height:

- A. High-rise apartments: eight stories but no more than 100 feet.
- B. Mid-rise apartments: four stories but no more than 75 feet.

C. All other principal structures: four stories but no more than 50 feet.

D. All accessory structures: one story but no more than 20 feet.

1503.13 Height Exceptions: See § 27-1906.

§ 27-1504 Parking and Loading.

See Part 20.

§ 27-1505 Signs.

See Part 21

§ 27-1506 Buffer Areas and Landscaping.

See § 27-1903.

§ 27-1507 Storage.

See § 27-1910.

§ 27-1508 Authorized nonresidential uses in the PEDD.

A. In addition to uses otherwise permitted in the PEDD District, the following uses are permitted as Principal Uses only in an approved PRD located in the PEDD District that had a non-residential component submitted during the tentative PRD approval process.

1. Bar or Tavern or Brewpub.
2. Business/Professional Office – minor.
3. Convenience Store.
4. Day Care Center.
5. Educational Studio.
6. Family day-care home, subject to Section 27-1806.18.
7. Financial Institution.

8. Personal Services.
9. Retail Business – minor.
10. Restaurant.

B. The following standards shall apply to a PRD in the PEDD Zoning District:

1. A five-foot wide sidewalk and a minimum five-foot wide planting strip shall be established in the front yard setback for the entire length of the setback.
2. All exterior lighting shall have cutoff luminaries as per Appendix B of this chapter. The maximum illumination at the property line shall be 0.2 footcandle.
3. Rooftop mechanicals shall be screened from public view.
4. Dumpsters and all trash enclosures shall be completely enclosed by a wall or solid fence at least six feet in height. Dumpsters shall not be located in the front yard.
5. The following area and bulk regulations shall apply:
 - i. Minimum Lot Area: One Acre
 - ii. Minimum Lot Width: 200 feet
 - iii. Minimum Lot Frontage: 50 feet
 - iv. Maximum impervious coverage: 65%
 - v. Minimum Front Yard: 25 feet
 - vi. Minimum Side Yard: 20 feet
 - vii. Minimum Rear Yard: 25 feet
 - viii. Maximum Height: 2 stories but not more than 30 feet.

PART 16

I-1 INDUSTRIAL DISTRICT

§ 27-1601 Purpose.

The I-1 Industrial District is intended to encourage the continuation, modernization, and revitalization of general industrial uses in areas of the Township historically developed for such purposes

§ 27-1602 Authorized Uses.

In the I-1 Industrial District, only the following uses are authorized:

1602.1 Permitted Uses.

A. Principal Uses:

1. Business or professional office, minor.
2. Contracting business and contractor's yard.
3. Essential services.
4. Forestry.
5. Garbage transfer station.
6. Garden nursery.
7. High-technology and pilot manufacturing.
8. Light manufacturing, subject to § 27-1806.31.
9. Major business or professional office, subject to § 27-1806.32.
10. Microbrewery.
11. Mini-warehouse or self-storage facilities, subject to § 27-1806.35.
12. Printing establishment, subject to § 27-1806.45.
13. Public utility building or structure, subject to § 27-1806.48.

14. Recycling center.
15. Repair Shop.
16. Research and development.
17. Supply yard.
18. Vehicle repair garage.
19. Warehousing and distribution, subject to § 27-1806.59.
20. Wholesale business, subject to § 27-1806.60.

B. Accessory Uses:

1. Fences, subject to § 27-1904.
2. Off-street parking and loading, subject to Part 20.
3. Outdoor hydronic heater, subject to § 27-1806.50.
4. Retail sales of products produced on site.
5. Signs, subject to Part 21.
6. Solar energy system (small), subject to § 27-1806.50.
7. Temporary construction trailer, model home or sales office, subject to § 27-1908.
8. Wind energy system (small), subject to § 27-1806.50.
9. Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this district.

1602.2 Conditional Uses.

A. Principal Uses:

1. Auto auction, subject to § 27-1806.4.

2. Billboard, subject to § 27-1806.6.
3. Communications tower, subject to § 27-1806.13.
4. Data center and accessory uses, subject to § 27-1806.15.
5. Equipment storage yard, subject to § 27-1806.17.
6. Heavy manufacturing, subject to § 27-1806.24.
7. Junkyard, subject to § 27-1806.28.
8. Landfill, subject to § 27-1806.30.
9. Oil and gas compressor station and plant, subject to § 27-1806.40.
10. Oil and gas wells, subject to § 27-1806.40.
11. Truck and heavy equipment rental, sales and service, subject to § 27-1806.55.
12. Truck terminal, subject to § 27-1806.56.
13. Solar energy system (large), subject to § 27-1806.50.
14. Wind energy system (large), subject to § 27-1806.50.

B. Accessory Uses:

1. Communications antenna mounted on an existing building or existing public utility storage or transmission structure, subject to § 27-1806.11.
2. Uses accessory to an approved conditional use, other than fences or signs, subject to § 27-1803.2.

1602.3 Uses by Special Exception.

A. Principal Uses:

1. Temporary use or structure, other than a construction trailer, model home or sales office, subject to § 27-1806.54.

2. Comparable uses not specifically listed, subject to § 27-1805.

B. Accessory Uses:

1. Uses accessory to an approved use by special exception, other than fences or signs, subject to § 27-1803.2.

§ 27-1603 Area and Bulk Regulations.

In the I-1 Industrial District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 19.

1603.1 Minimum Lot Area: 40,000 square feet.

1603.2 Minimum Lot Width: 100 feet.

1603.3 Minimum Lot Frontage: 50 feet.

1603.4 Maximum Impervious Surface Coverage: 65%.

1603.5 Minimum Front Yard:

A. Adjoining any S-C or R-District: 100 feet.

B. Adjoining all other district: 50 feet.

1603.6 Minimum Rear Yard:

A. Principal structures:

1. Adjoining any S-C or R District: 100 feet.

2. Adjoining all other districts: 50 feet.

B. Accessory structures: 50 feet.

1603.7 Minimum Side Yard:

A. Principal structures:

1. Adjoining any S-C or R District: 100 feet.
2. Adjoining all other districts: 30 feet.

B. Accessory structures: 30 feet.

1603.8 Special Yard Requirements: See § 27-1904.

1603.9 Permitted Projections into Required Yards: See § 27-1905.

1603.10 Maximum Height:

E. All principal structures: three stories but no more than 40 feet.

F. All accessory structures: one story but no more than 20 feet.

1603.10.1 Height Exceptions: See § 27-1906.

§ 27-1604 Parking and Loading.

See Part 20.

§ 27-1605 Signs.

See Part 21

§ 27-1606 Buffer Areas and Landscaping.

See § 27-1903.

§ 27-1607 Storage.

See § 27-1910.

PART 17

PLANNED RESIDENTIAL DEVELOPMENT

§ 27-1701 Purpose.

The purpose of these planned residential development (PRD) regulations is to allow residential development that achieves design flexibility and creativity beyond what is typically possible under conventional zoning and subdivision controls. These regulations are intended to promote efficient use of land; provide a compatible mix of housing types, amenities, and community facilities; respond to site conditions; and preserve natural features and open space through high-quality development and permanent protections.

§ 27-1702 Applicability and Relationship to Other Ordinances.

The provisions of this Part establish procedures and standards for PRD approval that, where specifically stated, modify or replace otherwise applicable procedures and criteria in this chapter and the Township Subdivision and Land Development Ordinance (SALDO) [Chapter 22]. Except where this Part expressly provides otherwise, applicable requirements of this chapter and the SALDO remain in effect. Failure to comply with this Part and an approved/recorded development plan shall constitute a violation of this chapter.

§ 27-1703 Site Area, Ownership, Use and Density Requirements.

- 1703.1. Site Area. Except as provided below, the minimum site area for a PRD shall be 30 contiguous acres. In the PEDD, including areas formerly regulated by the PEDD Residential Overlay District, a residential-only PRD may be permitted on sites of at least 10 contiguous acres. Public easements, rights-of-way, and public or private streets shall not be construed as interrupting site contiguity.
- 1703.2. Site Ownership. The site proposed for a planned residential development shall be under single ownership and control. Prior to submitting an application for tentative approval, the applicant shall demonstrate that he is the landowner, as defined by this chapter. Legal, as well as equitable, ownership shall be demonstrated coincident with approval of the final development plan.
- 1703.3. Dwelling Units Authorized. According to the zoning district in which the planned residential development is located, any of the following dwelling units may be included in a planned residential development:

R-4 District	PEDD District
Single-family dwelling	Townhouse
Two-family dwelling	Mid-rise apartment
Townhouse	High-rise apartment

- 1703.4. A list of authorized nonresidential uses permitted within a planned residential development in the PEDD District is provided in §27-1508.
- A. A planned residential development in the PEDD District shall include a nonresidential component in accordance with the following minimum requirements:
 - 1. 1 to 50 dwelling units: A minimum of 2,500 square feet of gross floor area devoted to one or more authorized nonresidential uses.
 - 2. 51 to 200 dwelling units: A minimum of 5,000 square feet of gross floor area devoted to one or more authorized nonresidential uses.
 - 3. More than 200 dwelling units: A minimum of 10,000 square feet of gross floor area devoted to one or more authorized nonresidential uses.
 - B. Required nonresidential floor area may be provided within one or more buildings or tenant spaces and shall consist only of uses authorized by §27-1508.
 - C. The location, approximate floor area, proposed use or range of uses, and anticipated phasing of the required nonresidential component shall be identified as part of the application for tentative PRD approval.
 - D. The required nonresidential component shall be developed in accordance with a phasing schedule approved by the Board of Commissioners as part of tentative PRD approval. The phasing schedule shall establish the timing of construction of the required nonresidential component in relation to the construction and occupancy of dwelling units within the PRD.
- 1703.5. Accessory Uses. Accessory uses permitted as part of a PRD include all those authorized within the zoning district in which it is located.
- 1703.6. Recreational Facilities and Other Common Facilities for the Residents.
- A. Planned residential developments shall comply with the recreation open space and recreational facility requirements of § 22-508 of the Township Subdivision and Land Development Ordinance [Chapter 22].
 - B. Recreational facilities may include, but are not limited to, tot lots, playgrounds, athletic fields and courts, swimming pools, splash pads, hiking, biking and exercise trails, fitness stations, community buildings, picnic areas and pavilions, community gardens, dog parks, and similar active or passive recreational amenities.
 - C. Land occupied by recreational facilities may be counted toward the common open space requirement of § 27-1705, provided the land and facilities otherwise satisfy the applicable requirements of § 27-1705 and § 22-508.

1703.7. Maximum Dwelling Unit Density. Regardless of whether a planned residential development is comprised of a mix of dwelling unit types or a single type of dwelling unit, the maximum dwelling unit density shall be calculated as "density, net residential" and 10 units per acre in the R-4 District and 16 units per acre in the PEDD District. The Board of Commissioners may approve a discretionary density bonus where additional open space, publicly accessible trails, parkland, or other community amenities are permanently dedicated beyond the minimum required common open space.

1703.8. Minimum Lot Area.

- A. In no case shall the minimum lot area required for a single-family dwelling or two-family dwelling be reduced to less than the following minimum lot area in a planned residential development, in the R-4 or PEDD District:

Dwelling Type	Minimum Lot Area
Single-family dwelling	8,000 square feet
Two-family dwelling	12,000 square feet

- B. There shall be no minimum lot area required for, townhouse and mid-rise apartment dwellings, provided all other applicable requirements of this Part are met.

1703.9. Minimum Yard Requirements and Setbacks on the Perimeter of the Planned Residential Development Site. The perimeter setback requirements of this section shall supersede the yard requirements of the underlying zoning district with respect to the boundary of the planned residential development site.

- A. In planned residential developments in the R-4 Planned Residential Community District, the yard requirements of § 27-903, Area and Bulk Regulations, shall apply.
- B. In the PEDD District, no mid-rise or high-rise apartment shall be located closer to the boundary of the planned residential development site than 150 feet. In all zoning districts where planned residential development is authorized, no townhouse, shall be located closer to any boundary of the planned residential development site than 75 feet. All other structures shall be located at least 50 feet from the boundary of the planned residential development site. No accessory structure and no off-street parking shall be located in any required perimeter setback area.
- C. Accessory structures within a planned residential development (including, but not limited to, sheds, pool houses, detached garages, and private residential

swimming pools and sports courts) shall comply with minimum accessory structure setbacks that are consistent with the requirements of comparable residential zoning districts, as established in § 27-1904.3.

- D. Any request for relief from accessory structure setback requirements shall be processed as a request for relief to the Zoning Hearing Board in accordance with this chapter and the Pennsylvania Municipalities Planning Code. Such relief shall not be granted by the Board of Commissioners as a PRD modification under § 27-1703.11.

1703.10. Distance Between Buildings. Where two or more principal multifamily buildings that are three stories or less in height are proposed on one lot, the minimum distance between the buildings shall be 40 feet. Where two or more principal multifamily buildings that are more than three stories in height are proposed on one lot, the minimum distance between the buildings shall equal the height of the taller building.

1703.11. Modifications to Otherwise Applicable Zoning and Subdivision Regulations.

- A. The Design and Construction Standards of the Township Subdivision and Land Development Ordinance [Chapter 22] shall apply to all public improvements proposed in a planned residential development unless a waiver or modification is granted by the Board of Commissioners in accordance with the procedure specified in the Township Subdivision and Land Development Ordinance.
- B. Except for maximum dwelling unit density and maximum building height, any of the other requirements of the underlying zoning district classification may be modified by the Board of Commissioners in granting tentative approval to a planned residential development, if the Board determines that the requested modification or modifications will contribute to a more-beneficial use of the site, will not be contrary to the public interest and are warranted owing to unique physical circumstances or conditions unique to the particular property. This modification authority shall not apply to requests for relief from minimum yard setbacks applicable to individual lots or accessory structures, which shall be processed under the applicable Zoning Hearing Board procedures.
- C. All requests for modification shall be in writing and shall accompany and be a part of the application for tentative and final approval. Such written request shall specify the ordinance section from which a modification is requested and shall state the grounds for the request, the unreasonable hardship on which the request is based and the minimum modification necessary to relieve the hardship.
- D. Whenever a request for modification is granted or denied, the reasons for such grant or denial shall be stated within the official written communication to the landowner. The grant of a modification request may be subject to reasonable conditions designed to promote the purposes set forth in this Part.

- 1703.12. Steep Slope Controls. The steep slope controls set forth in this chapter shall be applicable to applications for approval of a planned residential development.
- 1703.13. Variable Front Yard Setback. To achieve a varied, nonrepetitive line of buildings along the street, random and variable front setbacks are required such that no more than two contiguous lots may have the same front building setback. The third lot shall include no less than a five-foot nor more than a ten-foot variation from the lots adjacent to it. The variable front setback requirement may be modified by the Board of Commissioners upon request of the applicant based on topographic, environmental, vegetation, or other factors unique to the site.

§ 27-1704 Access and Availability of Public Services.

- 1704.1. Access and Traffic Control. The site of a planned residential development shall have frontage on and direct vehicular access to an arterial or collector street, as defined by this chapter. The projected traffic volumes associated with the proposed planned residential development shall be capable of being accommodated by the adjacent street network. The developer shall demonstrate, by submission of a traffic study, that the projected traffic from the planned residential development shall not materially increase congestion and impair safety on adjacent public streets. Ingress and egress to and from the site shall be designed to comply with the minimum requirements of the Township Subdivision and Land Development Ordinance [Chapter 22].
- 1704.2. Public Water and Sewer Service. All dwelling units and other principal structures in a planned residential development shall be connected to a public water supply and public sanitary sewer service.
- 1704.3. Storm Drainage. The developer shall provide a storm drainage system within a planned residential development that shall be of sufficient size and design to collect, carry off and dispose of all predictable surface water runoff within the planned residential development and shall be so constructed to conform with the statutes, ordinances and regulations of the Commonwealth of Pennsylvania and the stormwater management regulations contained in the Township Subdivision and Land Development Ordinance [Chapter 22].

§ 27-1705. Common Open Space.

- 1705.1. Areas Required.
- A. Common open space shall comprise at least 20% of the total gross site area of the PRD.
- B. Of the required open space area, not more than 50% may be covered by water.

- C. Landscaped roof areas devoted to recreational activities freely accessible to residents may be counted toward common space required at a value of 60% of the actual roof area devoted to this use.
- D. Recreational facilities and structures required by § 22-508 of the Township Subdivision and Land Development Ordinance, together with their accessory uses, may be located within required common open space and shall be considered improved common open space, provided the total impervious surface associated with such facilities does not exceed 5% of the total common open space area.
- E. No more than 20% of the required open space area shall be in excess of a 25% slope.
- F. To the extent feasible, steep slopes, streams, lakes, ponds, woodlands and other environmentally sensitive areas shall be incorporated into the common open space.

1705.2. Conservation Neighborhood Design Option.

- A. As an alternative design approach within any PRD, the applicant may utilize a conservation neighborhood design framework that clusters residential development while permanently preserving interconnected greenway land, natural resources, scenic features, and recreation areas.
- B. The layout of lots, streets, trails, buildings, and open space shall follow the four-step design process established in Chapter 22, including:
 - i. identification of primary conservation areas;
 - ii. identification of secondary conservation areas;
 - iii. alignment of streets, trails, and utility corridors; and
 - iv. placement of building lots and development envelopes.
- C. Required PRD common open space under §27-1705 may be satisfied through greenway land designed in accordance with this section.
- D. Greenway land may include passive recreation, trails, community gardens, stormwater BMPs, woodlands, stream corridors, scenic areas, and similar low-impact features.
- E. Greenway land shall be permanently protected through conservation easements, deed restrictions, HOA ownership, Township dedication, or transfer to an approved conservation organization.

- 1705.3. Protection of Common Open Space. Common open space in a planned residential development shall be protected by adequate covenants running with the land or by conveyances or dedications. A planned residential development shall be approved subject to the submission of a legal instrument or instruments setting forth a plan for the permanent preservation, care and maintenance of such common open space, recreational areas and other facilities owned in common. No such instrument shall be acceptable until approved by the Board of Commissioners as to legal form and effect. In cases where the Township will not be accepting dedications of streets, recreation areas or common open spaces, the developer shall provide for an organization or trust for ownership and maintenance of the common open space and common facilities.
- 1705.4. Common Open Space Maintenance. In the event that the organization established to own and maintain the common open space, or any successor thereto, shall, at any time after establishment of the final development plan, fail to maintain the common open space, including all streets, driveways and recreational facilities, in reasonable order and condition in accordance with the development plan granted final approval, the Township may take remedial action to cause the common open space and common facilities to be properly maintained, as provided for in Section 705(f) of the Pennsylvania Municipalities Planning Code

§ 27-1706 Buffer Areas.

- 1706.1. Buffer Area A, as defined in § 27-1903.1 of this chapter, shall be provided along all property lines on the perimeter of a planned residential development site adjoining an R-1, R-2 or R-3 District.
- 1706.2. Buffer Area C, as defined in § 27-1903.1 of this chapter, shall be provided along all other property lines on the perimeter of a planned residential development.

§ 27-1707 Administration and Procedure.

- 1707.1. The planned residential development provisions of this chapter shall be administered by the Board of Commissioners. The Planning Commission shall review all applications on the basis of the standards specified in this Part and make a recommendation to the Board of Commissioners. The Board of Commissioners shall conduct the public hearings required by the Pennsylvania Municipalities Planning Code and shall have the final authority to approve, approve with conditions or disapprove a planned residential development.
- 1707.2. Preapplication Conference.
- A. Prior to filing an application for tentative approval, the applicant or his representative may meet with Township staff to obtain application forms and to discuss application procedures and applicable ordinance requirements.

- B. In addition, the developer may request a preapplication conference with the Planning Commission to discuss the conceptual design for the development of the property and the feasibility and timing of the application. The applicant shall contact the Township Zoning Officer at least five calendar days prior to the regular meeting of the Planning Commission to request a preapplication conference with the Planning Commission.
 - C. The preapplication conference with the Planning Commission is voluntary, and no formal application or fee is required. This opportunity is afforded to the developer to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation.
 - D. While no formal application is required for a preapplication conference, the applicant should provide one copy of readily available information with the request for a preapplication conference which shows the location of the property and any special features, such as streams, floodplains or other conditions, that may affect the development of the property. Readily available resources which may be used include the deed for the property, a property survey, the Tax Parcel Maps prepared by the Allegheny County Assessor's office, USGS Quadrangle Map showing natural features and topography, the National Flood Insurance Administration (NFIA) Flood Hazard Boundary Maps, Natural Resources Conservation service maps of soil types and the United States Bureau of Mines coal mine maps.
 - E. A preapplication conference shall not constitute formal filing of any application for approval of a planned residential development, shall not bind the Planning Commission to approve any concept presented in the preapplication conference and shall not protect the application from any subsequent changes in ordinance provisions that may affect the proposed development between the preapplication conference and the official date of filing of an application for tentative approval of a planned residential development under the terms of this chapter.
- 1707.3. Application for Tentative Approval. At least 30 calendar days prior to the regular meeting of the Planning Commission, 15 copies of an application for tentative approval shall be submitted. The application shall be in sufficient detail for the Planning Commission to determine compliance with the standards of this Part and shall contain, at a minimum, the following information:
- A. A legal description of the total tract proposed for development, including a statement of present and proposed ownership.
 - B. A written statement of planning objectives to be achieved by the planned residential development through the particular approach proposed by the developer. The statement shall include a description of the character of the proposed development and its relationship to the immediate area in which it is to be located.

- C. A written statement setting forth the reasons why the proposed planned residential development would be in the public interest and would be consistent with the Township's Comprehensive Plan.
- D. A written statement of the requested modifications to Township zoning and subdivision regulations otherwise applicable to the property, if any.
- E. A location map which clearly shows the location and area of the site proposed for development with relation to all lands, buildings and structures within 200 feet of its boundaries, the location and distance to existing streets and highways and the names of landowners of adjacent properties.
- F. A development plan, prepared at a scale no smaller than one inch equals 50 feet, showing the following information:
 - i. Existing contours at intervals of five feet; watercourses; floodplains; wetlands; woodlands; soils; steep slopes; and other natural features.
 - ii. Proposed lot lines and subdivision plat, if any.
 - iii. The location of all existing and proposed buildings, structures and other improvements, including maximum heights, types of dwelling units, and dwelling unit density. Preliminary elevations and architectural renderings shall be provided.
 - iv. The location and size, in acres or square feet, of all areas to be conveyed, dedicated or reserved as common open space.
 - v. The existing and proposed vehicular circulation system of local and collector streets, including off-street parking areas, service areas, loading areas and major points of access from the planned residential development to public rights-of-way.
 - vi. The existing and proposed pedestrian circulation system, including its interrelationship with the vehicular circulation system and proposed treatment for any points of conflict between the two systems.
 - vii. The existing and proposed utility systems, including sanitary sewers, storm sewers and water, electric, gas and telephone lines.
 - viii. Subsurface conditions, including slope stability.
 - ix. A minimum of three cross sections showing existing and proposed contours and their relationship to proposed buildings, structures, highways, streets, parking areas, walkways and existing woodlands.

- x. A general landscaping plan indicating the treatment and materials proposed to be used in buffer areas and common areas on the site.
- xi. Evidence of compliance with the environmental performance standards of § 27-2103.1 of this chapter.

G. Information required by the Township Subdivision and Land Development Ordinance, including application filing and application review fees.

H. In the case of development plans which call for development over a period of years, a schedule for phasing the development shall be provided. This phasing schedule shall be reviewed annually with the Planning Commission on the anniversary of tentative approval or as each phase is completed, whichever occurs first.

1707.4. Review of Application.

- A. The Zoning Officer shall review the application to determine whether it is complete and properly filed in accordance with all requirements of this chapter. If the Zoning Officer determines that the application is not complete and properly filed, written notice shall be provided to the applicant specifying the defects in the application and returning the application for resubmission. If a revised application is resubmitted within 60 days of the date of the written notice from the Zoning Officer, an application filing fee shall not be required. Any application submitted after 60 days shall be considered a new application and shall be accompanied by the required application filing fee.
- B. If the Zoning Officer determines that the application is complete and properly filed, the date that the application is received by the Zoning Officer shall constitute the official date of filing. Within five days of receipt of a complete and properly filed application, the Zoning Officer shall transmit a copy to the Allegheny County Planning Commission for review and comment and shall refer the application to the Township Planning Commission for review and recommendation.
- C. If, during review by the Planning Commission, the applicant revises the application to address comments from the Planning Commission or to demonstrate compliance with this chapter, a new application shall not be required. If, during review by the Planning Commission, the applicant initiates revisions to the application which are not the result of Planning Commission comments and which are not mandated to demonstrate compliance with this chapter, the applicant shall withdraw the application and submit a new application, which shall be subject to the payment of the required application filing fee.

- D. The Planning Commission shall forward a written recommendation on the application for tentative approval to the Board of Commissioners in time for the Board of Commissioners' public hearing required by § 27-1707.5 below.

1707.5. Public Hearing.

- A. Within 60 days following the official date of filing of an application for tentative approval of a planned residential development which contains all of the required documentation, a public hearing pursuant to public notice shall be held by the Board of Commissioners. At least 14 days prior to the hearing, the Zoning Officer shall mail a copy of the notice by certified mail to each property owner within 300 feet of the entire perimeter of the property, including those located across a street right-of-way. The cost of mailing the certified notices shall be paid by the applicant.
- B. The public hearing shall be conducted in the manner prescribed in Article IX of the Pennsylvania Municipalities Planning Code, and all references to the Zoning Hearing Board in Article IX shall apply to the Board of Commissioners. The public hearing or hearings shall be concluded within 60 days of the first hearing.
- C. The Township may offer mediation as an aid in completing these proceedings, provided that, in exercising such an option, the Township and the mediating parties shall meet the stipulations and follow the procedures set forth in § 27-2310.

1707.6. Tentative Approval.

- A. Within 60 days following the conclusion of the public hearings, the Board of Commissioners shall, by official written communication, either:
 - i. Grant tentative approval of the development plan as submitted;
 - ii. Grant tentative approval of the development plan, subject to specified conditions not included in the development plan as submitted; or
 - iii. Deny tentative approval.
- B. Where tentative approval has been granted, it shall be deemed an amendment to the Zoning Map, effective upon final approval, and shall be noted on the Zoning Map.
- C. Failure to act within said period shall be deemed to be a grant of tentative approval of the development plan as submitted. In the event, however, that tentative approval is granted subject to conditions, the landowner may, within 30 days after receiving a copy of the official written communication of the Board of Commissioners, notify the Board of Commissioners of his refusal to accept all

said conditions, in which case, the Board of Commissioners shall be deemed to have denied tentative approval of the development plan. In the event that the landowner does not, within said period, notify the Board of Commissioners of his refusal to accept all said conditions, tentative approval of the development plan, with all said conditions, shall stand as granted.

§ 27-1708 Criteria for Tentative Approval.

The Board of Commissioners shall grant tentative approval if, and only if, all applicable requirements of this Part are met and all of the following criteria are met.

- 1708.1. The proposed application for tentative approval complies with all standards, restrictions, criteria, requirements, regulations and procedures of this chapter; preserves the community development objectives of this chapter; and is found by the Board of Commissioners to be compatible with the public interest and consistent with the Township's Comprehensive Plan.
- 1708.2. Where the proposed application for tentative approval provides standards which vary from this chapter and the Township Subdivision and Land Development Ordinance [Chapter 22] otherwise applicable to the subject property, such departure shall promote protection of the environment, and public health, safety and welfare and shall be in the public interest.
- 1708.3. The proposals for the maintenance and conservation of any proposed common open space are reliable and meet the standards of this chapter and the amount and extent of improvements within the common open space are appropriate with respect to the purpose, use and type of the residential development proposed.
- 1708.4. The physical design of the proposed development plan adequately provides for public services, traffic facilities and parking, light, air, recreation and visual enjoyment.
- 1708.5. The proposed development plan is beneficially related to the immediate area in which it is proposed to be located.
- 1708.6. The proposed development plan will afford adequate protection of natural watercourses, wetlands, topsoil, woodlands, steep slopes and other natural features and will prevent erosion, landslides, siltation and flooding.
- 1708.7. In the case of a development plan which proposes development over a period of years, the terms and conditions thereof are sufficient to protect the interests of the public and of the residents of the planned residential development in the integrity of the final development plan.
- 1708.8. Where a conservation neighborhood design option is utilized, the Board shall also consider:

- A. preservation of primary conservation areas;
- B. views of open space from lots and streets;
- C. minimization of visibility from external roads;
- D. pedestrian access to greenway areas;
- E. long-term ownership and maintenance provisions.

§ 27-1709 Application for Final Approval.

After the development plan is granted tentative approval by the Board of Commissioners, the developer shall submit 15 copies of the application for final approval, which shall consist of detailed plans for any phase or section of the development plan. No building permit shall be issued until final approval has been granted by the Board of Commissioners for the phase or section in which the proposed development is located. Final approval for any phase or section shall expire if construction is not initiated for the phase or section within one year of the date of final approval of the phase or section by the Board of Commissioners.

1709.1. Review of Application.

- A. The Zoning Officer shall review the application to determine whether it is complete and properly filed in accordance with all requirements of this chapter. If the Zoning Officer determines that the application is not complete and properly filed, written notice shall be provided to the applicant specifying the defects in the application and returning the application for resubmission.
- B. If the Zoning Officer determines that the application is complete and properly filed, the date that the application is received by the Zoning Officer shall constitute the official date of filing. Within five days of receipt of a complete and properly filed application, the Zoning Officer shall refer the application to the Planning Commission for review and recommendation.
- C. Within 35 days of receipt of a complete and properly filed application for final approval, the Planning Commission shall forward a written recommendation to the Board of Commissioners.
- D. A public hearing on an application for final approval shall not be required, provided the development plan is in compliance with the development plan given tentative approval and with any specified conditions attached thereto.

1709.2. Action by Board of Commissioners. In the event that an application for final approval has been filed, together with all drawings, specifications and other documentation in support thereof, in accordance with the requirements of this chapter and the official written communication granting tentative approval, the Board of

Commissioners shall, within 45 days of the official date of filing, grant final approval to the development plan.

1709.3. Variations from the Plan Granted Tentative Approval.

- A. In the event that the development plan submitted contains variations from the development plan granted tentative approval, the Board of Commissioners may refuse to grant final approval and may, within 45 days of the official date of filing of the application for final approval, advise the applicant, in writing, of said refusal, setting forth in said notice the reasons why one or more of the variations are not in the public interest. In the event of such refusal, the landowner may either:
 - i. Refile the application for final approval without the variations objected; or
 - ii. File a written request with the Board of Commissioners that it hold a public hearing on the application for final approval.
- B. If the landowner wishes to take either alternate action, he may do so at any time within which he shall be entitled to apply for final approval, or within 30 additional days, if the time for applying for final approval shall have already passed at the time when the landowner was advised that the development plan was not in substantial compliance.
- C. If the landowner fails to take either of these alternate actions within said time, he shall be deemed to have abandoned the development plan.

1709.4. Public Hearing Required.

- A. Any public hearing held on an application for final approval shall be held pursuant to public notice within 30 days after the request for the hearing is made by the landowner, and the hearing shall be conducted in the manner prescribed in this Part for public hearings on an application for tentative approval. At least 14 days prior to the hearing, the Zoning Officer shall mail a copy of the notice by certified mail to each property owner within 300 feet of the entire perimeter of the property, including those located across a street right-of-way. The cost of mailing the certified notices shall be paid by the applicant.
- B. Within 30 days after the conclusion of the public hearing, the Board of Commissioners shall, by official written communication, either grant or deny final approval. The grant or denial of final approval of the development plan shall, in cases where a public hearing is required, be in the form and contain the findings required for an application for tentative approval.

1709.5. Changes in the Approved Plan. Changes in the location and siting of buildings and structures deemed minor by the Board of Commissioners may be authorized without

additional public hearings, if required by engineering or other circumstances not foreseen at the time of tentative approval. However, gross and net density established at the time of tentative approval shall not be changed without a public hearing. Minor changes shall not include any change to approved use types, maximum density, required nonresidential percentage, perimeter setback standards, common open space calculations, or buffers, and shall not include any modification that would require relief by the Zoning Hearing Board.

- 1709.6. Application for Final Approval. The application for final approval shall comply with all applicable ordinance provisions, and the development plan shall include, as a minimum, the following information:
- A. All data required by the Township Subdivision and Land Development Ordinance [Chapter 22] for a final plan, including application filing, application review and inspection fees.
 - B. Accurately dimensioned locations for all proposed buildings, structures, parking areas and common open space.
 - C. The number of families to be housed in each residential building or structure and the intended use of each nonresidential building or structure.
 - D. Building elevation drawings for all principal structures, other than single-family dwellings.
 - E. A lighting plan, showing the location, height and type of any exterior lighting fixtures proposed, and a photometric plan showing the distribution of lighting on the site and at the site boundaries.
 - F. A landscaping plan, as defined by this chapter, including the location and types of materials of plant materials, sidewalks, trails and recreation facilities authorized by this chapter.
 - G. Supplementary data, including any covenants, grants of easement or other restrictions to be imposed on the use of the land, building and structures and for the organization proposed to own, maintain and operate the common open space facilities.
 - H. An engineering report, which shall include the following data, wherever applicable:
 - i. Profiles, cross sections and specifications for proposed public and private streets.
 - ii. Profiles and other explanatory data concerning installation of water distribution systems, storm sewers and sanitary sewers.

- iii. Feasibility of the sanitary sewerage system in terms of capacity to serve the proposed development.
 - iv. A grading plan prepared in compliance with the requirements of the Township Grading Ordinance [Chapter 9].
- I. An erosion and sedimentation control plan, which shall specifically indicate all erosion and sedimentation control measures to be utilized on the site. The erosion and sedimentation control plan shall be designed to prevent accelerated erosion and sedimentation. The plan shall include, but not be limited to, the following:
 - i. The topographic features of the site;
 - ii. The types, depth, slope and extent of the soils by area;
 - iii. The proposed alterations to the site;
 - iv. The amount of runoff from the site area and the upstream watershed;
 - v. The staging of earthmoving activities;
 - vi. Temporary control measures and facilities during earthmoving;
 - vii. Permanent control measures and facilities for long-term protection;
 - viii. A maintenance program for the control facilities, including disposal of materials removed from the control facilities or site area.
- J. A stormwater management plan prepared in compliance with the requirements of the Township Stormwater Management Ordinance [Chapter 23].
- K. Performance bond and development agreement as required by the Township Subdivision and Land Development Ordinance [Chapter 22].

- 1709.7. Recording. A final development plan, or any part thereof, which has been granted final approval shall be so certified without delay by the Board of Commissioners and shall be filed of record in the office of the Recorder of Deeds before any development shall take place in accordance therewith. Approval for recording shall be subject to posting of the financial security required by the Township Subdivision and Land Development Ordinance [Chapter 22] for public and private improvements in the development plan.
- 1709.8. Revocation of Final Approval. In the event that a development plan, or section thereof, is given final approval and thereafter the landowner shall abandon such plan, or section thereof, that has been finally approved, and shall so notify the Board of Commissioners in writing, or in the event that the landowner shall fail to commence and carry out the planned residential development in accordance with the time provisions stated in Section 508 of the Pennsylvania Municipalities Planning Code after final approval has been granted, no further development shall take place on the property included in the development plan until a new application for tentative approval of a planned residential development is submitted for said property or the property is developed in accordance with the then- applicable zoning district regulations.

PART 18

CONDITIONAL USES, SPECIAL EXCEPTIONS, AND EXPRESS STANDARDS AND CRITERIA

§ 27-1801 Applicability.

The procedures set forth in this Part shall apply to all applications for conditional uses, uses by special exception, and uses subject to express standards and criteria under § 27-1806.

§ 27-1802 Procedure for Approval.

- 1802.1. Approval of Conditional Use. The Board of Commissioners shall hear and decide requests for conditional uses; however, the Board of Commissioners shall not approve a conditional use application unless and until:
- A. A written application for conditional use approval is submitted to the Zoning Officer no less than 10 working days prior to the regular meeting of the Planning Commission. The application shall indicate the section of this chapter under which conditional use approval is sought and shall state the grounds upon which it is requested. The application shall include the following.
 - B. A preliminary land development plan, if required by the Township Subdivision and Land Development Ordinance or, if a land development plan is not required, a current property survey indicating all existing and proposed structures and all proposed construction, additions or alterations on the site in sufficient detail to determine the feasibility of the proposed development and compliance with all applicable requirements of this chapter.
 - C. A written statement showing compliance with the applicable express standards and criteria of this Part for the proposed use.
 - D. A Traffic Impact Analysis, as defined by this chapter, prepared by a registered traffic engineer for the following proposed conditional uses:
 - i. Any proposed use which involves the construction of 50 or more multifamily dwellings.
 - ii. Any proposed use in any B District, PEDD or I-1 District which involves the construction of a new building or remodeling for a change of use of an existing building having a gross floor area of 10,000 square feet or more.
 - E. The application fee required by § 27-2410 of this chapter.
 - F. A written recommendation is received from the Township Planning Commission or 45 days has passed from the date of the Planning Commission meeting at which the application is first considered as complete and properly filed for approval.

- G. A public hearing is conducted by the Board of Commissioners pursuant to public notice and said hearing is scheduled no more than 60 days following the date of submission of a complete and properly filed application. Written notice of the hearing shall be posted on the affected tract of land at least one week prior to the hearing.
 - H. The Board of Commissioners shall render a written decision within 45 days after the last public hearing. Where the application is contested or denied, the decision shall be accompanied by findings of fact and conclusions based thereon. Conclusions based on any provision of this chapter or any other applicable rule or regulation shall contain a reference to the provision relied upon and the reasons why the conclusion is deemed appropriate in light of the facts found.
 - I. In considering an application for conditional use approval, the Board of Commissioners may prescribe appropriate conditions and safeguards in conformity with the spirit and intent of this Part. A violation of such conditions and safeguards, when made a part of the terms and conditions under which conditional use approval is granted, shall be deemed a violation of this chapter and shall be subject to the enforcement provisions of § 27-2402 of this chapter. The Board may approve modifications only where expressly authorized by this Chapter and supported by specific standards contained herein.
- 1802.2. Expiration of Conditional Use Approval. Conditional use approval shall expire automatically without written notice to the applicant, if no application for a grading permit, a building permit or an occupancy permit to undertake the construction or authorize the occupancy described in the application for conditional use approval is submitted within 12 months of said approval, unless the Board of Commissioners, in its sole discretion, extends conditional use approval upon written request of the applicant received prior to its expiration. The maximum extension permitted shall be one twelve-month extension.
- 1802.3. Approval of Uses by Special Exception. The Zoning Hearing Board shall hear and decide requests for uses by special exception.
- A. The Zoning Hearing Board shall not approve an application for a use by special exception unless and until:
 - i. A written application for approval of a use by special exception is submitted to the Zoning Officer. The application shall indicate the section of this chapter under which approval of the use by special exception is sought and shall state the grounds upon which it is requested. The application shall include the following:
 - 1. A current property survey indicating all existing and proposed structures and all proposed construction, additions or alterations on the site in sufficient detail to determine the feasibility of the

proposed development and compliance with all applicable requirements of this chapter.

2. A written statement showing compliance with the applicable express standards and criteria of this Part for the proposed use.
 3. A traffic impact analysis, as defined by this chapter, prepared by a registered traffic engineer, for the following proposed uses by special exception:
 - a. Any proposed use which involves the construction of 50 or more multifamily dwellings.
 - b. Any proposed use in any B District, PEDD or I-1 District which involves the construction of any new building or remodeling for a change of use of an existing building having a gross floor area of 10,000 square feet or more.
 4. The application fee required by § 27-2410 of this chapter.
- ii. A public hearing pursuant to public notice is conducted by the Zoning Hearing Board within 60 days of submission of a complete and properly filed application. Written notice of the hearing shall be posted on the affected tract of land at least one week prior to the hearing. Said hearing shall be conducted in accordance with the procedures specified by § 27-2308 of this chapter.
- B. In proceedings involving a request for a use by special exception, both the duty of initially presenting evidence and the burden of persuading the Zoning Hearing Board that the proposed use is available by special exception and satisfies the specific or objective requirements for the grant of a use by special exception as set forth in this chapter rest upon the applicant. The burden of persuading the Zoning Hearing Board that the proposed use will not offend general public interest, such as the health, safety and welfare of the neighborhood, rests upon the applicant.
- C. In considering an application for approval of a use by special exception, the Zoning Hearing Board may prescribe appropriate conditions and safeguards in conformity with the spirit and intent of this Part. A violation of such conditions and safeguards, when made a part of the terms and conditions under which approval of a use by special exception is granted, shall be deemed a violation of this chapter and shall be subject to the enforcement provisions of § 27-2402 of this chapter.
- D. If land development approval is required for the use by special exception, the application for approval of a land development required by the Township Subdivision and Land Development Ordinance [Chapter 22] shall be submitted to

the Township Planning Commission following approval of the use by special exception by the Zoning Hearing Board.

- 1802.4. Expiration of Approval of a Use By Special Exception. Approval of a use by special exception shall expire automatically, without written notice to the applicant, if no application for a land development plan, a grading permit, a building permit or an occupancy permit to undertake the construction or authorize the occupancy described in the application for approval of the use by special exception is submitted within 12 months of said approval, unless the Zoning Hearing Board, in its sole discretion, extends approval of the use by special exception upon written request of the applicant received prior to its expiration. The maximum extension permitted shall be one twelve-month extension.

§ 27-1803 General Standards.

- 1803.1. In addition to the specific standards and criteria listed for each use in § 27-1806, all applications for conditional uses and uses by special exception listed in each zoning district shall demonstrate compliance with all of the following general standards and criteria:
- A. The use shall not endanger the public health, safety or welfare nor deteriorate the environment, as a result of being located on the property where it is proposed.
 - B. The use shall comply with the performance standards of § 27-1902 of this chapter.
 - C. The use shall comply with all applicable requirements of Part 20, governing parking and loading, Part 21, governing signs, § 27-1903, governing screening and landscaping, and § 27-1910, governing storage.
 - D. Ingress, egress and traffic circulation on the property shall be designed to ensure safety and access by emergency vehicles and to minimize congestion and the impact on local streets.
 - E. Outdoor lighting, if proposed, shall be designed with cutoff luminaires that direct and cut off the light at a cutoff angle of 60° or less. Illumination shall not exceed 0.2 footcandle at the property line.
 - F. The applicant shall certify that the proposed development has been designed in compliance with applicable federal and state accessibility laws.
- 1803.2. The following standards apply to accessory uses to conditional uses or special exceptions, with the exception of fences and signs:
- A. Any accessory use or structure which is not approved as part of the application for conditional approval of the principal structure or use shall require submission of a conditional use application in accordance with the requirements of § 27-1802.1 of this chapter.

- B. All parking and loading areas or expansion or redesign of parking and loading areas shall be subject to the requirements of Part 20 of this chapter.
- C. All storage areas and structures shall comply with the provisions of § 27-1910 of this chapter.
- D. No temporary structures shall be permitted unless all applicable criteria of § 27-1806.56 are met.
- E. All vents, fans, mechanical or electrical equipment shall be baffled to reduce noise impacts on adjoining properties.
- F. Accessory uses that are not otherwise required to be fenced or screened shall be landscaped by Buffer Area C, as defined by § 27-1903.1, to screen the use from public view from streets or adjoining properties.
- G. The Board of Commissioners shall determine whether the proposed accessory use or structure is customarily incidental and subordinate to the principal use of the property.
- H. In approving the accessory use or structure, the Board of Commissioners shall consider whether any conditions are warranted to be attached to the approval to protect the public health, safety and welfare.

§ 27-1804 Standards for Conditional Uses Contingent Upon Highway Interchange.

- 1804.1. Traffic generated by such uses can access the district from I-79, both northbound and southbound, and can access I-79, both northbound and southbound, from the district.
- 1804.2. All interchange exit and entrance ramps shall accept traffic directly from and discharge traffic directly onto a highway at points within the Highway Interchange District.
- 1804.3. The highway providing access to the I-79 interchange provides, in the professional opinion of the Township's traffic engineer, sufficient carrying capacity, is designed to provide a minimum Level of Service C at all intersections within the district along such highway, and possesses all other characteristics needed to safely and efficiently handle traffic projected within the district and to minimize traffic congestion within the district.
- 1804.4. The Board of Commissioners finds, after consideration of the opinion of the Township's traffic engineer and any other relevant evidence, that the proposed development will not cause any significant adverse traffic impact along any road adjoining a public school property within one mile of the Highway Interchange District and that the proposed development addresses any adverse impact it might have on pedestrian movement across or along any road adjoining a public school property within one mile of the Highway Interchange District.

- 1804.5. The Board of Commissioners finds, after consideration of the opinion of the Township's traffic engineer and other relevant evidence, that the proposed development will not cause the existing levels of service at any intersection within the Highway Interchange District and along the highway accessing the interchange or existing levels of service at any intersection outside the Highway Interchange District and within the scope of the traffic study required by PennDOT in connection with the proposed development, including, but not limited to, intersections on Route 50 at Vanadium Road, Steen Road, Thoms Run Road, and any interchange overpass road proposed or required, to be degraded to a lower level of service as a result of the proposed development, nor, at such intersections which have a predevelopment Level of Service F, shall any additional delay result from the proposed development. Should PennDOT study fail to include any of these specified intersections, the Board of Commissioners will cause to be conducted such a study and shall evaluate the impact based upon that study and any other relevant evidence to determine whether this requirement is met.
- 1804.6. In determining that the requirements of this chapter are met, the Board of Commissioners shall consider level of service analyses which include the following: intersection level of service, approach level of service, lane group level of service, ramp merge and diverge level of service, and weave level of service. The analyses shall also address the morning and evening peak street traffic hours and peak hours of site traffic generation.
- 1804.7. All level of service projections and other determinations to be made by the Board of Commissioners under this section shall be based on a land use assumption that the entire Highway Interchange District is developed to a maximum build-out at the highest and best use of the property permitted under applicable land use regulations.

§ 27-1805 Standards for Comparable Uses not Specifically Listed.

- 1805.1. Uses of the same general character as any of the uses authorized as permitted uses by right, conditional uses or uses by special exception in the zoning district in which the property is located shall be allowed if the Zoning Hearing Board determines that the impact of the proposed use on the environment and adjacent streets and properties is equal to or less than any use specifically listed in the zoning district. In making such determination, the Board shall consider the following characteristics of the proposed use:
- A. The number of employees.
 - B. The floor area of the building or gross area of the lot devoted to the proposed use.
 - C. The type of products, materials and equipment and/or processes involved in the proposed use.
 - D. The magnitude of walk-in trade.

- E. The traffic and environmental impacts and the ability of the proposed use to comply with the performance standards of § 27-1902 of this chapter.
- F. For those uses included in the most-recent edition of the North American Industry Classification System (NAICS), as most recently adopted.
- G. The proposed use shall comply with all applicable area and bulk regulations of the zoning district in which it is located.
- H. The proposed use shall comply with any applicable express standards and criteria specified in this Part for the most-nearly-comparable use by special exception or condition use listed in the zoning district in which the comparable use is proposed.
- I. The proposed use shall be consistent with the purpose statement for the zoning district in which it is proposed and shall be consistent with the community development objectives of this chapter.

§ 27-1806 Standards for Specific Uses.

In addition to the general standards and criteria for all conditional uses and uses by special exception listed in the sections above, an application for any of the following uses which are listed in any zoning district shall comply with the applicable standards and criteria specified below for that use.

1806.1. Adult Businesses, subject to:

- A. Adult businesses shall not be permitted in any zoning district other than the B-2 Highway Commercial District.
- B. An adult business shall not be located within 1,000 feet of a church; public or private pre- elementary, elementary or secondary school; public library; day-care center or nursery school; or public park adjacent to any residential district, measured in a straight line from the nearest portion of the building or structure containing the adult business to the nearest property line of the premises of any of the above-listed uses.
- C. An adult business shall not be located within 1,000 feet of any other adult business, measured in a straight line from the closest exterior wall of the building or structure in which each adult business is located.
- D. No more than one adult business shall be located in the same building, structure or portion thereof, nor shall any adult business increase its floor area into any building, structure or portion thereof containing another adult business.
- E. An adult business lawfully operating as a conforming use shall not be rendered a nonconforming use by the location, subsequent to the grant or renewal of the adult

business permit, of a church, public or private pre-elementary, elementary or secondary school, public library, day-care center or preschool facility or public park within 1,000 feet. This provision applies only to the renewal of a valid permit and shall not apply when an application for a permit is submitted after a permit has expired or has been revoked.

- F. The design of the interior of the premises and the operation of the facility shall comply with all applicable provisions of the Township's adult business licensing regulations contained in Ordinance No. 577.
- G. Liquor or intoxicating beverages shall not be sold on the premises for which the permit is sought. No adult business shall operate as a bar, tavern, nightclub, or similar establishment where the primary purpose is the sale of alcoholic beverages.
- H. The applicant shall obtain and continue to maintain a valid adult business license as required by Township Ordinance No. 577.

1806.2. Animal Hospital, subject to:

- A. In the B-1 District, the minimum lot area required for an animal hospital shall be 20,000 square feet, unless the animal hospital is located within a planned shopping center.
- B. Outdoor kennels or runs shall not be permitted.
- C. In the B-1 District, overnight boarding of animals, other than for medical supervision, shall be permitted, if the animals are housed overnight within a completely enclosed building.
- D. Kennels associated with animal hospitals shall be licensed by the commonwealth and shall continue to maintain a valid license throughout their operation. Any suspension of the license shall be a violation of this chapter and shall be subject to the enforcement provisions of § 27-2402 of this chapter.
- E. The facility shall comply with the performance standards of §27-1902, including noise and odor limitations.

1806.3. Assembly Hall, subject to:

- A. This subsection shall not apply to church halls located within a church building, governmental facilities, community centers, fire halls, and restaurant banquet rooms.
- B. In the S-C District, only one facility per parcel shall be permitted.

- C. No more than one event per day is allowed.
 - D. No event shall take place outside the hours of 7:00 a.m. to 11:00 p.m.
 - E. Lighting shall be designed to prevent glare and light trespass onto adjoining residential properties. Illumination at any residential property line shall not exceed 0.5 footcandles.
 - F. Noise shall be considered excessive and in violation of this chapter if the noise is plainly audible from within any closed dwelling unit that is not the source of the sound and is between the hours of 11:00 p.m. and 7:00 a.m.
 - G. The number of parking spots provided shall be one space for each three occupants at maximum permitted occupancy plus one space per regular or contract employee. Parking shall otherwise meet all requirements of § 27-2003. It is the applicant's responsibility to communicate parking instructions consistent with the approved plan to all guests and contract or regular employees prior to the event.
 - H. The applicant shall submit fire and emergency vehicle access plans to the local fire department for comment.
 - I. Evidence of an approved health permit from the Allegheny County Health Department or its successor agency shall be submitted to the Township.
 - J. Operator shall comply with all requirements of the Pennsylvania Liquor Control Board, if alcohol is served during an event.
 - K. Bathrooms, toilet and hand-washing facilities must comply with Allegheny County Health Department requirements. If the assembly hall parcel also contains a dwelling, use of the dwelling's on-site septic facilities is not allowed for an event, except by residents or overnight guests of the facility.
 - L. One ground-mounted sign shall be permitted. The sign shall not exceed nine square feet in surface area.
- 1806.4. Auto Auction, subject to:
- A. The minimum site required shall be 15 acres.
 - B. The site shall have frontage on and direct vehicular access to an arterial or collector street.
 - C. Heavy equipment auctions shall occur no more frequently than four times in a calendar year.

- D. The display of vehicles offered for sale shall be located at least 75 feet from any property line adjoining a residential use or zoning classification and at least 15 feet from all other property lines.
 - E. The auctions shall be conducted in a completely enclosed building.
 - F. No outdoor speakers shall be permitted.
 - G. All activities on the site shall be conducted from sunlight to sunset, including delivery, pickup and inspection of the vehicles and the auctions.
 - H. Maximum area of the lot to be covered by buildings and display areas for vehicles and equipment shall not exceed 75% of the total lot area.
 - I. Buffer Area A, as defined by § 27-1903.1 of this chapter, shall be provided along all property lines adjoining a residential use or zoning classification.
 - J. All activities on the site shall comply with the performance standards of § 27-1902 of this chapter.
 - K. Storage, handling and disposal of hazardous materials, as defined by federal or state statute, shall comply with the current requirements of the Pennsylvania Department of Environmental Protection (PA DEP) and the United States Environmental Protection Agency (EPA).
- 1806.5. Bed-and-Breakfast, subject to:
- A. The operator shall be a full-time resident of the dwelling in which the bed-and-breakfast is located.
 - B. The lot shall have frontage on and direct vehicular access to an arterial or collector street, as defined herein.
 - C. The minimum lot area required shall be 20,000 square feet.
 - D. No meals, other than breakfast, shall be served on the premises. Food may be prepared on the premises for consumption off the premises by overnight guests. Food shall not be served to any customers who are not overnight guests.
 - E. The maximum length of stay for any guest shall be 14 days in any calendar year.
 - F. One identification sign shall be permitted, and such sign may either be attached to the wall of the building or may be freestanding in the front yard, provided the surface area of the sign shall not exceed six square feet, the height of the freestanding sign shall not exceed four square feet and the freestanding sign is located at least five feet from any property line.

G. The identification sign shall contain no information other than one or more of the following items:

- i. The street address.
- ii. The name of the establishment.
- iii. The name of the proprietor.
- iv. A small logo or other decorative symbol.

H. In addition to the parking required for the dwelling, one parking space shall be provided for each sleeping room offered to overnight guests.

I. Parking areas shall be located to the side or rear of the dwelling where feasible. Where located in the front yard, parking shall be screened from adjoining residential properties and shall not dominate the frontage of the property.

1806.6. Billboards, subject to:

A. All billboards shall be subject to the express standards and criteria contained in § 27-1910 of this chapter.

1806.7. Boarding Stable; Riding Academy, subject to:

A. The minimum site shall be 10 acres.

B. If horses are pastured, a minimum of one acre per horse shall be provided; if horses are stabled and provided with grain, an adequate area for exercising the horses shall be provided.

C. All animals shall be housed in a completely enclosed nonresidential structure, and the animals shall be humanely kept.

D. All stables and other buildings in which animals are kept shall be located at least 300 feet from any occupied dwelling, other than the stable owner's dwelling, and in no case shall the storage of manure or the stable or other building in which animals are kept be located closer than 200 feet to any property line.

E. No grazing of animals shall be permitted closer than 100 feet from any occupied dwelling, other than the stable owner's dwelling.

- F. The area of the property used for grazing shall be adequately fenced to properly enclose the animals and to protect adjacent properties.
- G. The stable owner shall not permit litter and droppings from the horses to collect so as to result in the presence of fly larvae or objectionable odors.
- H. If no dwelling is located on the property, the operator shall provide a local contact responsible for the care and supervision of animals and available on a 24-hour basis.

1806.8. Car wash, subject to:

- A. All automated washing facilities shall be in a completely enclosed building, as defined by this chapter. All other car-washing facilities shall be under a roofed structure which has at least two walls.
- B. Drainage water from the washing operation shall be controlled so that it does not flow or drain onto berms, streets or other property.
- C. Standing spaces shall be provided in accordance with the requirements specified in § 27-1907 for drive-through facilities.
- D. Where public sanitary sewer service is available, the facility shall be connected thereto. If public sewer is not available, the applicant shall demonstrate compliance with DEP requirements for on-lot or alternative wastewater disposal.
- E. Driveway entrances shall be located at least 50 feet from the right-of-way line of the intersection of any public streets.
- F. Any car wash which also dispenses gasoline shall meet all applicable requirements of § 27-1806.21, governing gasoline stations.

1806.9. Cemetery, subject to:

- A. A minimum site of 10 acres is required.
- B. A drainage plan shall be submitted with the application for the use, showing existing and proposed runoff characteristics.
- C. A groundwater study prepared by a hydrologist or registered engineer qualified to perform such studies shall be submitted with the application.

- D. Plans for ingress/egress to the site shall be referred to the Township Police Department for comments regarding public safety.
- E. All property lines adjoining a residential use or zoning classification shall be screened by Buffer Area B, as defined by § 27-1903.1 of this chapter.
- F. All maintenance equipment shall be properly stored in an enclosed building when not in use.
- G. Burial sites shall comply with the setbacks required for principal structures in the zoning district, and burial structures shall not be located within 100 feet of any property line adjoining a residential use or zoning district classification.

1806.10. Churches, Schools (Public & Private), Firehouses, and Public Buildings subject to:

- A. The minimum lot area required for a postsecondary school shall be 10 acres. The minimum lot area required for all other uses shall be one acre.
- B. Residential facilities accessory to a church shall comply with applicable building, fire, and health codes. Occupancy shall not exceed that permitted under such codes.
- C. A dwelling (such as a manse or parsonage) may be located on the same lot with a church, provided all requirements of this chapter for single-family dwellings in the zoning district can be met in addition to the minimum lot area, lot width and yard requirements applicable to the church.
- D. If the school includes dormitories, the dormitories shall be landscaped along any property line adjoining a single-family use or zoning district classification by Buffer Area B, as defined by § 27-1903.1 of this chapter.
- E. Ingress and egress to and from police and fire stations shall be located so as to maximize sight distance along adjacent public streets and enhance safety for vehicles exiting the property.
- F. Fire stations, police stations and municipal maintenance facilities shall be located on the property so that vehicles and equipment can be maneuvered on the property without interrupting traffic flow or blocking public streets.
- G. All schools shall be designed to provide convenient access for emergency vehicles and access to all sides of the building by firefighting equipment.

- H. All outside storage shall be completely enclosed by a six-foot hedge or solid fence.
 - I. The proposed use shall have direct access to a public street with sufficient capacity to accommodate the traffic generated by the proposed use.
- 1806.11. Communications Antennas Mounted on an Existing Building or Existing Public Utility Storage or Transmission Structure, subject to:
- A. The minimum lot area required for all other uses shall be one acre. Building-mounted antennas shall not be permitted on any single-family or two-family dwellings.
 - B. The applicant shall demonstrate that the electromagnetic fields associated with the proposed antennas comply with safety standards now or hereafter established by the Federal Communications Commission (FCC).
 - C. The applicant shall demonstrate compliance with all applicable Federal Aviation Administration (FAA) and any applicable airport zoning regulations.
 - D. Building-mounted antennas shall be permitted to exceed the height limitations of the district by no more than 20 feet. Antennas mounted on an existing public service corporation facility storage or transmission tower shall not project more than 20 feet above the height of the tower.
 - E. Omnidirectional or whip antennas shall not exceed 20 feet in height or seven inches in diameter.
 - F. Directional or panel antennas shall not exceed five feet in height or two feet in width.
 - G. Satellite and microwave dish antennas mounted on the roof of a building or on a self-supporting communications tower shall not exceed six feet in diameter.
 - H. Satellite and microwave dish antennas mounted on a monopole communications tower or existing public service corporation facility storage or transmission structure shall not exceed two feet in diameter.
 - I. The applicant proposing a building-mounted antenna shall submit evidence from a structural engineer certifying that the proposed installation will not exceed the structural capacity of the building considering wind and other loads associated with the antenna's location.

- J. Evidence of lease agreements and easements necessary to provide access to the building or structure for installation and maintenance of the antennas and placement of the equipment cabinet or equipment building shall be provided to the Township.
- K. The placement of the equipment cabinet or equipment building shall not obstruct the free flow of traffic on the site, shall not reduce any parking required or available for other uses on the site and shall not obstruct any right-of-way or easement without the permission of the owner or grantor of the right-of-way or easement.
- L. Unless located within a secured building, the equipment cabinet or equipment building shall be fenced by a ten-foot-high chain-link security fence with locking gate. If the equipment cabinet or equipment building is visible from any public street or adjoining residential property, the equipment cabinet or equipment building shall be screened by a minimum six-foot-high compact evergreen hedge.
- M. If vehicular access to the equipment cabinet or equipment building is not provided from a public street or paved driveway or parking area, an easement or right-of-way shall be provided which has a minimum width of 20 feet and which shall be improved with a dust-free all-weather surface for its entire length.
- N. At least one off-street parking space shall be provided on the site within a reasonable walking distance of the equipment cabinet or equipment building to facilitate periodic visits by maintenance workers.

1806.12. Commercial Recreation, subject to:

- A. The minimum lot area required for all other uses shall be one acre. Building-mounted antennas shall not be permitted on any single-family or two-family dwellings. The minimum lot area required for outdoor recreation facilities shall be one acre. All indoor facilities shall meet the minimum lot area required for the zoning district in which the property is located.
- B. The property shall have frontage on and direct vehicular access to an arterial or collector street, as defined by this chapter.
- C. Adequate sanitary facilities available to the public shall be provided.
- D. Outdoor speakers shall not be permitted if there are dwellings within 500 feet of the property in any direction. If outdoor speakers are allowed, the volume and direction shall be regulated to minimize impact on adjoining properties.

- E. Location of buildings and facilities, traffic circulation on the property and parking areas shall be designed to provide adequate access for emergency medical vehicles and firefighting equipment.
- F. Any outdoor facility shall be completely enclosed by a fence which is at least six feet in height with one or more locking gates which shall remain secured when the facility is not in use.
- G. Any outdoor facility located within 200 feet of an existing dwelling shall cease operations no later than 10:00 p.m.
- H. Any use which includes eating or drinking facilities shall be subject to the parking requirements for that use in addition to the parking requirements for the recreational use.
- I. All exterior lighting shall be shielded and directed downward. Illumination at any residential property line shall not exceed 0.5 footcandles.

1806.13. Communications Tower, subject to:

- A. The minimum lot area required for all other uses shall be one acre. Building-mounted antennas shall not be permitted on any single-family or two-family dwellings. The minimum lot area required for outdoor recreation facilities shall be one acre. All indoor facilities shall meet the minimum lot area required for the zoning district in which the property is located. The applicant shall demonstrate that it is licensed by the Federal Communications Commission (FCC) to operate a commercial communications tower.
- B. Any applicant proposing a new freestanding commercial communications tower shall demonstrate that a good-faith effort has been made to obtain permission to mount the antenna on an existing building or other structure or an existing commercial communications tower. A good-faith effort shall require that all owners within a one-fourth-mile radius of the proposed site be contacted and that one or more of the following reasons for not selecting an alternative existing building or communications tower or other structure apply:
 - i. The proposed equipment would exceed the structural capacity of the existing building, commercial communications tower or other structure and reinforcement of the existing building, tower or other structure cannot be accomplished at a reasonable cost.
 - ii. The proposed equipment would cause RF (radio frequency) interference with other existing or proposed equipment for that building, tower or other structure and the interference cannot be prevented at a reasonable cost.

- iii. Existing buildings, commercial communications towers or other structures do not have adequate space to accommodate the proposed equipment.
 - iv. Addition of the proposed equipment would result in NIER (nonionizing electromagnetic radiation) levels which exceed any adopted local, federal or state emission standards.
- C. The applicant shall demonstrate that the proposed communications tower and the electromagnetic fields associated with the antennas proposed to be mounted thereon comply with safety standards now or hereafter established by the Federal Communications Commission (FCC).
- D. The applicant for the communications tower shall demonstrate compliance with all applicable Federal Aviation Administration (FAA) and any applicable airport zoning regulations.
- E. In the PEDD and I-1 Districts, the maximum height of a communications tower shall be 150 feet.
- F. The applicant shall demonstrate that the proposed height of the communications tower is the minimum height necessary to function effectively.
- G. In the PEDD and I-1 Districts, all parts of the communications tower, including guy wires, if any, shall be set back from the property line at least 50 feet, except for guyed towers, which shall be set back a distance equal to the height of the tower. If the tower is located on property which adjoins any S-C or R Zoning District, the setback shall be at least 200 feet. Where the communications tower is located on a leased parcel within a larger tract, the setback shall be measured from the property line which separates the adjoining residentially zoned property from the larger tract controlled by the lessor, rather than from the boundaries of the leased parcel, provided the larger tract is either vacant or developed for a use other than single-family dwellings.
- H. The tower and all appurtenances, including guy wires, if any, and the equipment cabinet or equipment building shall be enclosed by a minimum ten-foot-high chain-link security fence with locking gate.
- I. The applicant shall submit evidence that the tower and its method of installation have been designed by a registered engineer and are certified by that registered engineer to be structurally sound and able to withstand wind and other loads in accordance with the Township Building Code and accepted engineering practice.
- J. Equipment cabinets and equipment buildings shall comply with the height and yard requirements of the zoning district for accessory structures.

- K. Access shall be provided to the tower and equipment cabinet or equipment building by means of a public street or right-of-way to a public street; the right-of-way shall be a minimum of 20 feet in width and shall be improved with a dust-free, all-weather surface for its entire length.
- L. Recording of a plat of subdivision shall not be required for the lease parcel on which the tower is proposed to be constructed, provided the equipment building is proposed to be unmanned and the required easement agreement for access is submitted for approval by the Township.
- M. Approval of a land development plan, prepared in accordance with the requirements of the Township Subdivision and Land Development Ordinance [Chapter 22], shall be required for all towers.
- N. The owner of the communications tower shall be responsible for maintaining the parcel on which the tower is located, as well as the means of access to the tower, including clearing and cutting of vegetation, snow removal and maintenance of the access driveway surface.
- O. The owner of any communications tower which exceeds 50 feet in height shall submit to the Township proof of an annual inspection conducted by a structural engineer at the owner's expense and an updated tower maintenance program based on the results of the inspection. Any structural faults shall be corrected immediately and reinspected and certified to the Township by a structural engineer at the owner's expense.
- P. The owner of the communications tower shall notify the Township immediately upon cessation or abandonment of the operation. The owner of the communications tower shall dismantle and remove the communications tower within six months of the cessation of operations, if there is no intention to continue operations, evidenced by the lack of an application to the Township to install antennas on the existing tower. If the owner of the communications tower fails to remove the tower, then the landowner shall be responsible for its immediate removal. Failure to remove an abandoned communications tower shall be subject to the enforcement provisions of § 27-2402 of this chapter.
- Q. All tower structures shall be fitted with anticlimbing devices as approved by the manufacturer for the type of installation proposed.
- R. All antennas and tower structures shall be subject to all applicable Federal Aviation Administration (FAA) and airport zoning regulations.
- S. No sign or other structure shall be mounted on the tower structure, except as may be required or approved by the FCC, FAA or other governmental agency.

- T. The exterior finish of the tower shall be compatible with the immediate surroundings. The tower, the equipment cabinet or equipment building and the immediate surroundings shall be properly maintained.
- U. The base of the tower shall be landscaped suitable to the proposed location of the tower, if the base of the tower is visible from adjoining streets or residential properties.
- V. At least one off-street parking space shall be provided on the site to facilitate periodic visits by maintenance workers. Manned equipment buildings shall provide one parking space for each employee working on the site.
- W. No antenna or tower structure shall be illuminated, except as may be required by the Federal Aviation Administration (FAA) or the Federal Communications Commission (FCC).

1806.14. Crematorium, subject to:

- A. A crematorium as a principal use shall be set back a minimum of 200 feet from all lot lines of existing dwellings, schools, day-care centers, and all undeveloped residentially zoned lots.
- B. All emissions must meet the requirements of the Pennsylvania Department of Environmental Protection as part of their permitting requirements.
- C. Hours of operation shall be limited to 7:00 a.m. to 7:00 p.m.
- D. The cremation unit shall be totally enclosed within a building. At a minimum, the stack height shall be at least 1.5 times the height of nearby structures.
- E. The crematory operator/owner shall provide the municipality with the necessary certifications to operate the crematorium, and prior to issuing a building permit, a copy of the required PA DEP general permit shall be provided. The crematorium shall be operated in conformance with all local, state and federal laws.
- F. All cremations shall be conducted in compliance with DEP emission standards and all applicable state regulations governing crematory operations.
- G. When cremations are taking place, an operator certified to operate the crematorium shall be on site.

1806.15 Data Center and Data Center Accessory Uses, subject to:

- A. The facility shall comply with all applicable Pennsylvania DEP, federal, and local environmental regulations.
- B. Setbacks.
 - i. Data Centers and Data Center Accessory Uses shall have a setback of 200 feet from the boundary of residential zoning districts or uses and from an educational institution, childcare facility, youth center, community center, recreational facility, park, church or religious institution, hospital, or other use where individuals under 21 years of age regularly gather, measured from the nearest edge of each property line.
- C. Buffer.
 - i. Where a Data Center and Data Center Accessory Uses abuts a residential or institutional district or use or public right-of-way, enhanced screening or screen planting buffer is required.
- D. Security.
 - i. The facility shall provide:
 - 1. Controlled access points.
 - 2. Perimeter fencing or secured building access.
 - 3. 24-hour surveillance consistent with industry standards.
- E. Lighting.
 - i. All lights and light poles shall be located at least 10 feet from any street right-of-way or property line, and all lighting shall be fully shielded and reflected away from adjacent streets and properties.
- F. Traffic.
 - i. The applicant shall demonstrate that truck and equipment traffic associated with construction, operation, servicing, and maintenance will not create hazards or congestion on nearby roadways.
- G. Aesthetics. Any Data Center and Data Center Accessory Use building façade that faces a road, or existing residential use, must incorporate at least two of the following design elements every 150 horizontal feet:

- i. A change in building material, pattern, texture, or color
- ii. Change in building height

H. Noise & Vibration.

- i. The applicant shall demonstrate through a sound study conducted by a qualified professional that the sound generated by a Data Center and/or Data Center Accessory Uses during normal operations shall be limited to a maximum sustained daytime (7:00 a.m. to 7:00 p.m. EST Monday-Friday) decibel level of 67 dB(A) and a maximum sustained nighttime and weekend (7:00 p.m. to 7:00 a.m. EST Monday-Friday and all day Saturday and Sunday) decibel level of 57 dB(A) as measured from the property line of the use. Such sound study shall be conducted using Sound Level Meters described in ANSI S1.4-2104 and generally accepted methodology. A sound study shall be conducted at the following phases:
 - 1. A preliminary study shall be conducted as part of the special exception process. The preliminary study shall include recommended sound-reducing materials or systems as needed to meet the aforesaid sound limits.
 - 2. An interim sound study shall be conducted during the building permit approval process based upon the proposed user or users of the Data Center and Data Center Accessory Uses depicted on the building plans. Any sound-reducing materials or systems recommended by the interim sound study shall be incorporated into the construction plans for use.
 - 3. An as-built sound study shall be conducted six (6) months after issuance of the certificate of occupancy and prior to the final escrow release for any land development phase. An as-built sound study may also be required thereafter by the Township. If it is determined by the as-built sound study that there is a violation of the aforesaid noise limits, it shall be a considered a violation of this Ordinance.
- ii. Maximum decibel levels specified herein shall not apply during times of power outage; however, the sound studies shall also evaluate and report anticipated decibel levels when all emergency power generation equipment is running, including backup generators.
- iii. The applicant shall provide a vibration study prepared by a qualified professional that demonstrates that no vibration from the Data Center, Data Center Accessory Uses, or associated equipment will be perceptible to the human sense of feeling beyond the property line.

- iv. Data Centers and Data Center Accessory Uses shall not exceed a maximum of sustained noise levels of 57 dB(A) at the boundary of residential zoning districts or uses or the lot line of any property developed with a sensitive receptor as explained in 310.200(B).

I. Emergency Management.

- i. The applicant shall submit an Emergency Response Plan (ERP) prepared by a qualified professional. The ERP shall:
 - 1. Be reviewed and accepted by the local fire department and emergency management services as part of the special exception process;
 - 2. Include an evaluation of the access roads and hydrant locations within the site to ensure suitable access for emergency equipment within the site;
 - 3. Any Data Center use proposing battery storage or any other device or group of devices capable of storing energy in order to supply electrical energy at a later time, whether the energy is stored for use on-site or off-site, shall demonstrate compliance with:
 - a. NFPA standards.
 - b. All state and federal environmental regulations.
 - c. Allegheny County emergency-management safety protocols.

J. All generators, cooling towers, HVAC units, and other mechanical equipment shall:

- i. Comply with the Township's noise limits at the property line.
- ii. Be screened from view from public rights-of-way.
- iii. Include sound-attenuating enclosures or baffling to protect adjacent uses.
- iv. Exhaust air, heat rejection systems, and cooling discharge shall be directed and designed so as not to create hazardous icing, visible vapor nuisance, or thermal impacts on adjacent rights-of-way or properties.

K. Power Supply.

- i. If the applicant proposes to connect the Data Center to the electric grid, the applicant shall provide documentation from the applicable electric service provider certifying that the necessary capacity is available and that the electric service provider will serve the Data Center. Known impacts on electric rates or availability for other uses directly attributable to the Data Center project shall be noted.
- ii. The applicant shall provide documentation from the applicable electric service provider certifying that the applicant will pay for their service, so as to not cause impacts on electric rates or availability.
- iii. Any energy generation system designed or used to supply power directly to a Data Center during normal operations, including energy generation systems, shall not be considered part of the Data Center use. Such systems shall be considered a separate use and shall be approved by a separate permit according to the zoning regulations and federal and state regulations applicable to such use.
- iv. Nuclear, coal and oil powered generation is prohibited for full-time electrical generators. All generators must operate and comply with applicable state and federal guidelines and permitting standards.
- v. Emergency/Backup Power:
 1. Backup generators shall meet all applicable state and federal emissions standards.
 2. For avoidance of doubt, emergency generators and similar emergency and back-up facilities and equipment may operate on diesel fuel.
 3. Diesel generators shall meet Tier 4 emission standards of the U.S. Environmental Protection Agency.
 4. Emergency energy generation shall be used only at the following times, unless otherwise required by a stricter regulation:
 - a. When the primary source of energy is not available due to the emergency outage.
 - b. During routine maintenance, or readiness testing for a short duration of time and capped at 100 hours per year

- c. Routine maintenance testing of back-up energy generation is restricted to the hours of 9 a.m. through 3p.m. Monday through Friday EST.

- 5. Use for peak shaving or supplying power to the grid is prohibited. The applicant shall design and located emergency energy generation systems to limit noise and visual impacts.

L. Stormwater, Water Supply, Water Use, and Wastewater.

i. Stormwater Management.

- 1. The applicant shall meet all provisions of the municipal stormwater management ordinance and associated requirements for post-construction stormwater management.

ii. Water Supply.

- 1. Any proposal for a Data Center shall include a letter from the operator providing an analysis of the anticipated raw water needs and proposed sources thereof. If the use will be supplied by a public water supply, the applicant shall submit written documentation from the public water authority certifying that the public water authority has the capacity and the capability to supply the proposed amount of water usage.
- 2. If the use is to rely upon nonpublic sources of water, the applicant shall provide a water feasibility study. The purpose of the study is to determine if there is an adequate supply of water for the proposed use and to estimate the impact of the use on existing wells, groundwater, and surface waters in the vicinity. No Data Center shall be approved unless the water feasibility study demonstrates that the anticipated water supply yield is adequate for the project and that the proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity.
- 3. No direct intake or outtake of the water supply from the local watershed, streams or tributaries, shall be allowed.

iii. Wastewater.

- 1. The applicant shall demonstrate that adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling or industrial purposes, have been provided and approved

by the local sanitary authority and the Pennsylvania Department of Environmental Protection.

- iv. Closed-Loop Cooling System. Data Centers and Data Center Accessory Uses must utilize a closed-loop cooling system.

M. Evidence shall be provided that the proposed facility can be adequately served by existing or planned telecommunications and fiber infrastructure without materially impairing service to surrounding users.

N. Vacation, abandonment and/or decommissioning.

- i. A decommissioning plan shall be required at the time of the land development plan and construction permit application for all proposed data centers under the jurisdiction of this zoning ordinance that establishes:
 - 1. A detailed inventory, timelines, management and removal of physical equipment, disposal of hazardous and recycling materials, and plans for future use or restoration of the site.
 - 2. A performance bond, decommissioning trust or escrow account, or letter of credit or a financial guarantee in an amount to be based upon the estimated cost of the decommissioning to insure completion of the decommissioning.
- ii. Unless otherwise stipulated, the applicant/owner shall provide written notice to the Township Planning Commission at least thirty (30) days in advance of the cessation or abandonment of this use.
- iii. Decommissioning must begin within one (1) year of discontinuation of Data Center operations, or upon notice of abandonment by the operator, whichever occurs first. Decommissioning shall be completed within (18) months thereafter unless extended by the Township in writing for good cause.
- iv. If neither the facility owner or operator, nor the landowner complete decommissioning within the periods prescribed above, then the Township may take such measures as necessary to complete decommissioning, utilizing all or any of the decommissioning funds. The entry into and submission of evidence of a participating landowner agreement to the Township shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors and assigns that the Township may take such action as necessary to implement the decommissioning plan.

- v. The escrow agent shall release the decommissioning funds when the facility owner or operator has demonstrated and the municipality concurs that decommissioning has been satisfactorily completed, or upon written approval of the Township in order to implement the decommissioning plan.

1806.16. Day-care Center, subject to:

- A. The facility shall be registered with or licensed by the Commonwealth of Pennsylvania.
- B. In the R-1, R-2, R-3, R-4, and R-5 Zoning Districts, the facility shall be permitted to be located only in a church or school.
- C. Outdoor play areas shall be provided which shall have a minimum area of 65 square feet per child or greater if required by state law and which shall be secured by a fence with self-latching gate. The location of the outdoor play area shall take into account the relationship to adjoining properties.
- D. Outdoor play areas which adjoin residential lots shall be screened by Buffer Area C, as defined by § 27-1903.1 of this chapter.
- E. The general safety of the property proposed for a day-care center, nursery school or preschool facility shall meet the needs of small children. There shall be no potential hazards in the outdoor play area, and a safe area for dropping off and picking up children shall be provided.
- F. Off-street parking shall be provided in accordance with the requirements of Part 22 of this chapter.
- G. Hours of operation shall be limited to 6:00 a.m. to 7:00 p.m.

1806.17. Equipment Storage Yard, subject to:

- A. The minimum site required for an equipment storage yard shall be five acres.
- B. The site shall have frontage on and direct vehicular access to an arterial or collector street as defined by this chapter.
- C. Buffer Area B, as defined by § 27-1903.1 of this chapter, shall be provided along all property lines adjoining an S-C or R Zoning District.

- D. No repair of vehicles or equipment shall be permitted outside a completely enclosed structure.
- E. All operations shall comply with the performance standards of § 27-1902 of this chapter.
- F. Engines shall not be started or kept running before 6:30 a.m. or after 8:00 p.m. if the site is located within 500 feet of an existing dwelling.
- G. All lighting shall be shielded and reflected away from streets and any adjoining residential properties.

1806.18. Family Day-Care Home, subject to:

- A. All of the applicable criteria for a home occupation specified in § 27-1806.25 shall be met.
- B. All applicable requirements of the Pennsylvania Department of Human Services (DHS) shall be met, and continuing compliance shall be maintained.
- C. An adequate outdoor play area shall be provided and shall be secured by a fence with self-latching gate. Such play area shall be screened from adjoining residential properties by a minimum four-foot-high compact, dense evergreen hedge or opaque fence.
- D. Outdoor play areas shall have a minimum area of 400 square feet or greater if required by state law for a family day-care home.
- E. Any addition or improvement to an existing residential structure or property for purposes of child day care shall preserve its residential character.
- F. All activities shall be conducted in an occupied, detached single-family residence.
- G. Activities shall be limited to functions normally associated with the part-time tending of children and shall not include overnight lodging.
- H. For group day-care homes, there shall be one additional on-site parking space provided for a nonresident employee above that required for the residential use. The parking space shall conform to the Township's dimensional standards for residential parking spaces.
- I. For day-care homes, an on-site dropoff area shall be provided with sufficient area to allow for the temporary parking of two vehicles. An existing driveway or

common parking lot space may be used as the dropoff area if it can be demonstrated that there is sufficient space available in the driveway that is not otherwise occupied or committed to safely accommodate two vehicles. If a driveway is used for the dropoff area and the proposed use fronts an arterial or major collector street, an on-site turnaround area shall be provided so that vehicles can exit the site driving forward. In cases where the existing driveway cannot function as a dropoff area, two new on-site dropoff spaces shall be provided. The dropoff area shall conform to the Township's dimensional standards for residential parking spaces.

1806.19. Flea Market, subject to:

- A. The minimum site area shall be 10 acres.
- B. The application shall include the following information:
 - i. The siting and orientation of the flea market;
 - ii. The location of each individual sales area within the flea market;
 - iii. The number and location of proposed parking spaces and driveways proposed for ingress and egress;
 - iv. Dimensions of the lot and of the building, if any, in which the flea market will be located;
 - v. Dimensions of each proposed sales area, and the distance between each sales area and adjoining sales areas;
 - vi. The distance between lot lines and sales areas;
 - vii. The distance between any buildings or structures and sales areas;
 - viii. The types of vehicles, stands, trailers or other structures from which sales will be conducted;
 - ix. The specific nature of the goods to be sold;
 - x. The availability of restroom facilities;
 - xi. Proposed hours of operation;

xii. Proposed manner and intensity of lighting;

xiii. Proposed manner of trash storage, including a specific description of the types of trash containers to be used and the scheduling and timing of trash pickup.

C. No flammable, explosive or hazardous materials shall be sold.

D. No exterior storage of items to be sold shall be permitted.

E. No exterior public address system shall be permitted.

F. If the flea market is conducted on the site of an existing business that is operational during the hours that the flea market is open for business, traffic circulation and parking shall not interfere with the free flow of traffic visiting the existing business, nor shall the flea market obstruct parking spaces that are accessory to the existing business.

G. If an existing business is not located on the site or the existing business is not open during the hours of operation of the flea market, sanitary facilities shall be provided for public use during the flea market hours of operation.

H. If an existing business is not located on the property, the flea market shall be subject to the sign regulations applicable in the zoning district. If an existing business exists on the property that has a freestanding ground or pole sign, the flea market shall be entitled to one nonilluminated ground sign, provided the surface area of the sign shall not exceed 32 square feet and the location of the sign complies with the requirements of § 27-2108.3B.

I. Auctions shall not be conducted as part of any flea market.

J. Sales areas may be conducted under roofed structures, permanent pavilions, or temporary vendor tents approved as part of the site plan.

1806.20. Funeral Home, subject to:

A. The minimum lot area shall be 40,000 square feet.

B. The site shall have frontage on and direct vehicular access to an arterial or collector street.

C. All off-street parking areas which adjoin a residential zoning classification shall be screened by a six-foot dense, compact evergreen hedge.

- D. Traffic circulation on the lot shall be designed to minimize congestion and provide for the lining up of vehicles on the property without obstructing the free flow of traffic on adjoining streets or alleys.

1806.21. Gasoline Station, subject to:

- A. The premises upon which the gasoline station is conducted shall have frontage on and direct vehicular access to an arterial street and may have additional direct vehicular access to a collector street.
- B. No outdoor unenclosed storage of palettes or other items offered for sale is permitted.
- C. Dumpsters and all trash areas shall be totally screened from the public view.
- D. All loading areas shall be at the rear of the building.
- E. Fuel pump islands and canopies shall be set back a minimum of 25 feet from any street right-of-way. Fuel pump islands shall be located at least 100 feet from any residential zoning district boundary.

1806.22. Private Recreation (Golf Course, Country Club), subject to:

- A. Golf courses and country clubs shall have a minimum site of 20 acres; driving ranges and putting courses shall have a minimum site of five acres.
- B. Clubhouses shall be located at least 100 feet from any property line adjoining property in an S-C, R-1, R-2, R-3, R-4, or R-5 Zoning District and at least 50 feet from all other property lines.
- C. Where eating and/or drinking facilities are provided, parking requirements for restaurants shall apply in addition to the parking requirements for golf courses.
- D. Where a swimming pool is provided, parking requirements for swimming pools shall apply in addition to the parking requirements for golf courses.
- E. Outdoor operations shall be discontinued between the hours of 11:00 p.m. and 6:00 a.m.

1806.23. Group Care Facility, Personal Care Boarding Home or Transitional Dwelling, subject to:

- A. The minimum area and bulk regulations for a group care facility, personal care boarding home or transitional dwelling shall be the same as those required for a principal use in the zoning district in which the facility is located.
- B. In the R-5 District, a transitional dwelling home shall have frontage on and direct vehicular access to an arterial or collector street as defined by this chapter.
- C. In the R-5 District, the maximum number of residents housed in a per transitional dwelling shall be 10.
- D. No group care facility, personal care boarding home or transitional dwelling shall be located within 500 feet of another existing or proposed group care facility, personal care boarding home or transitional dwelling.
- E. Adequate provisions shall be made for access for emergency medical and firefighting vehicles.
- F. Twenty-four-hour supervision shall be provided by staff qualified by the sponsoring agency.
- G. Adequate open space opportunities for recreation shall be provided on the lot for the residents consistent with their needs, and the area shall be secured by a fence with self-latching gate.
- H. Where applicable, licensing or certification by the sponsoring agency shall be prerequisite to obtaining a certificate of occupancy, and a copy of the annual report with evidence of continuing certification shall be submitted to the Zoning Officer in January of each year.

1806.24. Heavy Manufacturing, subject to:

- A. The minimum site required shall be 30 acres.
- B. The site shall have frontage on and direct vehicular access to an arterial or collector street.
- C. The site shall not be located within 1,200 feet of any residential dwelling, measured from any property boundary of the site in a straight line along a public street right-of-way to the nearest wall of a residential dwelling.

- D. All activities shall comply with the performance standards specified in § 27-2102 of this chapter.
- E. All materials, equipment and processes shall be contained within a completely enclosed building, and windows and doors shall remain closed during manufacturing processes.
- F. Adequate public utilities shall be available to meet the demands of the proposed manufacturing processes.
- G. Adjacent public streets shall be adequate to accommodate traffic volumes and weight limits associated with truck traffic to and from the site.
- H. The storage, handling, transportation and disposal of hazardous or potentially hazardous materials shall be in accordance with all applicable permits and requirements of the Pennsylvania Department of Environmental Protection (PA DEP) and the United States Environmental Protection Agency (EPA).

1806.25. Home Occupation, subject to:

- A. The home occupation shall be carried on by a member of the family residing in the dwelling unit. No more than one person who is not a resident of the dwelling unit shall be employed in the dwelling unit.
- B. In the R-2, R-3, R-3-A, R-4, and R-5 Districts, the home occupation shall be carried on wholly within the principal dwelling. The home occupation shall not be conducted in any accessory structure. In the R-1 District, the home occupation may be carried on in an accessory structure, provided the gross floor area of the accessory structure shall not exceed 25% of the gross floor area of the principal dwelling.
- C. No more than 25% of the gross floor area of the principal dwelling shall be devoted to the conduct of the home occupation.
- D. There shall be no on-site production of articles for sale in the home occupation, other than customary handicrafts made by the resident, which may be produced for sale off the premises. Such articles shall not be displayed in quantity for sale on the premises, except that samples may be kept for the purpose of accepting orders.
- E. There shall be no display on the premises of merchandise available for sale which has been produced off the premises; however, merchandise may be stored on the premises for delivery off the premises, such as Amway™, Tupperware® or

similar products stored for distribution to customers or salespersons at their residence or place of business.

- F. There shall be no exterior displays or signs, either on or off the premises, other than a small identification sign no more than one square foot in surface area containing only the name of the resident and the nature of the home occupation, which may be attached to the wall of the dwelling or to the mailbox.
- G. The use shall not require internal or external alterations or construction features which are not customary to a dwelling or which change the fire rating of the structure.
- H. Objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat or glare shall not be produced. The use shall comply with the performance standards of § 27-1902 of this chapter.
- I. The use shall not significantly intensify vehicular or pedestrian traffic beyond that which is normal for the residences in the neighborhood.
- J. There shall be no use of materials or equipment except that of similar power and type normally used in a residential dwelling for domestic or household purposes.
- K. The use shall not cause an increase in the use of water, sewage, electricity, garbage, public safety or any other municipal services beyond that which is normal for the residences in the neighborhood.
- L. In the R-1, R-2, R-3, R-3-A, R-4, and R-5 Districts, the home occupation shall not involve the use of commercial vehicles for regular delivery of materials to or from the premises, and commercial vehicles shall not be parked on the premises.
- M. There shall be no storage of materials or equipment used in the home occupation outside a completely enclosed building.
- N. Any home occupation where customers, clients or students routinely visit the premises shall provide a paved off-street parking area in accordance with the requirements of Part 20 for the specific use in addition to the spaces required for the dwelling.
- O. The following uses shall not be considered home occupations and shall be restricted to the zoning districts in which they are specifically authorized as permitted uses, conditional uses or uses by special exception, including, but not limited to:

- a. Beauty shops or barbershops containing more than two chairs;
- b. Blacksmith or metalworking;
- c. Boarding stables;
- d. Clinics, hospitals or nursing homes;
- e. Funeral homes;
- f. Group care facility, personal care boarding home or transitional dwelling;
- g. Kennels, veterinary offices and clinics;
- h. Private clubs;
- i. Private instruction to more than five students at a time;
- j. Restaurants or tearooms;
- k. Retail or wholesale sales; flea markets;
- l. Tanning or massage salon;
- m. Tourist or boarding home, other than bed-and-breakfast;
- n. Vehicle or equipment rental, repair or sales;
- o. Vehicle repair garages.

P. The following are examples of permitted home occupations, provided all of the foregoing criteria are met:

- a. Artist, photographer or handicrafts studio;
- b. Catering off the premises;
- c. Contracting business, excluding on-site storage of equipment;
- d. Computer programmer, data processor, writer;

- e. Consultant, clergy, counselor, bookkeeping, graphics or drafting services;
- f. Dressmaker, tailor;
- g. Professional offices which involve routine visitation by customers or clients;
- h. Housekeeping or custodial services;
- i. Interior designer;
- j. Jewelry and/or watch repair, not including wholesale or retail sales;
- k. Lawnmower and small engine repair in the R-1 District only;
- l. Locksmith;
- m. Mail order business;
- n. Manufacturer's representative;
- o. Repair of small household appliances that can be hand-carried in the R-1 District only;
- p. Telemarketing;
- q. Travel agent;
- r. Tutoring or any other instruction to no more than five students at any one time;
- s. Word processing, typing, secretarial services.

Q. The acceptability of any proposed home occupation not specifically listed above shall be determined by the Zoning Hearing Board in accordance with the standards of this § 27-1806.24 and the applicable criteria for "comparable uses not specifically listed" in § 27-1805.

1806.26. Hospital, Clinic or Nursing Home, subject to:

- A. The minimum lot area required for a hospital shall be 10 acres. The minimum lot area required for a clinic or nursing home shall be two acres.
- B. The property shall be served by public water and public sewers.
- C. All hospitals and nursing homes shall be licensed by the commonwealth, and the license shall be maintained throughout the occupancy. Failure to maintain the license shall be grounds for revocation of the certificate of occupancy.
- D. Water pressure and volume shall be adequate for fire protection.
- E. Ingress, egress and internal traffic circulation shall be designed to ensure access by emergency vehicles.
- F. The parking and circulation plan shall be referred to the Township Police Department and Volunteer Fire Company for comments regarding traffic safety and emergency access.
- G. Nursing homes shall have a bed capacity of at least 20 beds, but no more than 200 beds.
- H. All property lines adjoining a residential use or zoning classification shall be screened by Buffer Area B, as defined by § 27-1903.1 of this chapter.
- I. A private-use helipad for air ambulances shall be permitted as part of a hospital, provided all of the following criteria of § 27-1906.45 are met.
- J. Disposal of medical waste shall be in accordance with all applicable permits and handling requirements of the Pennsylvania Department of Environmental Protection (PA DEP) and the United States Environmental Protection Agency (EPA).

1806.27. Hotel, subject to:

- A. The minimum site required shall be five acres.
- B. Primary vehicular access shall be from an arterial or collector street. Secondary access to a local street may be permitted where necessary for emergency access or internal circulation, provided it does not serve as the primary access point.

- C. The hotel shall be located a minimum of 300 feet from any property line adjoining an S-C or R Zoning District.
- D. Buffer Area A, as defined in § 27-1903.1 of this chapter, shall be provided along all property lines adjoining an S-C or R Zoning District.
- E. Rooftop mechanicals shall be screened from public view.
- F. Dumpsters shall be completely enclosed by a wall or solid fence at least six feet in height.

1806.28. Junkyard, subject to:

- A. The minimum site required shall be 20 acres.
- B. The site shall have frontage on and direct vehicular access to an arterial or collector street, as defined by this chapter.
- C. The operation shall comply with all applicable performance standards of §27-1902. No garbage, hazardous materials or hazardous waste, as defined by federal statute, or other organic waste shall be stored on the premises.
- D. The handling and disposal of motor oil, battery acid and other substances regulated by federal statute and the Pennsylvania Department of Environmental Protection (PA DEP) shall be in accordance with all permits and requirements of that agency. Any suspension, revocation or violation of the PA DEP permits shall be a violation of this chapter and shall be subject to the enforcement provisions of § 27-2402 of this chapter.
- E. The manner of storage of junk or other materials or equipment on the site shall facilitate access for firefighting, shall prevent hazards from fire or explosion and shall prevent the accumulation of stagnant water.
- F. The junkyard operation shall comply with the performance standards of § 27-1902 of this chapter.
- G. No junk shall be stored or accumulated and no structure shall be located within 300 feet of any dwelling or within 100 feet of any property line or public street.
- H. The premises shall be enclosed by a metal chain-link fence not less than eight feet in height supported on steel posts with a self-latching gate. The fence shall be supplemented with screening material which creates a visual barrier that is at least 80% opaque.

- I. Buffer Area A, as defined by § 27-1903.1 of this chapter, shall be provided along all property lines adjoining a residential use or zoning classification.
- J. The site shall be designed utilizing natural topography and/or constructed earthen mounds so as to obstruct visibility from adjacent public streets and properties.
- K. The operator shall obtain a license from the Township prior to initiating operations, which shall be renewable annually upon payment of the required license fee established from time to time by resolution of the Board of Commissioners and subject to inspection by the Zoning Officer to determine continuing compliance with these standards.

1806.29. Kennel, subject to:

- A. It shall be licensed under the Dog Law Act of 1982, P.L. 784-255.
- B. Access shall be directly onto a public street with sufficient capacity to handle traffic generated by the proposed use.
- C. All animal holding areas shall be within an enclosed air-conditioned building.
- D. In the B-2 District, all activities must be within an enclosed building.
- E. In the R-1 District, the minimum site area shall be three acres.
- F. In the R-1 District, no outdoor exercise area or run shall be located within 200 feet of a property line.
- G. Outdoor runs and similar facilities shall be constructed for easy cleaning, shall be adequately secured by a fence (minimum of six feet in height) with a self-latching gate and shall be screened.
- H. No prolonged outdoor activity shall occur between 8:00 p.m. and 7:00 a.m. except for brief supervised exercise.
- I. No kennel may be established within 1/2 of a mile of an existing kennel.
- J. The facility shall comply with the performance standards of §27-1902, including noise limitations.
- K. No disposal of dead animals shall occur on the property.

1806.30. Landfill, subject to:

- A. The minimum site area shall be 50 acres.
- B. The site shall have frontage on and direct vehicular access to an arterial or collector road, as defined by this chapter.
- C. All landfill operations shall be located at least 1,200 feet from any occupied dwelling.
- D. The driveway or haul road entering the site from a public street shall be paved for a distance of 600 feet from the public street.
- E. A tire-washing station shall be located on the site to service trucks exiting the facility.
- F. The operator shall post a bond in favor of the Township and in a form acceptable to the Township prior to beginning operations in the amount of \$100,000 for each mile of Township road or portion thereof proposed to be traversed by vehicles traveling to the site. The term of the bond shall begin on the date that conditional use approval is issued. The bond shall be returned to the operator upon completion of all operations and any backfilling or reconstruction of a damaged roadway due to weight in excess of the posted weight limits for the road. Any failure to complete the reconstruction required by this chapter shall result in forfeiture of the required bond. Those portions of the Township roads which have been damaged shall be determined by inspection of the Township Engineer and shall be reconstructed to current Township specifications for street construction.
- G. Landfill operations shall not be conducted within 300 feet of any property lines adjoining a residential use or zoning district classification.
- H. All property lines adjoining any existing residential use or any S-C or R Zoning District classification shall be screened by Buffer Area A, as defined by § 27-1903.1 of this chapter. The buffer area shall be comprised of a combination of earthen mounding and the required plantings.
- I. Fencing at least eight feet in height shall be provided around any work area for security and to control wind-blown refuse.
- J. The applicant shall show compliance with applicable state and federal laws regulating landfills.

- K. The applicant shall obtain the required permits from the Pennsylvania Department of Environmental Protection (PA DEP) and/or the United States Environmental Protection Agency prior to initiating any operation.
 - L. The required state and federal permits shall be maintained throughout the duration of all operations. The applicant shall notify the Zoning Officer of any suspension or revocation of the required state or federal permits.
 - M. Any suspension or revocation of the required state or federal permits shall constitute a violation of this chapter and will result in the suspension or revocation of the certificate of occupancy or enforcement of the penalty provisions of this chapter, or both.
 - N. In January of each year, the operator shall apply to the Zoning Officer for renewal of the certificate of occupancy in accordance with § 27-2406.1 and shall present evidence of continuing compliance with all conditions of approval and required state or federal permits.
- 1806.31. Light Manufacturing, subject to:
- A. All light manufacturing facilities shall comply with the performance standards set forth in § 27-1902 of this chapter.
 - B. All activities shall take place indoors.
 - C. The facility shall be so designed and so constructed that there shall be no danger to the health, safety or welfare of residents or persons on adjoining properties.
 - D. Emissions shall comply with all applicable federal and state regulations and shall not exceed the performance standards of §27-1902 at any property line.
 - E. Where adjoining a residential zoning district, Buffer Area B shall be provided.
- 1806.32. Major Business or Professional Office and Major Financial Institution, subject to:
- A. The minimum site required shall be two acres. If several lots are consolidated to meet the minimum area requirement, a consolidation plat shall be submitted and approved for recording in accordance with all applicable requirements of the Township Subdivision and Land Development Ordinance [Chapter 22].
 - B. The site shall have frontage on and direct vehicular access to an arterial or collector street, as defined by this chapter, or shall be on a lot within a planned shopping center that meets this requirement.

- C. The setback along any property line adjoining an S-C or R Zoning District shall be increased to a minimum of 100 feet.
- D. Drive-through facilities, if proposed, shall be subject to § 27-1907 of this chapter.
- E. Buffer Area B, as defined by § 27-1903.1 of this chapter, shall be provided along all property lines adjoining property in an S-C or R Zoning District.
- F. Parking areas shall be located to the side or rear of the building where practicable.

1806.33. Major Retail Business, subject to:

- A. The minimum site required shall be five acres.
- B. The site shall have frontage on and direct vehicular access to an arterial or collector street, as defined by this chapter, or shall be on a lot within a planned shopping center that meets this requirement.
- C. All activities and sales shall be in a completely enclosed building, except those seasonal or temporary uses.
- D. The setback along any property line adjoining an S-C or R Zoning District shall be increased to a minimum of 100 feet.
- E. Dumpsters shall be completely enclosed by a solid fence or wall.
- F. Loading berths shall be located in the rear of the principal building.
- G. Buffer Area A, as defined by § 27-1903.1 of this chapter, shall be provided along all property lines adjoining property in an S-C or R Zoning District.

1806.34. Mineral Removal, subject to:

- A. Removal of minerals encountered during the routine grading of a site for the purposes of an approved land development or for the construction of public improvements shall be excluded from these regulations and the requirement to obtain approval of a conditional use application, provided evidence is presented to the Township that all applicable requirements of the Pennsylvania Department of Environmental Protection (PA DEP) are met.

- B. There shall be no removal of minerals or vegetative cover within 100 feet of the bank of any stream or natural watercourse identified on maps prepared by the United States Geologic Survey (USGS).
- C. Mineral removal shall be prohibited in watersheds or rivers or streams now or hereafter designated by the Pennsylvania Fish Commission as a wilderness trout stream, by the Pennsylvania Department of Environmental Protection as part of the Scenic Rivers System or designated under the Federal Wild and Scenic Rivers Act.
- D. In addition, no mineral removal shall be conducted:
 - a. Within 300 feet of the property line, or upon the property, of any residential or public building, church, community or institutional building, commercial building, public park or private recreation area without the written consent of the owner; provided, however, that the following requirements shall be in effect as to public or private school or day-care center uses:
 - 1. Within 1,000 feet of the property line or upon the property of such uses, except that conventional gas wells may be located within 300 feet of the property line of such uses with the consent of the property owner.
 - b. Within 300 feet of the Panhandle Trail.
 - c. Within 100 feet of the outside right-of-way line of any public street, except where access roads or haulage roads join the right-of-way line and where the appropriate state or federal agency having jurisdiction over the conduct of mineral removal operations shall permit it in accordance with law.
 - d. Which will adversely affect any publicly owned park or places included on the National Register of Historic Sites, unless approved by the governmental agency with jurisdiction over the park or historic site.
 - e. Within 100 feet of the property line of a cemetery.
 - f. Within 300 feet of the property line of an occupied dwelling, unless the consent of the owner has been obtained in advance of the filing of the application for zoning approval.

- E. The applicant shall submit to the Township a copy of all materials provided to the Pennsylvania Department of Environmental Protection (PA DEP) with the permit application.
- F. The applicant shall show the proposed routes of all trucks to be utilized for hauling and the estimated weights of those trucks. The applicant shall show evidence of compliance with designated weight limits on Township streets, unless a bond and an excess maintenance agreement to assure road damage repair is provided, and shall design the hauling routes for the mineral removal operation to minimize the use of and impact upon Township streets wherever feasible.
- G. The applicant shall also show evidence satisfactory to the Township Engineer that intersections along proposed hauling routes provide a sufficient turning radius for trucks to be utilized for hauling, such that all turns can be safely made without damage to vehicles, sidewalks or curbs.
- H. The applicant or operator shall post a bond or other financial security in favor of the Township and in a form acceptable to the Township prior to beginning operations to guarantee restoration of Township streets which may be determined in the reasonable opinion of the Township Engineer to be damaged as a result of traffic generated by the mineral removal operations. In addition, if the Township Engineer concludes that mineral-removal-generated traffic will cause substantial damage to a Township road, then the applicant must, before operations begin, enter into an agreement with the Township undertaking the responsibility to repair the road to the extent determined in the reasonable discretion of the Township Engineer, which agreement may provide for a bond to be posted in excess of otherwise applicable PennDOT limits when the Township Engineer has reasonably estimated that the cost of repair will exceed the PennDOT limits. In addition, should the Township Engineer reasonably determine that preventive measures, such as shoring of bridges or putting protective mats over utility lines, should be taken to prevent damage to Township roads, bridges or utilities, then the applicant shall install such protective measures as directed by the Township Engineer, prior to beginning operations.
- I. Portions of the site where mineral removal operations are conducted may be required to be fenced or screened, as necessary, to provide security and protect adjacent properties.
- J. The applicant shall comply with all applicable state and federal regulations and shall show evidence of obtaining the required state and federal permits, including proof of insurability, before initiating any work and shall maintain the required permits throughout the duration of all operations. Any suspension or revocation of the required state or federal permits shall constitute a violation of zoning approval and will result in the suspension or revocation of zoning approval and/or enforcement of the penalty provisions of this chapter.

- K. Approval of the conditional use shall expire if work authorized in the application for the conditional use is not commenced within six months of the date of approval of the conditional use application by the Board of Commissioners, unless the applicant submits a written request for an extension prior to the expiration of the six months after the date of approval.
- L. Once work is initiated under an approved application for conditional use, zoning approval shall be valid for a period of one year from the date of conditional use approval by the Board of Commissioners. An application for renewal of zoning approval shall be submitted prior to the expiration of zoning approval and shall be approved by the Zoning Officer upon demonstration by the applicant that all conditions of approval of the conditional use and the required federal and state permits remain in full force and effect and that the applicant is diligently pursuing the completion of the mineral removal operation.
- M. During the mineral removal operation, the Township Engineer may inspect the site at the request of the Board of Commissioners to determine continuing compliance with these standards and criteria and any conditions of approval. The cost of inspection by the Township Engineer shall be borne by the operator.
- N. Prior to the commencement of oil or gas well drilling activities, or, in the case of other mineral removal, the actual commencement of mining activity, no construction activities involving excavation of, alteration to or repair work on any access road to the site of the mineral removal or upon an oil or gas well site, or other site of mineral removal, shall be performed during the hours of 7:00 p.m. to 7:00 a.m.
- O. The Township recognizes and acknowledges that oil and gas development is accompanied by inherent noise. The regulations in this section are intended and shall be interpreted and applied to establish a process for reasonable noise control which provides for response to individual complaints and requires that undue noise be addressed, where feasible, without the Township dictating the particular operational steps that must be taken. The operator shall take the following steps to minimize, to the extent practicable, the noise resulting from the development:
 - a. Prior to drilling of an oil and gas well, the operator shall establish a continuous seventy- two-hour ambient noise level at the nearest protected structure property line or 100 feet from the nearest protected structure (as measured to the closest exterior point of the building), whichever is closer to the protected structure, or, alternatively, and in lieu of establishing the above seventy-two-hour ambient noise level, the operator may assume and use, for the purposes of compliance with this chapter, a default ambient noise level of 55 dBA. The sound-level meter used in conducting any evaluation shall meet the American National Standards Institute's standard

for sound meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data.

- b. For the purposes of this section, a "protected structure" shall be any occupied residence, commercial business, school or church located within 1,000 feet of the surface location of an oil or gas well that may be impacted by noise generated from drilling or hydraulic fracturing activity at an oil or gas well, excluding any structure owned by an oil and gas lessor who has signed a lease with the operator granting surface drilling rights to drill the subject well or whose owner (or occupants) has signed a waiver relieving the operator from implementation of the measures established in this subsection for the owner's or occupant's benefit.
- c. The operator shall provide documentation of any established seventy-two-hour evaluation relied upon to establish an ambient noise level greater than 55 dBA to the Township's Zoning Officer within three business days of such a request from the Zoning Officer.
- d. The noise generated during drilling and hydraulic fracturing activities, when measured at the nearest protected structure property line or 100 feet from the nearest protected structure (as measured to the closest exterior point of the building), whichever is closest to the protected structure, shall not exceed the average ambient noise level (as determined by the seventy-two-hour evaluation) or default level, whichever is higher:
 - 1. During drilling activities, by more than 7 decibels during the hours of 7:00 a.m. to 9:00 p.m.
 - 2. During drilling activities, by more than 5 decibels during the hours of 9:00 p.m. and 7:00 a.m.
 - 3. By more than 10 decibels during hydraulic fracturing operations.
- e. The operator shall inform the Township of which level (average ambient noise level or default level) is being used.
- f. The operator shall provide for ongoing regular noise level monitoring at a station to be located at or near the nearest protected structure property line or 100 feet from the nearest protected structure (as measured to the closest exterior point of the building), whichever is closer to the protected structure. The noise monitoring data acquired at this station shall be made available to the Township upon request.

- g. Adjustments to the foregoing noise limits may be permitted in accordance with the following:

Permitted Increase (dBA)	Duration of Increase (minutes)*
5	15
10	5
15	1
20	1

- h. If a complaint is received by the Township from any person, whether a resident or otherwise using the protected structure for any lawful purpose, within 1,000 feet from the wellhead or equipment generating noise during drilling or hydraulic fracturing activities, the operator shall, within 24 hours of receipt of the complaint from the Township, continuously monitor for a forty-eight-hour period at a point which is the closer to the complainant's building of:
1. The complainant's protected structure property line nearest to the wellsite or equipment generating the noise; or
 2. One hundred feet from the protected structure.
- i. Once the monitoring is complete, the operator will provide monitoring data to the Township and will meet with Township representatives and affected property owners and will provide a noise abatement plan to effectively mitigate any noise exceeding the permitted levels. In determining the noise mitigation measures to be installed, the Township may, at the expense of the operator, utilize the services of a consultant with expertise in noise measurement, noise remediation and in gas and oil well drilling and operation.
- j. Exhaust from any internal combustion engine or compressor used in connection with the drilling of any well or for use on any production equipment or used in development shall not be discharged into the open air unless it is equipped with an exhaust muffler or an exhaust box. The exhaust muffler or exhaust box shall be constructed of noncombustible materials designed and installed to suppress noise and disruptive

vibrations. Moreover, all such equipment with an exhaust muffler or exhaust box shall be maintained in good operating condition according to manufacturer's specifications.

- k. All workover operations shall be restricted to the hours of 7:00 a.m. to 7:00 p.m., except as necessary, as reasonably determined by the operator. "Workover operations" shall mean work performed in a well after its completion in an effort to secure production where there has been none, restore production that has ceased, or increase production.
- l. In cases where noise has exceeded permitted levels and gas and oil well drilling rigs can be outfitted with acoustic barrier insulation blankets, or sound walls can be erected, such barriers and walls shall be installed in accordance with best management practices in the industry; provided, however, that no such acoustic barrier shall be required where its use would be contrary to applicable state or federal regulations or where its use would create a safety hazard in the opinion of the Township Engineer or of any regulatory agency with jurisdiction. Any sound walls shall be removed within 30 days after notification of removal is issued by the Township.
- m. Section 27-1806.41O shall not apply to conventional oil and gas wells.
- n. In order for the Township to appropriately enforce the conditions imposed by this chapter, to make certain that the health, safety and welfare of its citizens are met and to determine if the use remains compatible with various zoning districts in the Township, if the operator engages in any noise testing as required by this chapter, it will provide the final results to the Township within two business days of the operator's receipt of those final results.
- P. Notwithstanding any other provision in this chapter, parking areas for mineral removal activities shall provide sufficient parking to allow all vehicles associated with the mineral removal operation to be parked off street. Parking areas shall provide a slag or stone or other surface designed to minimize dust or, alternatively, dust-reduction measures such as water sprinkling whenever necessary.
- Q. The operator shall take all necessary steps to ensure that public roads remain free of dirt, mud or debris resulting from mineral removal traffic or activities, including road sweeping and tire washing if needed. Where traffic generated by the mineral removal is heavy in the proximity of school bus stops, the operator will provide flagmen to ensure the safety of children waiting for or leaving school buses.

- R. The operator shall provide an opportunity for Township emergency services providers to arrange visits to the site of mineral removal for the purpose of being oriented to the location, equipment and layout of the site. Such orientation visits shall be mutually arranged between the operator and the chief officer of any given emergency provider service. The operator shall provide appropriate maps, emergency plan documents and any other information relevant to provision of emergency services to such chief officers. The operator will reimburse each volunteer emergency company for reasonable expenses incurred in orientation and training.
- S. Each application for a conditional use under this section shall have attached thereto a site plan. The proposed site development plan shall be a topographic plan, prepared by a professional engineer registered in the Commonwealth of Pennsylvania, to a scale no greater than one inch equals 200 feet, on a standard sheet size of 24"H x 36"W, to include the following:
- a. Title block, giving the name of the development, property owner, developer, North point, key location map, registration stamp, date and scale, with index.
 - b. Property lines, Zoning Ordinance district boundary lines and total acreage of the parcel proposed for development.
 - c. All existing streets, rights-of-way, and easements related to the development.
 - d. Owners of adjacent properties, including the location of any existing structures and driveway locations.
 - e. The location of relevant natural features on site, including, but not limited to, streams or other natural watercourses and adjacent areas which are subject to flooding, and significant stands of existing trees.
 - f. The location of relevant natural features abutting properties within 300 feet, including, but not limited to, streams or other natural watercourses and adjacent areas which are subject to flooding, and significant stands of existing trees.
 - g. The location of structures on abutting property within 300 feet of common property lines and the location of any protected structures as described in § 27-1906.34O(1).
 - h. The location of all mineral removal structures, facilities, equipment or buildings.

- i. The location of existing structures, buildings and accessory uses on site.
- j. The location of vehicle and equipment cleaning and tire-cleaning areas, and a program for removing mud and other site debris from the municipal streets.
- k. The location of proposed access roads and proposed haul roads.
- l. The location of stormwater and sediment controls or any water impoundment facilities.
- m. An environmental impact statement, which shall include the following:
 - 1. A description of existing conditions in the area and the land use history of the property;
 - 2. A description of the proposed mineral removal operations and associated facilities;
 - 3. An assessment of the proposed mineral removal operations on abutting, surrounding uses;
 - 4. An historical record of previous mineral removal operations at the site;
 - 5. A description of existing conditions, including mineral removal facilities, structures, buildings or equipment;
 - 6. A plan for compliance with the noise limitations set forth in this chapter, including, but not limited to, identifying the location, design and height of sound walls;
 - 7. A description of the method for disposal of any radioactive tailings or substances; and
 - 8. A description of all project site restoration activities and the timetable for same, including, but not limited to, a description of restoration plantings by location, number, species, and size of trees or other plantings.
- n. A copy of any permit or permit application issued by or submitted to the Pennsylvania Department of Environmental Protection.

- o. The location, depth and profile of any proposed pipelines for water, gas, oil or other substance to be installed within the Township in connection with the proposed use.
 - p. A lighting plan, demonstrating maximum feasible reduction of glare into adjacent properties in accordance with § 27-1902.7 of this chapter.
 - q. A plan for water usage and disposal, identifying any water source or disposal point within the Township, proposed method of transport within the Township, including truck or pipeline routes, and a schedule for daily inspection of surface water transport lines.
 - r. Such other information pertinent to the proposed mineral removal as may be requested by the Township Engineer or Zoning Officer.
- T. The operator shall remove and dispose of all unrooted trees, stumps, brush, rubbish, construction materials and debris promptly in the interest of public safety. No on-site burial of pond liners, drilling residuals or hydraulic fracturing residuals is permitted.
- U. The applicant or operator shall accompany the conditional use application with a nonrefundable application fee of \$1,000 and an initial review fees escrow deposit of \$5,000.
- V. Gas and oil operations shall meet the following air quality/odor requirements:
- a. The operator shall take all necessary precautions to properly operate and maintain a vapor recovery unit, vapor destruction unit, or the best available and feasible technology at any condensate tanks at the wellsite.
 - b. The operator shall take all precautions to minimize odors perceptible on nearby property during the drilling and the hydraulic fracturing process. Upon complaint by any person residing or working upon nearby property regarding odors generated from the wellsite, the operator will meet with the Township and complainant to establish an effective odor control plan. The operator will reimburse the Township for the cost of consultants or other investigation that may be needed to determine the nature and origin of odors generated from the wellsite. For purposes of this section, "nearby properties" are properties within 500 feet of the wellsite.
- W. The operator shall provide and maintain a local or toll-free telephone access line that will be available for the general public to lodge complaints 24 hours a day, seven days per week. The operator will provide the Township Manager and Township Zoning Officer with a local or toll- free telephone access line that will

be available for the Township Manager, Zoning Officer or other Township-designated representative to contact the operator 24 hours a day, seven days a week, along with the name and location of a specified individual or individuals who will be responsible for responding to Township calls.

- a. The operator shall respond to any call from the general public within 24 hours and shall notify the Township of the call from the general public and the response.
- b. The operator shall respond to any call from Township personnel by 4:00 p.m. on the same business day.
- c. The operator shall, at the request of the Township, make a representative available at the Township Municipal Building to address specific concerns about the wellsite for at least one hour during each week at a time to be designated by the Township during standard Township office hours and/or during a Township Board of Commissioners public meeting.

- X. Any pond or impoundment installed in connection with a wellsite to contain liquids shall be secured with a six-foot-high chain-link security fence or equivalent approved by the Township. Gaps in the fence for access shall be controlled by a gate. During the drilling and fracturing process, the drilling pad shall be secured with a security fence and gate.
- Y. During the time any pond or impoundment contains nonpotable water or other liquids, such ponds shall be covered with netting as feasible to keep birds and animals out.

1806.35. Mini-Warehouses or Self-Storage, subject to:

- A. The minimum site area required shall be four acres.
- B. In the B-2 and B-3 District, mini-warehouses shall not occupy primary frontage along an arterial street.
- C. Vehicular access to the site shall be limited to one two-way or two one-way driveways connecting to the nearest public street.
- D. All interior driveways shall be paved with an impervious surface sufficient for the loads the driveways are expected to bear.

- E. Within the site, all driveways shall be a minimum of 25 feet wide. Traffic circulation shall be subject to review and approval by the Board of Commissioners upon the recommendation of its traffic engineer.
- F. Parking shall be provided in accordance with the requirements of § 27-2002 and shall be located near the office.
- G. Buffer Area A shall be provided in accordance with the requirements of § 27-1903.1 of this chapter along all property lines which adjoin a residential use or zoning classification.
- H. The perimeter of the site shall be fenced with a minimum eight-foot-high chain-link fence with self-latching gate. Where outside storage is authorized, the fence around the outside storage area shall be supplemented with screening material which creates a visual barrier that is at least 80% opaque.
- I. Any fence along a street, driveway, entrance or side yard abutting other B-2 and B-3 property shall be subject to review and approval for design, appearance and material by the Board of Commissions so as to achieve security, attractiveness and compatibility with the common architectural theme of other B-2 and B-3 property.
- J. No rooftop HVAC units shall be permitted.
- K. The maximum size of any storage unit shall be 15 feet wide, 40 feet deep and one story but no more than 20 feet in height.
- L. The maximum lot coverage by all buildings shall not exceed 50%, unless the developer provides additional landscaping and planting as may be approved by the Board of Commissioners.
- M. Office space may be provided which shall not exceed 5% of the total floor area devoted to storage.
- N. In the B-3 and B-2 Districts, no storage shall take place outside of a completely enclosed building.
- O. Storage units shall not be equipped with water or sanitary sewer service.
- P. No business activity other than rental of storage units shall be conducted on the premises, except for services and/or items ancillary to the provision of storage services.

- Q. Operations shall be regulated so that nuisances such as visual blight, trash, glare, noise, blowing debris and dust shall not be created or maintained.
- R. Exterior finishes of the storage units shall be compatible with the material comprising the exterior finish of buildings on adjoining properties.
- S. No sign shall be placed on the buildings except for informational and directional signs and one business identification sign on the office building portion of the facility. No signs shall be placed on rooftops.
- T. No hazardous materials or substances shall be permitted to be stored in the storage buildings other than those permitted by the Township Building or Fire Prevention Codes. Both the landlord and the tenants shall be responsible for prevention of the storage of hazardous materials or substances in the storage buildings that are not in compliance with the Township Building or Fire Prevention Codes. Written notice shall be given to all prospective tenants of this restriction on materials and substances permitted to be stored.
- U. A minimum of one fire hydrant shall be provided on the site, subject to approval by the Township Zoning Officer after consultation with the Fire Chief.

1806.36. Mixed-use Development, subject to:

- A. The townhouse dwelling units shall be separated by a vertical common wall. There shall be no horizontal separation between townhouse dwelling units, and no dwelling unit shall be located above or below another unit.
- B. Dwelling units shall not be located on the street or ground floor of a mixed-use building.
- C. Nonresidential uses shall not be located above the street or ground floor of a mixed-use building.
- D. The maximum length of a mixed-use building shall be 250 feet.
- E. The maximum depth of a mixed-use building shall be 55 feet.
- F. The minimum gross floor area on each floor of any townhouse dwelling unit located in a mixed-use building shall be 1,500 square feet.
- G. The maximum number of business establishments located in a mixed-use building shall be seven.

- H. The minimum number of townhouse dwelling units in a mixed-use building shall be three.
 - I. The maximum gross floor area of any single business establishment located in a mixed-use building shall be 2,000 square feet.
 - J. The first-floor businesses shall be architecturally distinguished from the upper floor(s) by changes in wall surface materials or colors, variations in the scale of windows and doors, roof overhangs, cornices, string courses or other similar means of dividing the facade.
 - K. Where the occupant of the dwelling unit operates a business in a mixed-use building, shared parking may be authorized for the two uses.
 - L. Parking for the dwelling units shall be located at the rear of the building. If parking for the nonresidential uses is located at the rear of the building, the front yard setback may be reduced from 40 feet to no less than 10 feet, provided a five-foot-wide sidewalk and a minimum five-foot-wide planting strip are established in the reduced setback.
 - M. Dumpsters shall be completely enclosed by a wall or solid fence at least six feet in height. Dumpsters shall be located in the rear yard. Access to the dumpsters shall not obstruct or interfere with residential parking.
- 1806.37. Mobile/Manufactured Home Park, subject to:
- A. The application shall comply with all applicable requirements of the Township Subdivision and Land Development Ordinance [Chapter 22] governing mobile home parks.
 - B. The minimum site required for a mobile home park shall be five acres.
 - C. The site shall be served by public sewers.
 - D. The minimum mobile home lot shall be 6,000 square feet.
 - E. The minimum yard requirements for each mobile home lot shall be 25 feet for front yards, 20 feet for rear yards and 10 feet for side yards. Such yards shall be measured from the perimeter of the mobile home slab. Carports or parking pads may be located in the required side yard.
 - F. Every mobile home lot shall have access to a private street in accordance with the requirements of the Township Subdivision and Land Development Ordinance.

- G. At least two paved off-street parking spaces shall be provided on each mobile home lot.
- H. The total density of a mobile home park shall not exceed six mobile homes per acre.

1806.38. Multi-family dwellings, subject to:

- A. The property proposed for multifamily dwellings shall have frontage on and direct vehicular access to an arterial or collector street, as defined by this chapter.
- B. The minimum lot area required to construct townhouses or garden apartments shall be one acre.
- C. The maximum dwelling unit density for townhouses and apartments shall be 12 units per acre.
- D. The setback from any property line adjoining a single-family dwelling shall be 50 feet.
- E. All other minimum requirements of the zoning district shall apply to apartments and townhouses.
- F. The maximum number of dwelling units in any townhouse building shall be five.
- G. The maximum number of dwelling units in any apartment building shall be 24.
- H. The maximum length of any building shall not exceed 250 feet.
- I. Where two or more buildings exist on the same lot, the minimum distance between buildings shall be 20 feet or 50% of the height of the taller building, whichever is greater.
- J. All property lines adjoining a single-family use or zoning classification shall be screened by Buffer Area B, as defined by § 27-1903.1 of this chapter.
- K. All parking areas adjoining a single-family use or zoning classification which are not screened by a buffer area shall be screened by a minimum six-foot-high compact evergreen hedge.

- L. All portions of the property not covered by buildings, driveways, parking, pools, shelters, gazebos or other paved areas shall be suitably landscaped with grass, ground cover and decorative shrubs or trees.
- M. The design and orientation of the buildings on the property shall take into account compatibility with the visual impact on adjoining single-family residential properties. The building and the property shall be effectively landscaped to minimize such impacts on adjoining residential properties.
- N. On lots containing more than 24 dwelling units, indoor or outdoor recreational facilities appropriate to the needs of the prospective residents shall be provided, subject to approval by the Board of Commissioners.
- O. In the R-3-A Zoning Districts, the following shall apply.
 - a. The maximum number of dwelling units in any townhouse building shall be six.
 - b. Maximum dwelling unit density shall be 12 units per acre.
 - c. Minimum gross floor area on each floor in a townhouse dwelling unit shall be 1,500 square feet.
 - d. The townhouse dwelling units shall be separated by a vertical common wall. There shall be no horizontal separation between townhouse dwelling units, and no dwelling unit shall be located above or below another unit.
- P. In the B-1-A Zoning District the following shall apply:
 - a. The maximum number of dwelling units in a mid-rise apartment building shall be 38; there is no limit on the number of dwelling units in a high-rise apartment building.
 - b. Maximum dwelling unit density shall be 30 per acre (gross).
 - c. The maximum height of a mid-rise apartment building may exceed 50 feet but shall not be greater than 60 feet.
 - d. The maximum length of any mid-rise apartment building may exceed 250 feet but shall not be greater than 400 feet.
 - e. Parking shall be provided at a ratio no lower than 1.5 spaces per dwelling unit, plus 5% of the number of spaces so calculated for visitor parking.

- f. Rear yards may be reduced to 15 feet in depth but only where abutting an I-1 Industrial District.
- g. Unless otherwise permitted by the Board of Commissioners, at no time shall the dwelling unit density in the B-1-A Zoning District as a whole exceed 10 per acre (gross).
- h. In the B-1-A Zoning District, car wash is permitted as an accessory use to multifamily dwellings and shall be for the use of the residents of the multifamily dwellings only.

1806.39. Neighborhood Commercial Uses, subject to:

- A. The site shall have frontage on and direct vehicular access to an arterial or collector street, as defined by this chapter. Vehicular access to local streets shall not be permitted.
- B. The site shall be located at or within 300 feet of the intersection of an arterial street with a collector street or an intersection of two collector streets.
- C. The minimum site area shall be two acres.
- D. The maximum floor area of any single business establishment shall be 2,000 square feet.
- E. The maximum floor area of any multi-tenant shopping center shall be 10,000 square feet.
- F. Site lighting, if proposed, shall be designed with cutoff luminaires with a maximum cutoff angle of 60°. The maximum illumination at any property line adjoining property in an S-C, R-1, R-2, R-3, R-4 or R-5 Zoning District shall be 0.2 footcandle. The maximum height of poles supporting the light fixtures shall be 15 feet.
- G. Buffer Area B, as defined by § 27-1903.1 of this chapter, shall be provided along all property lines adjoining property in an S-C, R-1, R-2, R-3, R-4 or R-5 Zoning District.
- H. Dumpsters shall be completely enclosed and screened by a solid fence or wall.

I. The neighborhood commercial uses shall be limited to the following uses and no others:

- a. Convenience store.
- b. Personal services.
- c. Professional or business offices.
- d. Day-care center.
- e. Automobile service station.

1806.40. Oil and Gas Compressor Stations and Processing Plants, subject to:

- A. A company desiring to operate a compressor station or processing plant shall obtain the permits required by this section, which are in addition to, and are not in lieu of, any permit that may be required by any other governmental or regulating agency.
- B. Access to any facility shall be arranged to minimize danger to traffic and nuisance to surrounding properties and to maintain the integrity of municipal roads. The following standards apply:
 - a. Any newly established private easements/roadways constructed on the parcel containing the facility shall be located at least 50 feet from any property line unless written consent is obtained from the adjoining property owner(s).
 - b. The access road to the facility, beginning with its intersection with a municipal road, shall be paved for the first 50 feet and be constructed with an additional 150 feet of limestone in a manner that would reasonably minimize water, sediment or debris carried onto any public road. If the access road or accessway is less than 200 feet in length, the entire access road or accessway shall meet these conditions. This shall be in place prior to the commencement of any facility operations.
 - c. All roads and accessways shall be constructed and maintained to prevent dust and mud from the surrounding area. A method of dust abatement shall be utilized during dry weather, and under no circumstances shall brine water, sulphur water or water in mixture with any type of hydrocarbon be used for dust abatement.

- C. Prior to development, the applicant shall provide to the Township Fire Department and Township Zoning Officer a copy of its emergency response plan. Also, the applicant/operator shall, at its sole cost and expense, provide to emergency services appropriate site orientation with adequate information and ongoing training on dealing with any potential dangerous conditions that may result from development activities.
- D. Noise-generating equipment, exceeding municipal ordinance standards, shall be fully enclosed in a sound-reduction structure that conforms to the character of the zone in which it exists. All applicable development plans, permits and regulations shall apply to the enclosure. During normal operations, the structure shall remain fully enclosed, with all doors and windows remaining closed unless during times of egress.
- E. Compressors and other power-driven equipment shall utilize sparkless electric motors, when practicable, as an alternative to internal-combustion engines, unless the applicant can demonstrate that the alternative engines are not inconsistent with the objectives of any Township ordinance. All electrical installations and equipment shall conform to Township ordinances and the applicable national codes.
- F. The applicant agrees to reimburse the Township for all reasonable and direct professional consultant fees incurred by the Township related to the site inspection, including, but not limited to, the Township Engineer, Township Solicitor and any other reasonable and direct consultant fees incurred for the review and approval process, and for any specialized work called for in the permit.
- G. A secured entrance gate on the access road shall be required, and all gates are to be kept locked when the operator or its employees are not on the premises. All storage tanks, separation facilities, or other mechanical or production equipment on the operation site shall be completely enclosed by a permanent chain-link fence. Standards for the chain-link fence and secured gate are as follows:
 - a. The chain-link fence shall be at least eight feet in height;
 - b. Support posts shall be set in concrete and shall be imbedded into the ground to a depth sufficient to maintain the stability of the fence;
 - c. The chain link shall be dark green or black steel wire;
 - d. The chain-link fence shall have, at a minimum, 11-gauge thickness;

- e. Posts and rails shall be black or dark green standard socket construction or similar design;
 - f. Tension rods shall be three-eighths-inch round steel bolt stock. Adjustable tighteners shall be turnbuckle or equivalent having a six-inch minimum take-up. Tension bars shall have minimum thickness of 1/4 inch by 3/4 inch;
 - g. All chain-link fences shall be equipped with at least two gates. At least one of the gates shall meet the following specifications:
 - 1. The gates shall be of black or dark green chain-link construction that meets the applicable specifications or of other approved material that, for safety reasons, shall be at least as secure as the chain-link fence;
 - h. Fencing shall be equipped with interlocking opaque slats, mesh, or other screening material approved by the Township. Color of materials shall be uniform and complementary to the color of the fence and painted equipment. Approved colors shall include, but not be limited to, green, brown, tan, and black.
- H. No applicant shall permit any lights located on any operation site to be directed in such a manner so that they shine directly on a public road, protected use, adjacent property or property in the general vicinity of the operation site. To the extent practicable, and taking into account safety considerations, site lighting shall be directed downward and internally so as to avoid glare on public roads, protected uses, and adjacent dwellings and buildings. Exterior lights shall be turned off except when personnel are working on site or motion sensors are activated.
- I. Building Permits, Zoning Certificates and Certificates of Occupancy. Building permits, zoning certificates and certificates of occupancy, where applicable, shall be obtained from the Township Zoning Officer, and applications must include:
- a. A description of the proposed site or modification to an existing site with identification as to whether the site is located in a wetland or floodplain;
 - b. Anticipated construction start and completion dates;
 - c. A plot plan of the site showing a clearly marked scale, all property lines, all buildings, water wells, water sources and rights-of-way;

- d. The applicant shall apply for a Township-assigned address at the time of building permit application;
 - e. Any and all additional requirements that may be modified or added by subsequent ordinance or required by Pennsylvania law;
 - f. A grading permit, if applicable, must be obtained per the Subdivision and Land Development Ordinance [Chapter 22] prior to any grading or earthmoving and must include evidence of an approved soil erosion and sedimentation control plan.
- J. The applicant shall apply for a road use maintenance agreement, pay the prescribed fee, and adhere to all conditions set forth in the agreement.
- K. The standards shall be determined during the conditional use hearing.
- L. The following minimum setback distances must be adhered to:
- a. The minimum distance to any protected use shall be 1,000 feet.
 - b. The minimum distance to any public or private school shall be 2,500 feet.
 - c. A setback reduction approval may be authorized by the Zoning Hearing Board, provided that the applicant can submit compelling evidence that such a reduction is absolutely necessary and will not be detrimental to the purposes of this chapter.
 - d. All aboveground equipment, including compressor engines and any structure in which they are enclosed, must be set back a minimum of 100 feet from any adjacent property lines or rights-of-way.
- M. The facility signage shall be clearly visible for all 911 emergency services, at the location where the access road intersects with the Township- or state-owned road and at the entrance gate to each facility. The signage must include:
- a. Applicant name.
 - b. Unit name.
 - c. Municipal-assigned address.
 - d. Emergency contact phone number.

- N. No compressor station shall be constructed on soil that is classified as either Class 1 or 2 by the United States Department of Agriculture (USDA) Natural Resources Conservation Service and published in the Allegheny County Soil Survey.
- O. The applicant shall comply with all applicable state and federal regulations and shall show evidence of obtaining the required state and/or federal permits, including proof of insurability, before initiating any work and maintaining the required permits throughout the duration of all operations. The applicant shall notify the Township immediately of any suspension or revocation of the required state and/or federal permits. Upon notification of said suspension or revocation, the Township-issued permits will hereby be deemed suspended or revoked until state and/or federal compliance is reached.
- P. The applicant shall submit a road use plan showing the proposed routes of all trucks to be utilized for hauling equipment, supplies and the like and the estimated weights of those trucks and the estimated number of trucks entering and exiting the facility on a daily basis, as well as keep a record/log of actual use, which may be requested from time to time by the Board of Commissioners. In conjunction with the Township, the applicant shall design the hauling routes to and from the facility to minimize the impact on local roads. At no time shall any overweight vehicle travel upon any Township roads, or portion thereof, other than the specified portion of Township roads for which security has been provided.

1806.41. Oil and Gas Wells, subject to:

- A. The purpose of this section is to establish standards for oil and gas development and related facilities in order to minimize adverse impacts on surrounding properties, public infrastructure, environmental resources, emergency services, and the overall health, safety, and welfare of Collier Township residents. These regulations are intended to address local land use impacts associated with oil and gas operations while remaining consistent with the Pennsylvania Municipalities Planning Code, the Pennsylvania Oil and Gas Act, and other applicable state and federal regulations.
- B. Oil and gas wells, well pads, compressor stations, processing facilities, gathering facilities, impoundments, access roads, and similar associated facilities shall only be permitted upon approval as a Conditional Use by the Board of Commissioners. In reviewing an application, the Board shall consider the compatibility of the proposed operation with surrounding land uses, transportation infrastructure, environmental constraints, emergency response capabilities, and potential impacts on nearby residential neighborhoods and community facilities.
- C. In addition to all other materials required by this Ordinance, applicants shall provide a detailed site plan and operational narrative describing the extent of the proposed operations, including the location of all existing and proposed

structures, access roads, equipment areas, utility connections, pipelines, storage areas, fencing, landscaping, lighting, and stormwater management facilities. The applicant shall also provide copies of all applicable permits and approvals from the Pennsylvania Department of Environmental Protection and any other state or federal agencies having jurisdiction. Information regarding projected truck traffic, anticipated hours of operation, emergency response coordination, water withdrawal and disposal methods, noise mitigation measures, and anticipated site restoration procedures shall also be submitted.

- D. No well pad, drilling operation, compressor station, or related oil and gas facility shall be located within 1,000 feet of an existing residential dwelling, school, hospital, place of worship, park, day-care facility, or other place of assembly unless a greater setback is required by state law. In addition, no such facility shall be located within 300 feet of any property line or public street right-of-way, nor within 100 feet of any stream, wetland, floodplain, or other environmentally sensitive resource. The Board of Commissioners may require increased setbacks where unique site conditions, topography, or adjacent land uses warrant additional buffering or protection.
- E. The applicant shall demonstrate that proposed access routes are adequate to safely accommodate anticipated truck traffic associated with drilling and operational activities. Access roads shall be designed to minimize impacts to residential neighborhoods to the greatest extent practicable. The Township may require roadway improvements, traffic management measures, or financial security to ensure repair of damage to Township roads caused by heavy equipment or construction traffic. The operator shall implement appropriate dust, mud, and debris control measures to maintain safe roadway conditions throughout the duration of construction and operation activities.
- F. All oil and gas operations shall be conducted in a manner that minimizes noise, glare, and visual impacts on adjacent properties. Lighting shall be directed downward and shielded to prevent glare onto neighboring properties and public rights-of-way. Permanent facilities, including compressor stations and processing equipment, shall incorporate screening, fencing, landscaping, berming, or similar buffering measures where determined necessary by the Board of Commissioners. The Township may require the submission of noise studies or operational mitigation plans where operations are proposed in proximity to residential or sensitive land uses.
- G. All operations shall comply with applicable state and federal environmental regulations, including erosion and sedimentation control requirements, stormwater management standards, and groundwater protection regulations. Disturbed areas shall be stabilized and revegetated as soon as practicable following construction activities. The operator shall take all reasonable measures necessary to prevent contamination of groundwater, streams, wetlands, and other

natural resources. Storage of hazardous materials, chemicals, fuels, or waste products shall comply with all applicable environmental protection standards.

- H. Prior to commencement of operations, the operator shall provide the Township and local emergency service providers with current emergency contact information and a description of emergency response procedures applicable to the site. The applicant shall coordinate with local fire, police, and EMS agencies regarding emergency access, communication procedures, and incident response planning. The Township may require periodic updates to emergency response information throughout the life of the operation.
- I. Upon completion or abandonment of operations, all wells shall be plugged and abandoned in accordance with Pennsylvania Department of Environmental Protection regulations. Temporary structures, equipment, debris, and unused materials shall be removed from the site, and disturbed areas shall be restored to a stable and safe condition. Restoration activities shall include revegetation and stabilization sufficient to minimize erosion, sedimentation, and long-term environmental impacts.
- J. The Township may require the applicant to provide financial security, bonding, escrow, or similar guarantees deemed necessary to ensure compliance with approved conditions, roadway restoration obligations, site stabilization requirements, and other public improvements associated with the operation.
- K. Nothing contained herein shall be interpreted to regulate oil and gas operations in a manner preempted by the Pennsylvania Oil and Gas Act or other applicable state or federal law. These regulations are intended solely to address legitimate local land use considerations and municipal impacts associated with oil and gas development activities.

1806.42. Planned Office or Research Park, subject to:

- A. The site shall have frontage on and direct vehicular access to an arterial or collector street as defined by this chapter.
- B. The minimum site area required shall be five acres.
- C. Once the improvements are completed in an approved planned office or research park, lots within an approved and recorded planned office or research park may be sold and developed as independent entities for any authorized use in the zoning district.

- D. Only the uses permitted by right or authorized as conditional uses or uses by special exception in the zoning district in which the planned office or research park is located shall be permitted in the planned office or research park.
- E. The site plan shall be designed to minimize points of access to the public street. Shared driveways shall be utilized where feasible and cross-easements dedicated for common access, where necessary.
- F. The site shall be planned as a unit, and uniform signage and landscaping and common parking and loading areas shall be proposed to promote efficiency and preserve a common design theme.
- G. The entire perimeter of a planned office or research park site shall be screened by Buffer Area A as defined by § 27-1903.1 of this chapter.
- H. Supporting commercial uses shall be limited to one or more of the following uses:
 - a. Business services.
 - b. Travel agency.
 - c. Pharmacy, in a building housing medical offices, a clinic or a diagnostic or testing facility.
 - d. Sale of medical supplies and equipment in a building housing medical offices, a clinic or diagnostic or testing facility.
 - e. Newsstand or tobacco shop.
 - f. Card and gift shop or stationery store.
 - g. Beauty shop or barbershop.
 - h. Coffee shop, delicatessen or sandwich shop providing either sit-down or take-out service primarily for convenience of employees of the office or research park.
 - i. Restaurant.
- I. Except for restaurants, supporting commercial uses shall be limited to the ground or first floor of any office building and shall not be permitted in any other freestanding principal or accessory building.

- J. In office or research parks of 25 acres or less, restaurants shall be permitted only on the first or ground floor of an office or research building. Restaurants in office and research parks containing 25 acres or more shall be permitted in a freestanding principal or accessory building. Restaurants also shall be permitted in any approved hotel.
- K. The maximum gross floor area devoted to any single restaurant establishment which is open to the general public shall be 10,000 square feet.
- L. Off-street parking for the restaurant shall be provided in accordance with the requirements of Part 22 of this chapter for the use.
- M. The gross floor area devoted to all supporting commercial uses shall not exceed 15% of the gross floor area devoted to office or research use.
- N. Except for restaurants as regulated by § 27-1806.42D above, the maximum gross floor area devoted to any single supporting commercial establishment shall be 5,000 square feet.
- O. Off-street parking for the supporting commercial uses shall be provided at the ratio of one parking space for each 500 square feet of gross floor area.

1806.43. Planned Recreation Complex, subject to:

- A. The site shall have a minimum area of 50 contiguous acres.
- B. The site shall have access to an arterial or collector street.
- C. The site shall be located such that adequate highway access is available to accommodate anticipated traffic volumes.
- D. All principal and accessory structures and uses shall be set back at least 100 feet from any property line which adjoins property in a residential zoning classification.
- E. All principal and accessory structures and uses shall be set back at least 50 feet from any property in a nonresidential zoning classification.
- F. No building structures (excluding nonstructural components thereof, such as light towers and radio towers) shall exceed 100 feet in height.
- G. Buffer Area A, as defined in § 27-1903.1 of this chapter, shall be provided along all property lines adjoining an S-C or R Zoning District. Existing vegetation or

differences in elevation may be offered to meet the intent of the required buffer, provided that a conservation easement is recorded which restricts, in perpetuity, the removal of the vegetation and/or disturbance of the slopes.

- H. Traffic circulation into and out of the site and through the site shall be designed to minimize congestion and promote safety.
- I. The conditional use application shall be accompanied by a traffic study prepared by a qualified traffic engineer using the current edition of the Institute of Transportation Engineers (ITE) Manuals and methodology to determine the impact of trip generation by the proposed development on the capacity and level of service of adjacent streets and intersections.
- J. Parking for each use shall be provided in accordance with the requirements of § 27-2003.1 of this chapter. In the event that one or more of the accessory uses will not operate when the principal use is in operation, shared parking may be authorized for those uses that have operating schedules which do not coincide or overlap.
- K. The application for conditional use shall include a lighting plan showing the type and location of proposed fixtures and a photometric plan showing distribution of lighting over the entire site.
- L. A master plan shall be submitted for development of the entire site at the time of the conditional use application. The development may be constructed in phases. Any revision to the approved master plan which includes uses not proposed in the original application, which increases building coverage or parking by more than 10% or which revises the street layout or means of ingress and egress to and from the site shall require submission of a new conditional use application.
- M. Primary access to the complex shall not be provided from any residential local streets.
- N. No direct beams or rays of light from exterior lighting fixtures, signs or vehicles entering, within or leaving the complex shall be permitted to shine onto adjacent private residences.
- O. Outdoor loudspeakers shall be permitted for emergency announcements, crowd control and field scheduling announcements only. Loudspeakers may also be used for broadcast during an event taking place within an arena, but only while the event is in progress, and such speakers may not be located outside of the arena (except for emergency, crowd control or scheduling announcements) nor direct broadcasts outside of the arena.

P. Athletic fields or facilities and arenas and seating areas shall be designed to be compatible with and shall not unreasonably interfere with the use, enjoyment or improvement of any existing or proposed adjoining public park.

Q. Outdoor athletic field lighting shall be extinguished no later than 11:00 p.m.

1806.44. Planned Shopping Center, subject to:

- A. The minimum site required shall be five acres.
- B. The site shall have frontage on and direct vehicular access to an arterial or collector street as defined by this chapter.
- C. Once the improvements are completed in an approved shopping center, lots within the approved and recorded shopping center may be sold and developed as independent entities for any authorized use in the district.
- D. Only uses permitted by right or authorized as conditional uses or uses by special exception in the district in which the shopping center is located shall be permitted in the shopping center.
- E. Buffer Area A, as defined by § 27-1903.1 of this chapter, shall be provided along all property lines which adjoin the S-C or any R Zoning Districts.
- F. Sidewalks shall be installed in front of all stores.
- G. The site plan shall be designed to minimize points of access to the public street. Shared driveways shall be utilized where feasible, and cross-easements shall be dedicated for common access, where necessary.
- H. The site shall be planned as a unit, and uniform signage and landscaping and common parking and loading areas shall be proposed to promote efficiency and preserve a common design theme.
- I. Site lighting, if proposed, shall be designed with cutoff luminaires with a maximum cutoff angle of 60°. The maximum illumination at any property line adjoining property in an S-C, R-1, R-2, R-3, R-4 or R-5 Zoning District shall be 0.2 footcandle. The maximum height of poles supporting the light fixtures shall be 15 feet.

J. The following uses are permitted as a conditional use within a planned shopping center in addition to the planned shopping center use:

a. Principal Uses:

1. Business or professional offices.
2. Contracting business.
3. Indoor storage facility.
4. Light manufacturing.
5. Printing establishment.
6. Repair shop.
7. Research and development.
8. Warehousing and distribution.
9. Wholesale business.

b. Accessory Uses:

1. Retail sales of products produced, distributed, or catalogued on site.

K. The foregoing uses shall be subject to the following express standards and criteria:

- a. The minimum area occupied by the entire shopping center shall be 50 acres.
- b. That portion of the shopping center incorporating any of the foregoing uses shall be on a separate subdivided lot comprised of at least four acres but not more than 10 acres, distinct from the remainder of the shopping center.
- c. There shall be parking for at least 1,000 vehicles on the entire shopping center site. In addition, there shall be two spaces for each 1,000 square feet of gross floor area devoted to the foregoing uses listed in § 27-1806.43J.

- d. The exterior finishes of the building(s) housing and of the uses listed in § 27-1906.43J shall be generally compatible with the exterior finishes of one or more of the buildings on the shopping center site but shall not be unfaced concrete block.
- e. All interior driveways shall be paved with an impervious surface sufficient for the loads the driveways are expected to bear.
- f. The maximum lot coverage by all buildings shall not exceed 75%.
- g. The shopping center site shall abut an I-1 Zoning District.
- h. The shopping center site (excluding the uses listed above in § 27-1806.44J) shall contain at least 400,000 square feet of retail floor area.
- i. That portion of the shopping center incorporating any of the uses listed in § 27-1806.44J above shall contain at least 30,000 leasable square feet of floor area, which may be developed in one of more phases, provided that at no time shall the leasable square feet of floor area of all the uses listed in § 27-1806.44J constitute more than 25% of the existing leasable square feet of retail floor area of the shopping center.
- j. That portion of the shopping center incorporating any of the uses listed in § 27-1906.44J shall not have a direct curb-cut access to a public street but shall have access to a public street by a private street.
- k. No outside storage of equipment, inventory, supplies or material is permitted in connection with any of the uses referenced above in § 27-1806.44J.

1806.45. Printing Establishment, subject to:

- A. All printing establishments shall comply with the performance standards set forth in § 27-1902 of this chapter.
- B. All activities shall take place indoors.
- C. The facility shall be so designed and so constructed that there shall be no danger to the health, safety or welfare of residents or persons on adjoining properties.
- D. Emissions shall comply with all applicable federal and state regulations and shall not exceed performance standards at any property line.

1806.46. Private-Use Helipad, subject to:

- A. The minimum site required for a private-use helipad shall be 25 acres.
- B. Helipads shall be located at least 250 feet from any property line or public street.
- C. Helipads accessory to a hospital shall be limited to use by emergency vehicles and health system personnel.
- D. Only one private-use helipad shall be authorized for each planned office or research park, regardless of the number of businesses located in the park.
- E. Evidence of compliance with all applicable regulations of the Federal Aviation Administration (FAA) and the Pennsylvania Department of Transportation Bureau of Aviation shall be submitted.
- F. The helicopter landing pad shall be clearly marked with the insignia commonly recognized to indicate a private-use helipad.
- G. The helicopter landing pad shall be paved, level and maintained dirt-free. Rooftop pads shall be free of all loose stone and aggregate.
- H. An application for a helipad on a roof shall be accompanied by a certification by a registered engineer that the loads imposed by the helicopter will be supported by the structure.
- I. Lighting shall be shielded away from adjacent properties and streets.
- J. The applicant shall submit a report from a reputable acoustic or aviation consultant showing the computer prediction model developed by the FAA referred to in 14 CFR, Part 150, § A150.103.
- K. The applicant shall submit proof of ownership of helicopter liability insurance in an amount not less than \$5,000,000 for any one accident or occurrence.
- L. No takeoffs or landings shall occur between the hours of 9:00 p.m. and 6:00 a.m.
- M. Clear areas on the site for emergency landings of the helicopter in the event of mechanical failure shall be available. These emergency landing areas shall be located within the normal glide range of the helicopter with one engine off when operating in the approved takeoff or landing lane from the helipad.

1806.47. Public Transit Park-and-Ride Facility, subject to:

- A. The minimum site required shall be two acres.
- B. The site shall have frontage on an arterial street, as defined by this chapter.
- C. The site shall be located to minimize traffic impacts on residential streets and to facilitate convenient access to major transportation corridors.
- D. Buffer Area B, as defined by § 27-1903.1 of this chapter, shall be provided along all property lines adjoining an S-C or R Zoning District.
- E. Parking lot landscaping shall be provided in accordance with the requirements of § 27-1903.10C of this chapter.
- F. Parking areas shall be illuminated for night use. Light standards shall be a maximum of 25 feet in height. Light fixtures shall be cutoff luminaires with a cutoff angle no greater than 60°. Illumination at the property line shall not exceed 1.0 footcandle.
- G. The outside storage of inoperative vehicles and the outside repair or maintenance of vehicles shall not be permitted, except for the limited purpose of performing emergency repairs to parked vehicles that are temporarily disabled.
- H. Above ground parking structures or parking buildings shall not be permitted.
- I. The design of the parking area shall comply with the provisions of Part 20.
- J. The parking area shall be open only during those hours for which mass transit services are provided to and from the lot. The Township may require security fencing along the side and rear of the property if physical conditions on and surrounding the site warrant.
- K. Only an unenclosed structure providing protection from the weather may be constructed on the site to accommodate patrons waiting for transit services. Said structure may be located in the required front yard, providing it shall be at least five feet from the edge of the pavement of a street or driveway.
- L. An enclosed fare/ticket booth capable of accommodating no more than two employees may be constructed on the site and shall be subject to the required yards for principal buildings.

- M. An area not exceeding 10% of the gross area of the site may be set aside for an accessory use incidental to the operation of the facility, including, as an example, a coffee shop, newsstand or transit information center.
- N. The operating agency shall be responsible for the continuing maintenance and upkeep of the site.
- O. A secured building not exceeding 180 square feet in floor area and 20 feet in height may be erected for the exclusive use of public transit employees.
- P. A traffic study, as required by the Township Subdivision and Land Development Ordinance [Chapter 22], shall be submitted with the conditional use application.

1806.48. Public Utility Building or Structure, subject to:

- A. The minimum lot area required shall be 20,000 square feet.
- B. Maintenance vehicles shall be stored within a completely enclosed building.
- C. Outdoor storage of materials or equipment, other than maintenance vehicles, shall be permitted only if the storage area is completely enclosed by a minimum eight-foot fence with locking gate and is screened by 100% opaque screening material placed in the fencing or by a six-foot dense, compact evergreen hedge.
- D. Any area of the building which is used for business offices shall comply with the parking requirements of Part 20 of this chapter for that use. Any area of the building which is used for storage of material, vehicles or other equipment shall provide one parking space for each 1,500 square feet of gross floor area devoted to that use.

1806.49. Recreation-Related Commercial Uses, subject to:

- A. Commercial recreation uses that complement existing public recreation or historic sites located nearby the S-C Zoning District may be authorized, subject to compliance with § 27-1806.11.
- B. Additional recreation-related commercial uses shall include, and are limited to: a concession stand, ice cream store, delicatessen, cafeteria or restaurant, bicycle rental, bicycle repair, pro shops, gift shops, retail sales of sporting goods, and other similar retail or service uses which are directly related to the nearby existing recreational or historic sites in the S-C Zoning District.

- C. The proposed recreational or commercial structures shall be designed to preserve natural features and orient to the Panhandle Trail or other related recreational or historic site nearby. Grading and vegetation removal shall be minimized.
- D. Lighting or other features which encourage use of outdoor areas after dusk shall not be permitted.
- E. The design of the proposed recreational facilities and any proposed recreational or commercial structures shall comply with all applicable requirements governing floodplains and wetlands.
- F. The maximum floor area of any recreational or commercial building shall be 2,500 square feet.
- G. In addition to the required parking spaces for vehicles required by this chapter for the proposed uses, parking areas for bicycles shall be provided.
- H. No storage of equipment or materials shall be permitted outside a completely enclosed structure.
- I. Dumpsters shall be completely enclosed by a wall or solid fence and shall be landscaped to complement the natural environment. Trash receptacles shall be provided and shall be designed of natural materials or a design compatible with the natural environment.
- J. All areas which are not used for active recreational facilities, structures or parking areas shall be maintained in a natural state or attractively landscaped. Areas shall be maintained to prevent litter accumulation and invasive species growth.

1806.50. Renewable Energy Systems, subject to:

- A. It is the purpose of these regulations to promote the safe, effective and efficient use of renewable energy systems to reduce the consumption of utility-supplied energy, heat, hot water, or any combination of the above, while protecting the health, safety and welfare of the residents of the Township, and while protecting adjacent land uses through appropriate zoning and land use controls. Non-utility-supplied energy systems not specified herein may be permitted subject to conditional use approval. Building-integrated systems shall not be subject to zoning approval. Where, in the course of reviewing a permit application for any renewable energy system, it is deemed advisable for the Township to retain the services of the Township Engineer or any other consultant, all reasonable costs therefor shall be borne by the applicant.

B. Solar Energy Systems (Small).

- a. A small solar energy system shall be permitted as an accessory use to an existing principal use in any zoning district by right subject to the regulations set forth in this section. It shall be the responsibility of the landowner and/or applicant to prove compliance with this section at the time of application for a building/zoning permit.
- b. All solar energy equipment shall be located on the parcel or plot of land of record in which the principal use is located, with the exception that power lines or any related equipment to the solar energy system may be located on an adjoining parcel or plot of land of record, provided it will comply with all applicable virtual net metering laws of the public utility provider.
- c. Power generated by the solar energy system shall provide power only for the principal use which it services; any excess power generated by the solar energy system shall only be sold or acquired by a public utility in accordance with law or other governmental regulations.
- d. All mechanical equipment associated with and necessary for the operation of the solar energy system, which is ground-mounted, including any structure for batteries or storage cells, shall be enclosed within a six-foot-high fence or evergreen plantings of equal height. Evergreen plantings shall be of a type that is to be approved by the municipality. No noxious trees, plants or weeds shall be permitted to fulfill the landscaping requirements. The fence shall be made of wood, masonry, durable plastic or other decorative material approved by the municipality. Chain-link fences shall not be permitted unless they are fully screened from view by evergreen plantings.
- e. Historic Structures. If an accessory solar energy system is proposed to be mounted on or located within 100 feet of any historic structure as may be designated by the Township or determined to be eligible for listing on the National Register of Historic Places by the Pennsylvania Historical and Museum Commission or the National Park Service, such system shall be subject to conditional use approval at the sole discretion of the Township as provided herein and upon a finding that the proposed system will not adversely impact the historical significance or landscape context of the subject historic structure.
- f. Solar Access Easements. A solar energy system shall be located to ensure solar access without reliance on adjacent properties. Where any applicant desires to ensure that solar access to a solar energy system shall not be obstructed over time by permissible uses or activities on any adjacent property (i.e., by planting or growth of vegetation, new construction, etc.),

it shall be the responsibility of the owner of the solar energy system to obtain appropriate solar access easement(s) from neighboring property owner(s). All solar access easements shall be recorded in the office of the Allegheny County Recorder of Deeds.

g. Ground-Mounted Solar Energy Systems.

1. No part of a ground-mounted solar energy system shall be located any closer than 15 feet from any side or rear property lines. No part of a ground-mounted solar energy system shall be located between the principal structure on the property and the public street right-of-way, notwithstanding the aforesaid requirement.
2. Ground-mounted solar energy systems shall not be placed within any legal easement or right-of-way location, or be placed within any stormwater conveyance system or in any other manner that would alter or impede stormwater runoff from collecting in a constructed stormwater conveyance system.
3. Ground-mounted solar energy systems shall not be placed in a manner that would cause a violation of any other section of this chapter, including minimum parking requirements, required buffer yards or other landscaping requirements, maximum impervious coverage limitations or any other applicable standards of this chapter, as determined by the Municipal Zoning Officer.
4. Ground-mounted panels of a solar energy system shall be counted towards a given property maximum impervious coverage requirements, unless the applicant can demonstrate that stormwater will infiltrate into the ground beneath the solar panels at a rate equal to that of the infiltration rate prior to placement of the panels.
5. Ground-mounted solar energy systems shall not exceed a height of 20 feet.

h. Roof-Mounted Solar Energy Systems.

1. Roof-mounted solar energy systems shall not extend beyond the peak elevation of the top of the roof on which the panels are to be constructed.
2. If the solar panels are to be constructed on a flat roof, no part of the solar energy system shall exceed beyond the maximum height

requirements for the zoning district in which the building is located.

3. Roof-mounted solar energy systems shall not be counted as adding to any impervious coverage calculation.
 - i. All electric and utility lines associated with the solar energy system shall be buried underground except where prohibited by utility/terrain.
 - j. Any installation of a solar energy system shall comply with all applicable standards of the Uniform Construction Code.
 - k. Solar collectors shall be installed so as to prevent glare or concentrated solar radiation as may otherwise be directed onto other properties or onto roadways such that a nuisance situation is created. Antireflective surface materials or coatings shall be used to preclude glare to the extent feasible. The applicant or the installer or manufacturer of the solar energy system shall submit with the application for a permit, as applicable, a signed statement including the following:
 1. Certification that the proposed system shall not produce glare or reflect concentrated solar radiation visible beyond the property lines of the property upon which the solar energy system shall be located such that a nuisance situation is created;
 2. Acknowledgement that, should any glare or concentrated solar radiation produced prove to be visible beyond the property lines of the property upon which the solar energy system shall be located, at any time subsequent to the installation of the system, such that, in the opinion of the Zoning Officer, a nuisance situation or safety hazard arises for another property owner or the traveling public, the Township may, at its discretion, require mitigated action or may require the removal of the system or portion thereof generating the glare or reflected solar radiation;
 3. Acknowledgement that, should any mitigation or system removal deemed necessary by the Township fail to be dealt with in accordance with the Township's determination within six months of notification of the landowner and/or system owner, or immediately in any case determined to be a safety hazard, the Township may implement such mitigation or remove such systems as it deems necessary, costs therefor to be reimbursed within 90 days and, if not, a commensurate lien shall be placed upon the property;

4. Acknowledgement that the obligations set forth herein shall continue so long as the subject solar energy system remains in operation and that any subsequent property owner shall be so notified.
- l. The solar energy system shall be kept in good repair and sound condition. Upon abandonment of the use, the solar panels, electrical wires, support structures and any other related structures and equipment shall be dismantled and removed from the lot within 60 days.
- m. No signage or advertising of any kind shall be utilized or attached to the solar energy system. This requirement shall not include the make and model description of the solar energy system, manufacturers' required hangtags or warning signs or other signage that is required by law.

C. Solar Energy Systems (Large).

- a. Large solar energy systems shall be permitted by conditional use as an accessory use to any nonresidential principal use in the municipality, except that no large-scale solar energy systems shall be permitted within the R-1, R-2, R-3, R-4 or R-5 Zoning Districts.
- b. Large solar energy systems as principal uses on a lot, the sole purpose of which is to generate electricity to be sold to a public utility provider under the laws and regulations of the Public Utility Commission and/or public utility provider, shall be permitted by conditional use, within the I-1 Industrial Zoning District, subject to compliance with the performance and design standards for all nonresidential uses stated in this chapter.
- c. The landowner and/or applicant shall present the following evidence to the Board of Commissioners at the hearing for a large solar energy system:
 1. A narrative describing the proposed large solar energy system, including an overview of the project, the project location, the approximate generating capacity of the solar energy system, the approximate number, representative types and height or range of heights of the panels or other solar energy equipment to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of all ancillary facilities.
 2. Identification of the properties or portions thereof on which the proposed large solar energy system will be located and also the

properties adjacent to where the large solar energy system will be located.

3. A site plan, drawn to scale, showing all of the following information, as applicable: the planned location of each solar panel, related structures, setback lines, access roads and turnout locations, substations, electrical wiring, ancillary equipment, buildings and structures, including associated distribution and/or transmission lines, floodplains, easements, wetlands and limits of earth disturbance associated with construction of the large solar energy system.
 4. Documents indicating the type and specifications of fencing to be used around the perimeter of the large solar energy system.
 5. Documents relating to the decommissioning of the large solar energy system, including a schedule for decommissioning of the solar panels and related equipment.
 6. Documents indicating compliance with any other applicable federal, state and local laws regulating large solar energy systems and/or land development, including, but not limited to, any applicable laws of the Public Utility Commission, any public utility provider, the Allegheny County Conservation District, and the Pennsylvania Department of Environmental Protection.
- d. The minimum lot size for any large solar energy system shall be five acres.
 - e. Large solar energy systems shall be set back a minimum of 100 feet from any public right- of-way, any lot line, and any historic structure as may be designated by the Township or determined to be eligible for listing on the National Register of Historic Places by the Pennsylvania Historical and Museum Commission or the National Park Service.
 - f. Notwithstanding lot coverage limitations set forth in the base zoning district(s), the maximum impervious coverage for a large solar energy system and any accessory or appurtenant structures shall be 20% of the lot area.
 - g. All mechanical equipment associated with and necessary for the operation of the large solar energy system that is not mounted on a building wall, including any structure for batteries or storage cells, shall be enclosed within a six-foot-high fence or evergreen plantings of equal height.

Evergreen plantings shall be of a type that is to be approved by the Township. No noxious trees, plants or weeds shall be permitted to fulfill the landscaping requirements. The fence shall be made of wood, masonry, durable plastic or other decorative material approved by the municipality. Chain-link fences shall not be permitted unless they are fully screened from view by evergreen plantings.

- h. Solar energy systems shall not be artificially lighted except to the extent required for safety or by any applicable federal, state or local authority.
- i. Solar energy systems and appurtenant or accessory structures shall not display any advertising, except for reasonable identification of the panel or other equipment manufacturer and the facility owner.
- j. Solar energy systems shall be located where there is a means of vehicular access from a public or private street.
- k. A solar energy system shall be located to ensure solar access without reliance on adjacent properties. Where any applicant desires to ensure that solar access to a solar energy system shall not be obstructed over time by permissible uses or activities on any adjacent property (i.e., by planting or growth of vegetation, new construction, etc.), it shall be the responsibility of the owner of the solar energy system to obtain appropriate solar access easement(s) from neighboring property owner(s) and to notify the Township upon the recording of any such easement(s). All solar access easements shall be recorded in the office of the Allegheny County Recorder of Deeds.
- l. Solar collectors shall be installed so as to prevent glare or concentrated solar radiation as may otherwise be directed onto other properties or onto roadways such that a nuisance situation is created. Antireflective surface materials or coatings shall be used to preclude glare to the extent feasible. The applicant or the installer or manufacturer of the solar energy system shall submit with the application for a permit, as applicable, a signed statement including the following:
 - 1. Certification that the proposed system shall not produce glare or reflect concentrated solar radiation visible beyond the property lines of the property upon which the solar energy system shall be located such that a nuisance situation is created;
 - 2. Acknowledgement that, should any glare or concentrated solar radiation produced prove to be visible beyond the property lines of the property upon which the solar energy system shall be located,

at any time subsequent to the installation of the system, such that, in the opinion of the Zoning Officer, a nuisance situation or safety hazard arises for another property owner or the traveling public, the Township may, at its discretion, require mitigated action or may require the removal of the system or portion thereof generating the glare or reflected solar radiation;

3. Acknowledgement that, should any mitigation or system removal deemed necessary by the Township fail to be dealt with in accordance with the Township's determination within six months of notification of the landowner and/or system owner, or immediately in any case determined to be a safety hazard, the Township may implement such mitigation or remove such systems as it deems necessary, costs therefor to be reimbursed within 90 days and, if not, a commensurate lien shall be placed upon the property;
 4. Acknowledgement that the obligations set forth herein shall continue so long as the subject solar energy system remains in operation and that any subsequent property owner shall be so notified.
- m. A clearly visible warning sign concerning voltage must be placed at the base of all pad- mounted transformers and substations.
 - n. If the solar energy system is ever abandoned or enters into a state of disrepair, it shall be the responsibility of the property owner to remove or properly maintain the solar energy system within six months from the date the system enters such a state or immediately in any case determined to be a safety hazard.
 - o. If a ground-mounted solar energy system is ever removed, any earth disturbance as a result of the removal of the ground-mounted solar energy system shall be graded and reseeded to the satisfaction of the Township.
 - p. Any large solar energy system shall comply with all applicable standards for a land development in Chapter 22, Subdivision and Land Development.

D. Wind Energy System (Small).

- a. A small wind energy system shall be permitted as an accessory use to an existing principal use within any zoning district, subject to the regulations set forth in this section. It shall be the responsibility of the landowner

and/or applicant to prove compliance with this section at the time of application for a building/zoning permit.

- b. The turbine shall be located on the same parcel or plot of land of record on which the principal use is located, with the exception that power lines or related equipment may be located on a neighboring parcel or plot of land of record, provided it will comply with all applicable virtual net metering laws of the public utility provider.
- c. The height of the turbine shall include the tower and the rotor at its point where a blade is directly perpendicular to the ground. The maximum height of the turbine shall be 60 feet from the finished grade.
- d. Turbines must meet the setback requirements for accessory structures for the underlying zoning district. In addition, turbines shall be set back a horizontal distance equal to their height from any property line or residential dwelling, excluding any dwelling on the lot on which the turbine is located. No turbine shall be located between the principal structure on the property and the public street right-of-way. Additionally, all turbines must be set back sufficiently from any aboveground utility lines, radio, television, or telecommunications towers so as to present no danger to those lines or structures, as certified by the applicant's engineer. No portion of any accessory turbine shall extend over parking areas, access drives, driveways or sidewalks.
- e. The minimum clearance between the lowest arc of the turbine blades and the ground shall be 15 feet. If the turbine model that is proposed is a vertical axis wind turbine (also referred to as a "helix-type windmill" or "VAT"), the height between the lowest point of the turbine and the ground may be reduced to eight feet.
- f. If guy wire anchors are required, they shall be set back a minimum of 10 feet from any side and rear property lines.
- g. All electric and utility lines associated with the turbine shall be buried underground.
- h. All mechanical equipment associated with and necessary for the operation of the turbine, including any structure for batteries or storage cells, shall be screened from view with an enclosed six-foot-high fence or evergreen plantings of equal height. The evergreen plantings shall be of a type approved by the municipality and shall be planted to provide a full screen of the mechanical equipment. No noxious trees, plants or weeds shall be permitted to fulfill the screening requirements. The turbine tower shall

also be enclosed within a six-foot-high fence unless the base of the turbine tower is not climbable for a distance of 12 feet. Any required fencing shall be made of wood, masonry, durable plastic or other decorative material approved by the Township. Chain-link fences shall not be permitted unless they are fully screened from view by evergreen plantings of equal or greater height than the fence.

- i. The turbine shall not generate noise which exceeds 60 decibels at any property line.
- j. The turbine shall be kept in good repair and sound condition. Upon abandonment of use, the turbine and all related structures shall be dismantled and removed from the lot within 60 days.
- k. The co-location of wireless communication antennas on a turbine tower shall not be permitted.
- l. Power generated by the turbine shall provide power only for the principal use which it services; any excess power generated by the turbine shall only be sold or acquired by a public utility in accordance with law or other governmental regulations.
- m. The installation of the turbine shall meet all applicable requirements of the Uniform Construction Code.
- n. No signage or advertising of any kind shall be utilized or attached to the turbine. This requirement shall not include the make and model description of the turbine, manufacturers' required hangtags or warning signs or other signage that is required by law.
- o. No lighting, unless required by any FAA requirements, shall be utilized or attached to the turbine.
- p. Turbines shall be a neutral, nonobtrusive color, such as white, off-white, gray, brown, black or other approved earth-tone shade, unless a specific color or color pattern is required by the FAA or other regulatory agency.

E. Wind Energy System (Large).

- a. A large wind energy system shall be permitted by conditional use within the Industrial Zoning District. Large wind energy systems shall be required to meet the performance standards of this chapter.

- b. The height of the turbine shall include the turbine tower and the turbine rotor at its point where a blade is directly perpendicular to the ground. The maximum height of the turbine shall be 250 feet.
- c. A turbine shall be set back from all property lines and ultimate street right-of-way at a distance that is equal to the turbine's height (in feet) plus an additional 25 feet.
- d. The turbine shall not generate noise which exceeds 60 decibels at any property line.
- e. All on-site utility and transmission lines extending to and from the large wind energy system shall be placed underground.
- f. All large wind energy systems shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Staff regulations shall not be considered a sufficient braking system for overspeed protection.
- g. No lighting, unless required by any FAA requirements, shall be utilized or attached to the turbine.
- h. Turbines shall be a neutral, nonobtrusive color, such as white, off-white, gray, brown, black or other approved earth-tone shade, unless a specific color or color pattern is required by the FAA or other regulatory agency.
- i. No signage or advertising of any kind shall be utilized or attached to the turbine. This requirement shall not include the make and model description of the turbine, manufacturers' required hangtags or warning signs or other signage that is required by law.
- j. All large wind energy systems shall, to the greatest extent feasible, be sited to prevent shadow flicker on any occupied building on an adjacent lot.
- k. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations or fence.
- l. All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by nonauthorized persons.

- m. No portion of any large wind energy system shall extend over parking areas, access drives, driveways or sidewalks.
- n. The minimum height between the lowest portions of the wind turbine shall be 30 feet above ground.
- o. All mechanical equipment associated with and necessary for the operation of the turbine, including any structure for batteries or storage cells, shall be screened from view with an enclosed six-foot-high fence or evergreen plantings of equal height. The evergreen plantings shall be of a type approved by the Township and shall be planted to provide a full screen of the mechanical equipment. No noxious trees, plants or weeds shall be permitted to fulfill the screening requirements. The perimeter of the large wind energy system shall also be enclosed within a six-foot-high fence unless the base of the turbine towers are not climbable for a distance of 12 feet. Any required fencing shall be made of wood, masonry, durable plastic or other decorative material approved by the Township. Chain-link fences shall not be permitted unless they are fully screened from view by evergreen plantings of equal or greater height than the fence.
- p. If a large wind energy system is proposed to be mounted on or located within 100 feet of any historic structure as may be designated by the Township or determined to be eligible for listing on the National Register of Historic Places by the Pennsylvania Historical and Museum Commission or the National Park Service, such system shall be subject to conditional use approval, at the sole discretion of the Township, upon a finding that the proposed system will not adversely impact the historical significance or landscape context of the subject historic structure or historic resource.
- q. The landowner and/or applicant shall present the following evidence to the Board of Commissioners at the hearing for a large wind energy system:
 - 1. A narrative describing the proposed large wind energy system, including an overview of the project, the project location, the approximate generating capacity of the large wind energy system, the approximate number, representative types and height or range of heights of the turbines or other equipment to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of all ancillary facilities.
 - 2. Identification of the properties or portions thereof on which the proposed large wind energy system will be located and also the properties adjacent to where the large wind energy system will be located.

3. A site plan, drawn to scale, showing all of the following information, as applicable: the planned location of each turbine, related structures, setback lines, access roads and turnout locations, substations, electrical wiring, ancillary equipment, buildings and structures, including associated distribution and/or transmission lines, floodplains, easements, wetlands and limits of earth disturbance associated with construction of the large wind energy system.
4. Documents indicating the type and specifications of fencing to be used around the perimeter of the large wind energy system.
5. Documents relating to the decommissioning of the large wind energy system, including a schedule for decommissioning of the solar panels and related equipment.
6. Documents indicating compliance with any other applicable federal, state and local laws regulating large wind energy systems and/or land development, including, but not limited to, any applicable laws of the Public Utility Commission, any public utility provider, the Allegheny County Conservation District, and the Pennsylvania Department of Environmental Protection.

F. Outdoor Hydronic Heaters as Accessory Uses.

- a. Outdoor hydronic heaters, also known as "outdoor wood-fired boilers," shall be permitted as an accessory use on lots that are one acre or larger. All outdoor hydronic heaters shall comply with the regulations of this section. It shall be the landowner and/or applicant's responsibility to prove compliance with this section; this shall include the requirements of submitting manufacturer's specifications and maintenance documents, certification testing results, and any other required documents at the time of application for a building/zoning permit.
- b. The regulations listed below shall not apply to the following:
 1. Grilling or cooking using charcoal, wood, propane or natural gas in cooking or grilling appliances.
 2. Approved outdoor recreational fires.
 3. Burning in a stove, furnace, fireplace, or other heating device within a building used for human or animal habitation.

4. The legal use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.
- c. The following items shall not be burned in an outdoor hydronic heater:
 1. Treated or painted wood, furniture, trash, rubbish or garbage, tires, lawn clippings, woody yard wastes, plastic materials, rubber materials, waste petroleum products, paints and paint thinners, chemicals, hazardous wastes, coal, paper wastes, construction or demolition debris, plywood, particleboard, manure, and animal carcasses.
 - d. Fuel Requirements for Outdoor Hydronic Heaters. The materials listed below shall be the only materials allowed to be used for fuel:
 1. Clean wood, corn, wood pellets made from a clean wood, home heating oil, natural gas, or propane that complies with all applicable sulfur limits and is used as a starter or supplemental fuel for dual-fired outdoor hydronic heaters or any other materials located in a manufacturer's list of specifications so long as the material is not prohibited by the previous section.
 - e. No more than one outdoor hydronic heater shall be permitted per lot.
 - f. Outdoor hydronic heaters shall meet the certification standards of the voluntary program of the Environmental Protection Agency (EPA) for Phase 2 air emission levels of no more than 0.32 pound of fine particulates per million British thermal units (BTUs) heat input and any amendments or modifications made hereafter.
 - g. Setback Requirements.
 1. Outdoor hydronic heaters shall be located a minimum of 150 feet from any side or rear property line.
 2. No outdoor hydronic heater shall be located between the principal structure on the property and the public street right-of-way; notwithstanding the aforesaid requirement, the minimum setback from the ultimate public street right-of-way shall be no less than 150 feet.

3. If an outdoor hydronic heater is proposed to be located within 100 feet of any historic structure as may be designated by the Township or determined to be eligible for listing on the National Register of Historic Places by the Pennsylvania Historical and Museum Commission or the National Park Service, such outdoor hydronic heater shall be subject to conditional use approval, at the sole discretion of the Township, upon a finding that the proposed system will not adversely impact the historical significance or landscape context of the subject historic structure or historic resource.
- h. No person shall install an outdoor hydronic heater unless it has a permanent attached stack with a minimum stack height of 10 feet above the ground that also extends at least two feet above the highest peak of any residence located less than 150 feet from the outdoor hydronic heater.
- i. No signage or any form of advertising shall be utilized or attached to an outdoor solid- fuel-fired boiler. This requirement shall not include the make and model description of the outdoor hydronic heater, manufacturers' required hangtags or warning signs, the hangtags indicating EPA air quality specifications, or other signage that is required by law.
- j. No person shall use or operate a new or existing outdoor wood-fired boiler between the dates of May 1 and September 30.
- k. All outdoor hydronic heaters shall be installed, operated and maintained in strict compliance with all emissions of air quality standards promulgated by the EPA, the DEP, or other relevant state or federal agency, including emissions of dust and particulates.
- l. In the event that an outdoor hydronic heater is damaged or it is physically deteriorated or decayed to the point where it no longer is compliant with this section, said heater must be removed and/or replaced with a new unit within 60 days of the date that notice is received from the Municipal Zoning Officer. In the event of replacement, all provisions of this chapter in effect at the time of replacement shall be complied with.
- m. In the event the outdoor hydronic heater is abandoned, the boiler, electrical wires, and any related equipment and structures shall be dismantled and removed from the property within 60 days of the date it was abandoned.
- n. Outdoor hydronic heaters shall comply with all applicable regulations of the Uniform Construction Code.

1806.51. Research and Development, subject to:

- A. The premises shall have frontage on and direct vehicular access to an arterial street or collector street.
- B. Activities shall be limited to those activities that do not involve any products or processes that use or produce any hazardous material as classified by the United States Environmental Protection Agency (US EPA) or Pennsylvania Department of Environmental Protection (PA DEP).
- C. There shall be no outside storage of materials or equipment.
- D. Any outdoor equipment shall be totally screened from the public view.

1806.52. Retirement Community, subject to:

- A. The minimum site required for a retirement community shall be 20 acres.
- B. The site proposed for a retirement community, as defined herein, shall have frontage on and direct vehicular access to a street classified by this chapter as an arterial or collector street. Access to local Township streets shall not be permitted, except that a secondary controlled "emergency only" access may be provided from a local Township street, if approved by the Township.
- C. A retirement community may include one or more of the following dwelling types:
 - a. Single-family dwellings.
 - b. Two-family dwellings.
 - c. Townhouse buildings containing no more than five dwelling units per building.
 - d. Mid-rise and high-rise apartment buildings containing no more than 50 dwelling units per building.
- D. In addition to the foregoing dwelling types, a retirement community shall include the following supporting uses:
 - a. Common leisure and/or recreational areas.

- b. Common dining area.
- E. In addition, a retirement community may include one or more of the following supporting uses, subject to approval by the Township:
 - a. Postal station for use of the residents and staff only;
 - b. Banking facility for use of the residents only;
 - c. Pharmacy and/or medical offices for use of the residents only;
 - d. Personal services for the use of the residents only, including beauty shop, barbershop, common laundry facilities, and dry-cleaning valet;
 - e. Ice cream parlor and/or florist/gift shop for the use of residents and their invited guests only;
 - f. Personal care boarding home licensed by the commonwealth;
 - g. Nursing home licensed by the commonwealth;
 - h. Elderly day-care center licensed by the commonwealth;
 - i. Taxi, van or similar transportation services for the residents.
- F. The maximum dwelling unit density permitted in a retirement community shall be 12 dwelling units per acre.
- G. No principal structure shall be less than 50 feet from any property line adjoining property in an S-C, R-1, R-2, R-3, R-4 or R-5 Zoning District. Along all other property lines, no principal structure shall be less than 20 feet from any property line of the development site.
- H. Buffer Area B, as defined by § 27-1903.1 of this chapter, shall be provided along all property lines adjoining property in an S-C, R-1, R-2, R-3, R-4 or R-5 Zoning District.
- I. There shall be a minimum of one parking space for each dwelling unit plus one parking space for each employee on peak shift. In the event that a nursing home or personal care boarding home is proposed, parking shall be provided in accordance with the requirements of § 27-2002 of this chapter for those uses.

Additional parking for the supporting uses intended for the residents and their invited guests shall not be required.

- J. Sidewalks shall be provided to connect buildings, common outdoor areas and parking areas.
- K. The site design shall include outdoor common areas, gathering places and passive or active recreation facilities appropriate to the needs of the residents. Common outdoor areas shall be attractively landscaped.

1806.53. Specialty Veterinary Clinic, subject to:

- A. Establishments may not exceed a maximum gross floor area of 2,500 square feet.
- B. Kennels, runs, and training areas shall not be permitted.
- C. Overnight boarding of animals shall not be permitted.
- D. Dog daycare and grooming services shall not be permitted.
- E. Veterinary services for livestock or large-animal care(e.g. cows, horses, farm stock) shall not be permitted.
- F. Hours of operation should be during regular business hours from 8:00 a.m. to 6:00 p.m.
- G. Odors shall be controlled so as to comply with performance standards of § 27-1902 of this ordinance.

1806.54. Temporary Uses or Structures, Other than Construction Trailers, subject to:

- A. A transient merchant license, if required by Township ordinance, shall be obtained.
- B. The proposed temporary use or structure shall be limited to those uses or structures otherwise authorized in the zoning district.
- C. In the B-1, B-1-A, B-2, B-3 Districts, preparation and/or serving of food in an outdoor setting shall be permitted only if all of the following requirements are met:

- a. The preparation and serving of food which is part of a special event that does not exceed 72 consecutive hours in duration shall be exempt from the requirement to obtain approval of a use by special exception under this section; however, an occupancy permit shall be obtained from the Township Zoning Officer subject to the applicant demonstrating compliance with the standards and criteria.
- b. Evidence of an approved permit from the Allegheny County Health Department or its successor agency.
- c. The preparation and serving of food shall not be permitted on any vacant lot and shall only be permitted on the site of an existing business.
- d. The area used for preparing and serving the food shall not obstruct any sidewalk or public right-of-way, nor shall it obstruct the free flow of pedestrian or vehicular traffic on the site or adjoining the site. On any sidewalk, there shall be maintained a minimum of five feet of unobstructed width for the passage of pedestrians; and, in the case where there is parallel parking permitted along such sidewalk, a minimum of four feet adjacent to the curb to permit the discharging of passengers shall be provided. These required unobstructed areas on the sidewalk may be combined into one area at least five feet wide along the curb.
- e. No noise or odor shall emanate from such outdoor area where food is prepared and/or served which adversely affects any adjoining residentially zoned property within 300 feet of the outdoor area.
- f. The area used for preparing and serving food shall not eliminate the availability of any existing parking spaces on the site.
- g. The activity shall comply with all applicable Township codes and ordinances.
- h. The site intended to be used for the preparation and/or serving of food shall provide restroom facilities available to the public, unless the existing business on the site has restroom facilities which will be available to the public visiting the temporary use.
- i. The owner of the existing business or the operator of the temporary use involving the preparation and/or serving of food in an outdoor setting shall provide the Township with a certificate of insurance, in an amount at least equal to \$2,000,000 per occurrence and

j. \$3,000,000 aggregate, indemnifying the Township against any liability resulting from such use.

- D. Approval of temporary uses or structures shall be granted for a specific time period not to exceed six months. If continued need for the temporary use or structure on an annual basis is demonstrated by the applicant, approval may be granted for annual renewal by the Zoning Officer of the permit for the temporary use or structure, provided all conditions of the original approval are maintained.
- E. All temporary uses or structures shall be removed within 10 days of the expiration of the specific period for which the structure or use is approved.
- F. All temporary uses or structures which are proposed to be accessible to the public shall provide off-street parking in accordance with the requirements of § 27-2002 for the proposed use.
- G. Vehicular access for all temporary uses or structures which are proposed to be accessible to the public shall be designed to minimize congestion on the lot and not impede the free flow of traffic for any other permanent use or structure on the lot.
- H. All temporary uses or structures proposed to be used as principal uses or structures shall comply with all area and bulk regulations of the zoning district in which they are located. All temporary uses or structures which are proposed to be used as accessory uses or structures shall comply with the requirements of the zoning district for accessory structures.
- I. Temporary uses or structures which are authorized for a particular event shall be removed within 48 hours after the completion of the event.
- J. Temporary uses or structures which are proposed as principal uses or structures and which are accessible to the public shall provide sanitary facilities, unless such facilities already exist on the lot.

1806.55. Truck and Heavy Equipment Rental, Sales, and Service, subject to:

- A. The minimum site required shall be one acre.
- B. The site shall have frontage on and direct vehicular access to an arterial or collector street, as defined by this chapter.

- C. No vehicle or other merchandise displayed outdoors shall be less than five feet from any property line. No vehicle or equipment shall be parked on adjacent property or in any public street right-of-way.
- D. No vehicle shall be displayed or offered for sale which does not have all of the mechanical and body components necessary for its safe and lawful operation.
- E. Where adjoining residential uses or districts, Buffer Area B shall be provided along property lines.
- F. All fueling, washing, and maintenance areas shall be designed to prevent discharge of oils, fuels, or other contaminants and shall comply with applicable DEP requirements.

1806.56. Truck Terminal, subject to:

- A. The site shall have frontage on and direct vehicular access to an arterial or collector street as defined by this chapter.
- B. The site shall not be located within 1,200 feet of any occupied dwelling, measured in a straight line along a public street from any site boundary to the nearest wall of any dwelling.
- C. Ingress, egress and internal traffic circulation shall be designed to ensure safety and minimize congestion.
- D. Site lighting shall be designed with cutoff luminaires that have a maximum cutoff angle of 60°. The maximum illumination at any property line shall be 0.2 footcandle.
- E. All property lines adjoining a residential use or zoning classification shall be screened by Buffer Area A, as defined by § 27-1903.1 of this chapter.
- F. Off-street parking and loading shall be provided in accordance with the requirements of Part 20 of this chapter.
- G. All materials and equipment shall be stored within a completely enclosed structure.
- H. No repair of vehicles shall be permitted.
- I. No shipping or receiving shall be permitted within 300 feet of a property in a residential zoning district between the hours of 6:00 p.m. and 7:00 a.m.

- J. All operations shall comply with the performance standards of § 27-1902 of this chapter.

1806.57. Vehicle Accessory Sales and Installation, subject to:

- A. The premises shall have frontage on and direct vehicular access to an arterial street or collector street.
- B. All activities shall take place indoors.

1806.58. Vehicle Service Station, subject to:

- A. All minor repair work, vehicle washing, waxing, detailing, lubrication and installation of parts and accessories shall be performed within an enclosed building.
- B. All car-washing areas shall discharge into public sanitary sewers. Where public sanitary sewer is available, washing areas shall discharge into public sanitary sewer. Where not available, discharge shall comply with DEP and Township stormwater regulations.
- C. All vehicle parts, dismantled vehicles and similar materials shall be stored within an enclosed building or totally screened from view by a solid or privacy fence.
- D. All vehicles awaiting repair shall be stored on the lot in an approved storage area, and in no case shall said vehicles be stored on or obstruct access to a public right-of-way.
- E. Canopies over gasoline pumps shall be subject to the requirements of § 1904.3E of this chapter.
- F. All fuel, oil and similar substances shall be stored at least 25 feet from any property line.
- G. The handling and disposal of motor oil, battery acid and any other substance regulated by federal statute and the Pennsylvania Department of Environmental Protection (PA DEP) shall be in accordance with all permits and requirements of that agency or its successor agency. Any suspension, revocation or violation of the PA DEP permits shall be a violation of this chapter and shall be subject to the enforcement provisions of § 27-2402 of this chapter.
- H. Buffer Area B, as defined by § 27-1903.1 of this chapter, shall be provided along all property lines adjoining a residential use or zoning classification.

1806.59. Warehousing and Distribution, subject to:

- A. The minimum lot area shall be five acres.
- B. The applicant shall provide the Township Zoning Officer a detailed description of the proposed use in each of the following topics:
 - a. The nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with state and federal regulations;
 - b. The general scale of operation in terms of its market area, specific floor space requirements for each activity, the total number of employees of each shift, and an overall needed site size or area; and
 - c. Any environmental impacts that are likely to be generated (e.g., noise, smoke, dust, litter, glare, outdoor lighting, vibration, electrical disturbance, wastewater, stormwater, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels as regulated by applicable laws and ordinances.
- C. Retail sales shall not exceed 20% of the gross floor area.
- D. Buffer Area A, as defined by § 27-1903.1 of this chapter, shall be provided along all property lines adjoining a residential use or zoning classification.

1806.60. Wholesale Business, subject to:

- A. Retail sales shall not exceed 20% of the gross floor area.
- B. Outdoor storage of materials is prohibited.

1806.61. Wholesale Sales in Conjunction with Major or Minor Retail Business, subject to:

- A. Any site which involves wholesale distribution shall have direct access to an arterial or collector street, as defined by this chapter.

- B. All materials and equipment shall be stored within a completely enclosed structure or shall be limited to storage in the rear or side yard if screened from view from the street or adjacent residential properties by a six-foot hedge or opaque fence.
- C. No shipping or receiving shall be permitted within 300 feet of property in a residential zoning district between the hours of 7:00 p.m. and 7:00 a.m.
- D. All shipping and receiving facilities adjoining a residential use or zoning classification shall be screened by Bufferyard B, as defined by § 27-1903.1 of this chapter.
- E. Wholesale sales shall not exceed 25% of the gross sales of the retail business.
- F. The gross floor area devoted to wholesale warehousing shall not exceed the gross floor area devoted to the retail business.
- G. The storage or handling of hazardous or potentially hazardous materials shall not be permitted.

PART 19

SUPPLEMENTAL REGULATIONS

§ 27-1901 Applicability.

The supplemental regulations in this Part apply to all uses and structures in all zoning districts and are intended to supplement the district regulations contained in Parts 4 through 17. Where a conflict exists between the provisions of this Part and other provisions of this Chapter, the more restrictive shall apply unless otherwise expressly stated.

§ 27-1902 Performance Standards.

The performance standards of this section shall apply to all nonresidential uses and to any residential use that involves nonresidential activity, including home occupations and mixed-use development. All other uses shall comply with the requirements of this section. Where specialized technical review is reasonably necessary to determine compliance with this section, the Township may retain a qualified consultant. The applicant shall reimburse the Township for reasonable and customary review costs consistent with the Pennsylvania Municipalities Planning Code.

1902.1. Fire Protection. Fire prevention and firefighting equipment acceptable to the Board of Fire Underwriters the Township and consistent with applicable fire code and NFPA standards shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

1902.2. Electrical Disturbance. No activity shall cause electrical disturbance adversely affecting radio or other equipment in the vicinity.

1902.3. Noise.

A. No operation or activity shall cause or create noise in excess of the sound levels prescribed below:

- i. Residential Districts: At no point beyond the boundary of any lot within these districts shall the exterior noise level resulting from any use or activity located on such lot exceed a maximum of 60 dBA for more than four hours during a twenty-four-hour equivalent period.
- ii. Commercial/Business Park Districts: At no point on or beyond the boundary of any lot within these districts shall the exterior noise level resulting from any use or activity located on such lot exceed a maximum of 65 dBA for more than eight hours during a twenty-four- hour equivalent period.
- iii. Industrial Districts: At no point on or beyond the boundary of any lot within these districts shall the exterior noise level resulting from any use

or activity located on such lot exceed a maximum of 75 dBA for more than eight hours during a twenty-four-hour equivalent period.

- B. Where two or more zoning districts in which different noise levels are prescribed share a common boundary, the most-restrictive noise level standards shall govern.
 - C. The following uses or activities shall be exempted from the noise regulations:
 - i. Noises emanating from construction or maintenance activities between 7:00 a.m. and 9:00 p.m.;
 - ii. Noises caused by safety signals, warning devices and other emergency-related activities or uses;
 - iii. Noises emanating from public or private recreational uses between 7:00 a.m. and 11:00 p.m.
 - D. Generators and snow removal equipment, operated within the manufacturer's specifications and with all standard noise-reducing equipment in use, unmodified and in proper operating condition.
 - E. Air conditioners, fans, heating units and similar devices, provided such are operating within the manufacturer's specifications when all reasonable measures have been taken to reduce noise levels as required.
 - F. In addition to the above regulations, all uses and activities within the Township shall conform to all applicable county, state and federal regulations. Whenever the regulations contained herein are at variance with any other lawfully adopted rules or requirements, the more restrictive shall govern.
- 1902.4. Vibrations. Vibrations detectable without instruments on neighboring property in any zoning district shall be prohibited.
- 1902.5. Odors. No use shall emit odors detectable beyond the property line that are determined to be a nuisance or health hazard under applicable state or federal standards, including those administered by the Pennsylvania Department of Environmental Protection.
- 1902.6. Smoke, Ash, Dust, Fumes, Vapors and Gases. There shall be no emission at any point for longer than five minutes in any hour of visible gray or other color smoke, ash, dust, fumes, vapors or gases with a shade darker than No. 3 on the Standard Ringlemann Chart issued by the United States Bureau of Mines; nor shall there be any emission at any point from any source which can cause damage to health, to animals or vegetation or to other forms of property or which can cause excessive

soiling at any point. Visible emissions shall comply with applicable PA DEP air quality standards.

- 1902.7. Lighting and Glare. All lighting devices shall be designed with shields, reflectors or refractor panels which direct and cut off light at a cutoff angle that is less than 60°.
- A. No use shall produce a strong, dazzling light or a reflection of a strong, dazzling light beyond its lot lines. In general, lighting fixtures that shield the reflector or lens or any high-brightness surface from viewing angles above 60° from horizontal shall be utilized.
 - B. All outside lighting, including sign lighting, shall be directed in such a way as not to create a nuisance to any adjacent use and roadway. All luminaries and fixtures shall be equipped with a glare-shielding device, cutoff downward cast in the case of freestanding area lighting, approved by the Township Engineer. The height of all luminaries must also be approved by the Township Engineer. Intensity of outdoor lighting shall be limited within usable areas of a site (i.e., parking, walkways, etc.) to an average intensity at the ground of one footcandle with a maximum intensity at any given point on the ground of five footcandles, unless otherwise approved by the Board of Commissioners.
 - C. The height of a luminary shall be limited as follows:
 - D. In any residential district, the maximum height permitted shall be 20 feet.
 - E. In any other district, the maximum height shall be 25 feet, except where otherwise specified.
 - F. Ball diamonds, playing fields and tennis courts having a unique requirement for nighttime visibility may be exempted from § 27-1902.7B and C if, in the judgment of the Board of Commissioners, their limited hours of operation and the location of the luminaries will adequately protect neighboring residential uses.
 - G. The Board of Commissioners may further limit the height of luminaries when it is determined that proposed lighting may have a detrimental impact upon nearby properties.
- 1902.8. Erosion. No erosion by wind or water shall be permitted which will carry objectionable substances onto neighboring properties.
- 1902.9. Water Pollution. Water pollution shall be subject to the standards established by the Pennsylvania Department of Environmental Protection (PA DEP).

- 1902.10. Determination of Compliance with Performance Standards. During the review of an application for zoning approval, the applicant may be required to submit data and evidence documenting that the proposed activity, facility or use will comply with the provisions of this section. In reviewing such documentation, the Township may seek the assistance of any public agency having jurisdiction or interest in the particular issues and the Township may seek advice from a qualified technical expert. All costs of the expert's review and report shall be paid by the applicant. A negative report by the technical expert and the applicant's refusal or inability to make alterations to ensure compliance with this section shall be a basis for denying approval of the application.
- 1902.11. Continuing Enforcement.
- A. The Zoning Officer shall investigate any purported violation of the performance standards and, subject to the approval of the Board of Commissioners, may employ qualified technical experts to assist in the determination of a violation. Costs of the services of such experts shall be paid by the owner or operator of the facility or use accused of the violation if the facility or use is found to be in violation. If the facility or use is found to be in compliance with the performance standards, said costs shall be borne by the Township.
 - B. If the facility or use is found to be in violation, the owner or operator shall be given written notice of violation in accordance with § 27-2402 of this chapter and a reasonable length of time to correct the violation. Failure to correct the violation shall be subject to the penalty provisions of this chapter and shall result in the revocation of the occupancy permit for the facility or use.

§ 27-1903 Buffer Areas and Landscaping.

- 1903.1. Buffer Areas Described. Buffer areas, as defined by this chapter and required by § 27-1903.2, shall meet all of the following criteria:
- A. Buffer Area A shall contain two rows of plantings. Each row shall consist of a mixture of 30% deciduous and 70% evergreen plantings spaced within the row a minimum of 15 feet apart, measured from the vertical center lines of adjacent trees. The two rows shall be staggered in a manner which shall result in adjacent trees on two different rows being no more than 10 feet apart, measured from the vertical center lines of the trees. The depth of Buffer Area A shall be 35 feet as measured from the property line.
 - B. Buffer Area B shall contain one row of plantings which shall consist of a mixture of 30% deciduous and 70% evergreen spaced within the row a minimum of 10 feet apart, measured from the vertical center lines of adjacent trees. The depth of Buffer Area B shall be 25 feet as measured from the property line.

- C. Buffer Area C shall be comprised of a continuous, compact evergreen hedge or line of evergreen trees that will grow together when mature and that are a minimum of six feet in height at the time of planting. The depth of Buffer Area C shall be 15 feet as measured from the property line.
 - D. None of the required plantings shall encroach across any property line. All plantings shall be located so that, at maturity, all parts of the tree shall be a minimum of 2 1/2 feet from any public street right-of-way or any property line which constitutes the exterior boundary of the buffer area.
 - E. In the event that existing vegetation and/or existing topography provides screening which is adequate to meet the intent of the required buffer area to screen the buildings, activities and parking areas from adjoining residential properties, the Board of Commissioners, upon recommendation by the Planning Commission, may determine that the existing topography and/ or vegetation constitutes all or part of the required buffer area. If such a determination is made, the applicant may be required to record a conservation easement of the depth specified by the Board of Commissioners to guarantee that the existing topography and/or vegetation will not be disturbed or removed from the approved buffer area.
 - F. In the event that a public street right-of-way, dedicated and accepted by the Township, separates the two dissimilar uses specified, the buffer area shall not be required; except when one of the uses is residential, the buffer area shall still be required.
 - G. Openings for driveways shall be permitted to cross a required buffer area. Plantings in required buffer areas shall be located so as to not obstruct visibility for traffic entering or leaving the site and shall be subject to the clear sight triangle requirements of § 27-1904.4 of this chapter.
 - H. No structures or uses shall be permitted in the required buffer area, other than active or passive recreation facilities and stormwater management facilities, provided the structures or uses do not interfere with the required plantings in the buffer area. Structures or uses not permitted within the required buffer area include, but are not limited to, buildings, accessory structures, parking spaces, access drives and lighting devices.
- 1903.2. Buffer Areas Required. Buffer Areas A, B, and C listed in § 27-1903.1 above shall be required under the following circumstances:
- A. Buffer Area A:
 - i. Along all property lines where any development in the B-1, B-1-A, PEDD or I-1 District adjoins property in an S-C, R-1, R-2, R-3, R-4 or R-5 District.

- ii. Where the express standards and criteria for a specific use in § 27-1806 of this chapter specify that Buffer Area A is required.
- iii. Along all property lines where a planned residential development adjoins property in an R-1, R-2, R-3 or District.
- iv. Along all property lines where multifamily dwellings adjoin property in an R-1 and R-2 Districts.

B. Buffer Area B:

- i. Along all property lines where any development in the B-2, B-3 or B-4 District adjoins property in an S-C, R-1, R-2, R-3, R-4 or R-5 District.
- ii. Where the express standards and criteria for a specific use in § 27-1906 of this chapter specify that Buffer Area B is required.
- iii. Along all property lines where a planned shopping center adjoins property in an I-1 District.
- iv. Along all side and rear property lines between two lots in the PEDD District.

C. Buffer Area C:

- i. Where the express standards and criteria for a specific use in § 27-1906 of this chapter specify that Buffer Area C is required.
- ii. On developed nonresidential properties in the, B-1 or B-2 District where existing conditions, such as building location and existing paving of the parking lot, make it impossible to meet the requirements for Buffer Area B along a property line which adjoins property in the R-1, R-2, R-3, R-4 or R-5 District.

1903.3. Conflict Between Buffer Area and Yard Requirements. When the width of a required buffer area is in conflict with the minimum yard requirements of Parts 4 through 17, the greater distance shall apply. The buffer area planting requirement shall be adhered to regardless of the yard requirement.

1903.4. Existing Structures in Buffer Areas. In instances where an existing structure is located within any required buffer area, the buffer area may be reduced, provided the buffer area is not less than the minimum distance between the existing structure and the property line. This reduced buffer area width shall apply only to the side of the existing structure which encroaches on the required buffer area. The required buffer area, as determined by § 27-1903.2, shall apply on all other sides of the existing structure.

1903.5. Existing Trees in Buffer Areas.

- A. Where trees already exist within the required buffer area, these trees shall remain undisturbed, except that diseased or dead material may be removed. If it is determined that some healthy trees must be removed in conjunction with development, a written request to remove such trees must be submitted to the Township, along with an explanation detailing the rationale for the request. These trees shall not be removed until the Township has given written authorization permitting said removal. This permission will not be unreasonably denied; however, those who violate this section shall be subject to the maximum penalties authorized by this chapter.
- B. When any trees, regardless of their physical condition, are removed, they shall be replaced by trees suitable to the environment. All such replacement plantings shall be in accordance with accepted conservation practices.

1903.6. Size of Trees in Required Buffer Areas.

- A. Any existing trees within the required buffer area which are a minimum of four inches in diameter at diameter breast height (DBH) shall be preserved and shall count as a required tree within the buffer area. At no point, however, shall any existing trees and required trees be separated at a distance greater than the distance specified in the required buffer area.
- B. All trees required to be planted within the buffer area shall be a minimum of two inches in diameter at a point one foot above the ground, measured along the trunk of the planted tree, which tree shall be planted in accordance with accepted conservation practices. All required trees shall be a minimum of six feet in height at time of planting, measured from the ground adjacent to the planted tree to the top of the tree.

1903.7. Responsibility for Maintenance. It shall be the responsibility of the landowner or lessee to assure the continued growth of all required landscaping and/or to replace the same in the event of frost, vandalism, disease or other reasons for the discontinued growth of the required trees, shrubs and bushes.

1903.8. Stormwater Management Facilities in Buffer Areas. Stormwater management facilities and structures may be maintained within a buffer area, but the existence of such facilities or structures shall not be a basis for a failure to meet the planting requirements.

1903.9. Landscaping of Open Areas. All yard areas not utilized for parking facilities, driveways, gardens, the planting of trees or shrubs, flower, vegetable or herb beds or similar uses shall be seeded, sodded or landscaped within a reasonable period of time. The phrase "a reasonable period of time" shall be interpreted to be within two weeks after construction activities are completed, unless those activities are completed

between a November 1 through April 1 time period. In such case, the required sodding or seeding shall occur within two weeks of April 1.

1903.10. Additional Landscaping Specifications. Landscaping shall be provided in accordance with the following specifications:

- A. Planting required in buffer areas as outlined in § 27-1903.2 shall not be substituted for any required planting mandated in this section.
- B. A landscaping plan, with detailed drawings, shall be submitted with the final application for approval of the land development plan required by the Township Subdivision and Land Development Ordinance [Chapter 22], and this landscaping plan shall contain and show the following information:
 - i. All required buffer areas with proposed plantings (identifying each proposed tree, bush or shrub), drawn to scale and identifying the height and width of any proposed mounds.
 - ii. All required planting independent of any buffer area requirements (identifying each tree, bush, shrub, the use of sod or seeding, etc.), drawn to scale.
 - iii. Any planting in excess of the requirements in § 27-1903.1 and 27-1903.2 of this chapter.
 - iv. Any existing trees or vegetation which are to be preserved, accurately identifying their relative location.
 - v. Any existing trees or vegetation which will be removed, accurately identifying their relative location.
- C. Parking areas shall be landscaped in accordance with the following requirements:
 - i. In the event that a parking area containing 10 or more spaces is not already separated from property in an S-C or R Zoning District by a buffer area, then Buffer Area C, as defined by § 27-1903.1, shall be provided along any property line where the parking area adjoins property in an S-C or R Zoning District.

- ii. In a planned shopping center, if parking is located in a required front yard, the parking area shall be located at least 20 feet from the public street right-of-way. In all other land developments, if parking is located in a required front yard, the parking area shall be located at least 12 feet from the public street right-of-way. In all cases, the area between the street right-of-way and the parking area shall be landscaped with an earthen mound that is a minimum of two feet in height and a mix of landscaping materials from the List of Suggested Plant Materials in Appendix D,³⁶ including ground cover, trees and shrubs. The location of these landscaping materials shall not obstruct visibility for traffic entering or leaving the site and shall comply with the clear sight triangle requirements of § 27-1904.4.

D. In any nonresidential development, deciduous trees shall be planted in accordance with the following schedule. These trees shall be in addition to the trees provided in any required buffer area or parking area.

Building Footprint (square feet)	Requirement
1,000 to 30,000	1 tree for each 1,000 square feet of building footprint
30,001 to 75,000	A minimum of 30 trees plus 1 tree for each 3,000 square feet of building footprint in excess of 30,000 square feet
Over 75,000	A minimum of 45 trees plus 1 tree for each 5,000 square feet of building footprint over 75,000 square feet

The required trees shall be planted in clusters on the site and shall be distributed throughout the site to enhance the green space on the site. The final location of the plantings shall be subject to approval by the Township depending on the size of the site, the magnitude of the required buffer area and the amount of paving and building coverage proposed.

- E. In any development which contains multifamily dwellings, deciduous trees shall be planted in accordance with the following schedule. These trees shall be in addition to the trees provided in any required buffer area or parking area.

Number of Dwellings	Required Trees
First 25 dwelling units	1 tree for each dwelling unit
26 to 100 dwelling units	25 trees plus 1 tree for each dwelling unit in excess of 25 dwelling units
101 to 200 dwelling units	37 trees plus 1 tree for each 3 dwelling units in excess of 100 dwelling units
201+ dwelling units	70 trees plus 1 tree for each 4 dwelling units in excess of 200 dwelling units

The required trees shall be planted as front yard trees or may be clustered in groups around the dwelling units and shall not be located within any public street right-of-way.

- F. All trees which are required to be planted as per the regulations of this § 27-1903.10 shall be a minimum of two inches in diameter at a point one foot above the ground at the time of planting, measured along the trunk of the planted tree, which tree shall be planted in accordance with accepted conservation practices.
- G. In conjunction with the development of property for any use, the applicant shall show that the removal of any trees or natural vegetation is necessary for the imminent and orderly development of the property. Imminent development shall be considered to be development which is reasonably expected to commence, and for which there are realistic plans to commence, on a minimum eight-hours-per-day, forty-hours-per-week basis (utilizing a five-day-on, two-day-off standard workweek basis) within 30 days of the removal of trees or vegetation and for which a land development plan and landscaping plan have been submitted and approved by the Township.
- H. Any existing trees which are not disturbed and are not located within a required buffer area and are a minimum of four inches in diameter at a point one foot above the ground shall count towards the required number of trees to be planted outside of the buffer area.
- I. Following the completion of construction in any zoning district, all yard areas, including those on single-family lots, not utilized for structures, driveways, planting strips or parking facilities shall be seeded, sodded or landscaped within a reasonable

period of time. The phrase "reasonable period of time" shall be interpreted to be within two weeks after construction activities are completed, unless those activities are completed between a November 1 through April 1 time period. In such cases, the required seeding or sodding shall occur by April 15.

- 1903.11. Posting of Bond for Landscaping. A maintenance bond in the form of cash, certified check or letter of credit shall be posted with the Township in the amount of 15% of the total cost of landscaping shown on the approved landscaping plan for a period of 18 months from the date of installation of the landscaping materials. The maintenance bond shall guarantee replacement of the required landscaping materials during the term of the bond.

§ 27-1904. Special Yard Requirements.

In addition to the yard requirements specified in each zoning district, the following yard requirements shall apply in all zoning districts to the applicable circumstances described below:

- 1904.1. Corner Lots. Corner lots shall provide front yards on each street frontage. The remaining two yards shall constitute side yards.
- 1904.2. Nonconforming Lots of Record. See § 27-2204 of this chapter.
- 1904.3. Accessory Structures. In all zoning districts, the following regulations shall apply to accessory structures:
- A. Private Swimming Pools Accessory to a Dwelling.
 - i. Swimming pools accessory to a dwelling shall be located at least 10 feet from any property line. Swimming pools shall not be permitted in the front yard.
 - ii. Any pool deck, apron, patio, or similar surface surrounding or accessory to a swimming pool, whether attached to the pool or freestanding, shall comply with the same minimum setback requirements applicable to the swimming pool.
 - B. Private Sports Courts Accessory to a Dwelling.
 - i. Sports courts accessory to a dwelling shall be located only in a side or rear yard and shall be no closer to the side or rear property line than 20 feet.
 - ii. Lighting of the sports court shall not be permitted.

- iii. All sports courts shall be enclosed by a fence which is a minimum of 10 feet in height and a maximum of 12 feet in height and which shall contain openings equal to 50% or more of the surface area of the fence.
- iv. The area of the sports court shall not exceed 50% of the total area of the rear yard.

B. Fences and Walls.

- i. In residential zoning districts, fences and walls no greater than six feet in height shall be permitted in the required rear or side yards.
- ii. In residential zoning districts, fences and walls which contain openings equal to at least 75% of the surface area of the fence and which are not more than four feet in height shall be permitted in the required front yard.
- iii. In the S-C, B-1, B-1A, B-2, B-3 and B-4 Commercial Districts and PEDD Planned Economic Development Districts, the maximum height of a fence or wall shall be eight feet
- iv. In the I-1 Industrial District, the maximum height of a fence or wall shall be 10 feet.
- v. Fences are not subject to the minimum yard setback requirements and may be located up to the property line, except in areas where they are adjacent to public streets, in which case fences shall be required to be located a minimum of two feet from the back of curb or edge of pavement. The finished side of the fence shall face the adjoining property or public street where applicable.
- vi. All fences shall be constructed of customary fencing materials, but shall exclude chain- link fencing in front yards in the S-C, R-1, R-2, R-2-A, R-3, R-3-A, R-4 and R-5 Zoning Districts. In no areas of any yard shall fencing ordinarily used for construction activity, such as silt fences or temporary construction fences, be permitted, except during the time when such construction activity is being performed.
- vii. All walls, fences and buffer areas or landscaping material shall be located so as to not obstruct pedestrian access, visibility for traffic on adjacent streets or traffic entering or leaving the property or adjacent properties and shall comply with the clear sight triangle required by § 27-1904.4.

C. Radio or Television Antennas. A radio or television antenna for personal use by private citizens shall be permitted as an accessory use, subject to the following requirements, except as these provisions may be superseded by any applicable Federal Communications Commission (FCC) ruling:

- i. A radio or television antenna structure may be mounted on a roof or installed in a rear yard only, provided that no such structure shall be located within 20 feet of any property line.
- ii. The maximum height for such structure shall not exceed that otherwise allowed in the zoning district in which it is located by more than 20 feet. If placed on a roof, any antenna exceeding eight feet shall be mounted with guide wires.
- iii. Any such structure shall comply with applicable airport zoning and Federal Communications Commission regulations.
- iv. Radio or television antenna structures located on the ground shall be screened from adjacent properties by evergreen trees or other suitable material, as approved by the Township.

D. Canopies and Similar Structures.

- i. Canopies and similar permanent freestanding roofed structures without walls shall be permitted to cover outdoor seasonal display and sales areas or fuel dispensing areas accessory to authorized uses in all commercial and industrial districts, provided that:
- ii. Such structure shall not be attached to the principal building;
- iii. Such structure shall be located at least 10 feet from any property line or street right- of-way;
- iv. Such structure shall not be enclosed; and
- v. Such structure shall be removed immediately once the principal use or the use of the accessory structure is discontinued.

E. Residential Accessory Structures, Including Detached Garages, Storage Structures, Pavilions and Gazebos.

- i. No detached garage, storage structure, pavilion, gazebo, pergola with a solid or partially solid roof, or similar roofed accessory structure to a dwelling shall be located within the required front yard.
- ii. In all Residential Districts and the S-C District, detached garages, storage structures, pavilions, gazebos, pergolas with a solid or partially solid roof, and similar accessory structures shall be located at least five (5) feet from any side or rear property line.

- iii. The maximum height of any detached garage, storage structure, pavilion, gazebo, pergola with a roof, or similar accessory structure shall be fifteen (15) feet, measured in accordance with § 27-1906.

F. Structures Accessory to Nonresidential Structures and Buildings.

- i. No structure accessory to a nonresidential building or structure, other than a sign or off- street parking area, shall be located in the front yard. Signs and off-street parking areas shall be subject to the requirements of Parts 20 and 21.
- ii. Structures accessory to nonresidential buildings or structures shall not be located within any required buffer area.
- iii. Where a buffer area is not required, all structures accessory to nonresidential buildings or structures shall be located at least 10 feet from the rear property line and at least 20 feet from the side property lines.

G. Accessory structures shall not contain dwelling units, sleeping quarters, kitchens, or bathroom facilities unless specifically authorized by this chapter as an accessory dwelling unit or other permitted residential use.

- 1904.4. Visibility at Intersections. No object, including, without limitation, fences, hedges, trees and other plantings, buildings, structures, walls, signs and motor vehicles, exceeding a height of three feet, as measured from the lowest elevation of the center line of any abutting street, shall be temporarily or permanently placed, erected, installed or parked within the clear sight triangle required at the intersection of two streets or the intersection of a nonresidential driveway with a public street.

§ 27-1905. Permitted Projections into Required Yards.

The following shall be permitted to project into any required yard in any zoning district:

- 1905.1. Typical architectural features, including, but not limited to, bay windows, windowsills, chimneys, cornices and eaves, shall be permitted to project into required yards no more than 18 inches.
- 1905.2. Decks and their stairs, stoops, uncovered porches, and covered porches without enclosed habitable floor area shall be permitted to project into required front and side yards no more than six (6) feet and shall be no closer to the rear property line than twenty (20) feet, unless facing an I-1 Industrial District, in which case such projections may be no closer than ten (10) feet to the rear property line. Porches that are enclosed, contain habitable floor area, or are otherwise designed as an enclosed room shall be subject to the yard requirements applicable to the principal structure.

- 1905.3. Steps attached to the principal building and open fire escapes shall be permitted to project into required yards no more than three feet.
- 1905.4. Subject to the clear sight triangle requirements in § 27-1904.4, the provisions of § 27-1905.2 and 1905.3 shall not apply to terraces, steps, uncovered porches, wheelchair ramps or similar features not over three feet high above the average grade level.

§ 27-1906. Height Exceptions.

The height limitations of this chapter shall not apply to the following structures: church spires, chimneys, elevator bulkheads and other mechanical equipment which is part of the principal structure, conveyors, flagpoles, silos, standpipes, elevated water tanks, derricks, public utility structures and other structures not intended for human habitation which do not exceed the height limitations of the zoning district by more than 15 feet.

§ 27-1907. Drive-Through Facilities.

All businesses which propose drive-through facilities, as defined by this chapter, as accessory uses or principal uses shall meet all of the following requirements:

- 1907.1. Drive-through facilities proposed on parcels within a planned shopping center shall have access only from the interior circulation system within the planned shopping center site. All other properties shall have frontage on and direct vehicular access to an arterial or collector street, as defined by this chapter.
- 1907.2. In addition to the parking spaces required for the principal use, a minimum of five standing spaces, in one lane, with a total length of 100 feet, in direct line with each window or stall shall be provided for vehicles to wait in line. The standing space shall not interfere with the use of any required parking spaces and shall not inhibit the free flow of traffic on the property. The standing spaces shall be designed so that waiting vehicles shall not stand in any right-of-way or overflow onto adjacent properties, streets or berms.
- 1907.3. Entrances, exits and standing spaces shall be adequately indicated with pavement markings and/or directional signs.
- 1907.4. Parking areas and circulation patterns shall be adequately striped and marked to facilitate traffic circulation on the property.

§ 27-1908. Temporary Construction Trailers, Model Homes or Sales Offices.

Temporary construction trailers or model homes or sales offices shall be permitted in any zoning district, subject to the following conditions:

- 1908.1. Temporary construction trailers shall be permitted only during the period that the construction work is in progress under a valid building permit or under Township approval to install public improvements. The temporary construction trailer shall be removed upon completion of the construction authorized under a building permit or upon completion of the installation of the public improvements in a plan of subdivision. In the event that construction is phased, the temporary construction trailer shall be moved from the completed phase to the next phase when 90% of the required improvements in the completed phase have been installed as determined by the Township Engineer.
- 1908.2. Model homes or sales offices shall be permitted only until 90% of the lots or dwelling units in the development are sold. In the case of a phased development, the use of a model home or sales office shall be permitted to continue only if the subsequent phase is initiated within six months of the completion of 90% of the lots or dwelling units in the prior phase.
- 1908.3. A temporary use permit for the temporary structure or use shall be obtained from the Zoning Officer in accordance with the requirements of § 27-2407 prior to the commencement of construction and shall be renewed every six months, if necessary, until the project is completed.
- 1908.4. Temporary construction trailers shall be located on the lot on which the construction is progressing and shall not be located within 25 feet of any property line adjoining residential use.
- 1908.5. Temporary construction trailers shall be used only as temporary field offices and for storage of incidental equipment and supplies and shall not be used for any dwelling use whatsoever.
- 1908.6. No signs or other advertising materials for the project shall be attached to the temporary construction trailer; however, the name of the construction company may appear on the trailer.
- 1908.7. Class 3 materials, as classified by the National Fire Protection Association (NFPA), shall not be stored in temporary construction trailers.
- 1908.8. Model homes shall be located on a separate lot and shall meet all the requirements for permanent dwellings in the zoning district in which they are located. Sales offices may be located in a model home or may be located in a trailer located on a vacant lot in the plan or on the site of construction. If the sales office is located in a trailer, the trailer shall not be located within 25 feet of any property line adjoining a residential use. No signs or other advertising information shall be located on the outside of the trailer or sales office.

- 1908.9. Model homes or sales offices located in a trailer shall not be utilized for any dwelling use whatsoever during the time they are approved as a temporary use or structure in accordance with the provisions of this section.
- 1908.10. Model homes or sales offices shall be used primarily for sales associated with the development in which they are located and shall not be used as the only place of business for the listing realtor.

§ 27-1909. Agriculture. [Ord. 687, 8/12/2015]

In the S-C and R-1 District, agricultural activities, including greenhouses, stables, kennels and animal husbandry, where authorized by this chapter, shall be subject to the following requirements. Notwithstanding the foregoing, the limited noncommercial keeping of chickens, ducks, and rabbits accessory to a lawful residential use shall be permitted in all zoning districts.

- 1909.1. For the purposes of this section, agricultural animals shall include livestock and poultry customarily associated with agricultural operations, including but not limited to cattle, horses, ponies, donkeys, mules, sheep, goats, swine, llamas, alpacas, and similar domesticated farm animals raised for agricultural, breeding, fiber, dairy, meat, egg production, educational, or recreational purposes. Agricultural animals shall not include household pets customarily kept within a residence, exotic animals, wild animals, venomous reptiles, or animals prohibited by State or Federal law. The keeping of agricultural animals shall be considered an agricultural activity and shall be subject to the requirements of this section.
- 1909.2. Any building, barn, stable, shelter, coop, shed, loafing area, or other structure used for the keeping, raising, breeding, feeding, or housing of agricultural animals shall be located at least 200 feet from any street line and from any adjacent landowner's well or dwelling and not less than 100 feet from the landowner's well or property line.
- 1909.3. Any structure used for the housing, sheltering, breeding, boarding, or confinement of agricultural animals, including barns, stables, sheds, coops, and indoor kennels, shall be located no closer than 200 feet to any property line.
- 1909.4. Animal shelters, including indoor kennels, shall be located no closer than 200 feet to any property line.
- 1909.5. Outdoor kennels shall be located at least 300 feet from any occupied dwelling on an adjacent lot and at least 200 feet from any property line which adjoins an R-1, R-2, or R-3 District.
- 1909.6. Commercial greenhouse heating plants shall be at least 100 feet from any property line. The retail sales area for a greenhouse shall not exceed 1,200 square feet. The growing area shall not be considered sales area.

- 1909.7. The minimum lot area for a private stable shall be three acres. On properties that are 10 acres or less, the minimum lot area required for each horse or pony shall be two acres per animal. For farms over 10 acres, there shall be no minimum lot area per horse.
- 1909.8. No stable shall be located within 200 feet of any property line or occupied dwelling, other than the stable owner's dwelling.
- 1909.9. All grazing and pasture areas shall be adequately fenced.
- 1909.10. Retail sales of agricultural products, including garden nursery or greenhouse sales, shall be permitted accessory to a farm, subject to the following regulations:
- A. All sales shall be conducted on the premises of a farm, as defined and regulated by this chapter.
 - B. Products sold shall include products raised, grown or produced on the farm.
 - C. All permanent structures shall comply with the yard requirements for principal structures in the S-C and R-1 District.
 - D. Seasonal roadside stands shall be located no closer than 15 feet to any street right-of-way or property line and shall be removed at the end of each growing season.
 - E. Buildings used for retail sales of agricultural products shall not exceed 1,000 square feet of sales floor area for every 10 acres of land farmed. No building used for agricultural products shall exceed 5,000 square feet of sales area.
 - F. Off-street parking for permanent structures shall be provided in accordance with the requirements of § 27-2003 for retail businesses. Off-street parking for permanent structures shall be designed in accordance with the requirements of § 27-2002.
 - G. Off-street parking for seasonal roadside stands shall be designed in accordance with § 27-2001; however, the requirements for surfacing, marking, screening and landscaping shall not apply.
 - H. Off-street parking for seasonal roadside stands shall be provided in accordance with the requirements of § 27-2002 for retail businesses; however, in no case shall fewer than 10 spaces be provided.
 - I. Adequate ingress, egress and traffic circulation shall be provided so that vehicles do not back onto the street right-of-way and do not park or stand on any street or berm.

- J. One nonilluminated freestanding sign shall be permitted to announce the agricultural sales, provided the maximum surface area of the sign shall not exceed 24 square feet, the height of the sign shall not exceed eight feet and the sign shall be located no closer than 10 feet to any property line or street right-of-way.
- K. Seasonal activities, such as hay rides, Spring and Fall festivals and similar activities related to the farm, shall be subject to all applicable requirements of § 27-1806.53 for retail establishments, provided adequate parking is provided in a temporary parking area based on the ratio specified in § 27-2003 for "all other uses."

§ 27-1910. Storage.

1910.1 Storage shall include, but not be limited to:

- A. Equipment or materials associated with a business operation
- B. Shipping containers, trailers, pods, or similar units not actively being loaded or unloaded
- C. Pallets, crates, lumber, pipes, construction materials, or machinery
- D. Inoperable or unregistered vehicles
- E. Bulk materials such as soil, stone, mulch, or scrap materials

1910.2 Storage shall not include:

- A. Merchandise displayed for retail sale during normal business hours in compliance with § 27-1910.1
- B. Vehicles actively being serviced within an approved vehicle repair use
- C. Temporary construction materials associated with an active building permit
- D. Lawfully parked licensed and operable passenger vehicles
- E. Outdoor storage shall mean any storage not located within a completely enclosed building.

1910.3. Outdoor Storage in Commercial and Industrial Districts.

- A. Except for nurseries, garden supply, building supply, custom crafting and similar businesses which require outside storage of products offered for sale, storage and display of materials outside a completely enclosed structure shall not be permitted. In the case of nurseries, garden supply, building supply, custom

crafting and similar businesses, outside display and storage areas shall be completely enclosed by a security fence and shall be screened by an opaque fence or hedge which is at least six feet in height.

- B. In the I-1 District, any material or equipment stored outside an enclosed building shall be incidental to the principal use of the lot and shall be stored to the rear of the building or an alternative location which screens the storage area from public view from the street or adjacent residential property located at similar elevations within 500 feet of the property. If existing buildings do not screen the storage area from public view from the street or adjacent residential property located at similar elevations within 500 feet of the property, the area shall be screened by a hedge or opaque fence at least six feet in height.

1910.3. Refuse Collection and Waste Disposal. All organic rubbish and discarded materials shall be placed in tight verminproof containers on the property and shall be secured in side or rear yards screened from public view by means of a solid-face fence or wall at least six feet in height. Containers shall be emptied not less frequently than once a week. On properties where food is served in paper containers, covered waste receptacles shall be conspicuously located on the premises for use by patrons. The management shall be responsible for maintaining the property free of litter.

1910.4. Storage of Recreational Vehicles. Recreational vehicles with a current license or registration and a valid inspection sticker may be parked or stored in the rear or front yard, provided they do not encroach on the right-of-way of any public street. At no time shall such parked or stored vehicle be occupied or used as a dwelling.

§ 27-1911. Timber Harvesting Controls.

1911.1. Purpose. It is the intent and purpose of these controls to preserve forests and woodlands and protect public and private property while allowing a reasonable degree of appropriate forestry activity on property in all zoning districts.

1911.2. Applicability.

- A. When a property owner wishes to conduct or permit to be conducted a timber harvesting operation on his property, such owner shall obtain a timber harvesting permit from the Township.

B. A timber harvesting permit shall not be required for the following:

- i. Timber harvesting in connection with work performed on ground to be covered by structures, pavement or other improvements noted on a subdivision or land development plan approved by the Township Board of Commissioners, where such work is to be commenced within 30 days of the harvesting and all permits for such work have been issued.

- ii. Timber harvesting on lots less than two acres in size, provided that no timber harvesting has occurred within five years on any contiguous lot without a permit.
 - C. Even though a permit is not required for the activities described in § 27-1911.2B., such activities must still be performed in compliance with the substantive requirements of § 27-1911.4C through R and in § 27-1911.5.
 - D. The Township shall be notified in writing before any timber harvesting operation begins so that the Township may determine if other Township permits or approvals are required for the particular operation. The Township shall be notified at the following times:
 - i. Fifteen business days prior to starting the operation.
 - ii. Five business days prior to terminating the operation.
- 1911.3. Submission Requirements for Permit Application. A timber harvesting application shall be filed with the Township and shall contain the following:
- A. A narrative containing the following information:
 - i. The name and address of all landowners.
 - ii. Purpose of the proposed operation.
 - iii. Total land area involved in the proposed timber harvesting operation, not to exceed 10 acres per permit.
 - iv. Total number of trees selected for harvesting.
 - v. Reforestation narrative outlining the revegetation of the landing area, skid trails, and harvest area.
 - vi. A chart indicating the quantity of trees and the ranges (DBH) and species of the trees selected for harvesting.
 - vii. Stormwater control measures to be used.
 - viii. Stream crossings and wetland protection measures to be used.
 - ix. A statement confirming that each tree to be removed has been designated by the consulting or state forester with paint or other distinctive means at two points so as to be readily visible by the logger. One point shall be low enough on the tree so as to be visible on the stump after the tree is removed.

- x. The name, address and telephone number of the logging operator to be used, a copy of the logging operator contract and such information about the identity and experience and background of the operator as the Township may require.
- B. A legibly drawn site plan containing the following information and drawn to the following specifications:
- i. Be drawn to a scale not to exceed one inch equals 100 feet.
 - ii. Be drawn on a sheet size not to exceed 30 inches by 40 inches. A copy of the site plan shall also be provided in digital format (.pdf format on CD).
 - iii. Be prepared in accordance with standard architectural and engineering practices.
 - iv. Be sealed by engineer(s) and/or surveyor(s) of record.
 - v. The name(s) and address(es) of the landowner and adjacent property owners.
 - vi. Contain a vicinity map, which shows the property(ies) proposed for timber harvesting as shown on a current Township map. The vicinity map shall identify all adjacent properties and the name of property owners surrounding the proposed timber harvesting operation.
 - vii. The boundary of the site to be timber-harvested as indicated by a heavy line with length of course in feet.
 - viii. The location and names of streets and roads adjacent to the proposed timber harvesting operation.
 - ix. Utility rights-of-way and/or easements.
 - x. Existing watercourses, floodplains, woodlands and wetlands.
 - xi. The required fifty-foot buffer along any harvesting area, landing area, public road, and adjacent property.
 - xii. Topography of the property, including all slopes of 25% or greater and slide-prone soil areas.
 - xiii. Earth disturbance locations, including skid trails and landing areas.
- C. A narrative, including a copy of all commonwealth permits, indicating that the logging operator shall address and comply with the requirements of this chapter

and of all applicable commonwealth laws and regulations, including, but not limited to, the following:

- i. Erosion and sedimentation control regulations, 25 Pa. Code Chapter 102, promulgated pursuant to the Clean Streams Law;³⁸
- ii. Stream crossings and wetland protection regulations issued pursuant to the Storm Water Management Act;³⁹ and
- iii. Stormwater management plans and regulations issued pursuant to the Storm Water Management Act and applicable Township stormwater regulations.
- iv. Such narrative will contain the signature of the logging operator as to each ten-acre area for which a permit is applied.

D. Payment of the application fee in an amount to be set from time to time by resolution of the Board of Commissioners and the agreement of all applicants to reimburse the Township for the fees it incurs in using the Township Engineer, Township Solicitor, forester or consulting forester or other professional consultant in review of the application.

1911.4. Timber Harvesting Operation Regulations. Any timber harvesting operation shall meet the following requirements:

- A. At least 30% of the forest cover (canopy) shall be preserved, and the residual trees shall be well distributed. At least 30% of these residual trees shall be composed of higher-value species as determined by a consulting or state forester.
- B. Trees selected for harvesting shall be marked at two distinctive locations thereon. The higher of the two marks shall be provided around the entire circumference of the tree. The lower mark must be visible on the stump after the tree is removed.
- C. A fifty-foot buffer zone, within which no timber harvesting shall occur, shall be required between the boundary of any timber harvesting area or landing area and any public street, road or the boundary of any adjoining property.
- D. Timber harvesting is prohibited on areas with slopes greater than 25%.
- E. Timber harvesting is prohibited within a floodway or floodplain.
- F. As directed by the Township, a soils engineer registered to practice in the Commonwealth of Pennsylvania shall monitor and report to the Township, to the extent determined by the Township Engineer to be advisable given the land in question, all forest activities occurring on or affecting landslide-prone soils, as classified in the latest available edition of the Soil Survey of Allegheny County

(USDA — Soil Conservation Service), and/or areas with a slope equal to or greater than 12%.

- G. No timber harvesting operation or removal of products shall take place between the hours of 7:00 p.m. and 8:00 a.m. or any time on Sundays or legal holidays.
- H. Trees falling on adjacent properties as a result of a timber harvesting operation shall be returned immediately to the landowner's property, who shall be responsible for any damage, cost or restoration to the affected adjacent property.
- I. Falling or skidding on or across any public road or right-of-way is prohibited without the express written consent of the Township, the Allegheny County Department of Public Works, or the Pennsylvania Department of Transportation, whichever is responsible for maintenance of such public road or right-of-way.
- J. Waste material shall be removed to a point out of sight of any public road or adjacent property. No tops or slash shall be left within 50 feet of any public road, street, adjacent property, or private roadway providing access to adjoining residential property.
- K. No tops or slash shall be left on or across the boundary of any property adjoining the timber harvesting operation without the written consent of the owner thereof.
- L. No tops or slash shall be left in a floodway or floodplain.
- M. The Township shall have the authority to order the suspension of any timber harvesting operation if, in the Township's opinion, conditions created by the spring thaw, adverse weather, or any other cause make soil erosion likely.
- N. Any timber harvesting operation in existence at the time of enactment of this Part may continue without interruption, provided that application is made within 30 days of said enactment for a timber harvesting permit under the provisions of this Part and that such permit is granted.
- O. The maximum term of any permit issued pursuant to this Part shall be four months. However, because the timber harvesting operation may be adversely affected or delayed by unusual circumstances of weather or other occurrences, one additional four-month extension, after payment of a renewal fee equal to the initial permit fee, may be granted by the Township.
- P. The Township may require that, prior to completion of the timber harvesting operation, a written report be filed by the consulting or state forester indicating what measures should be taken in order to properly restore the property.
- Q. Upon completion of the timber harvesting operation, all disturbed areas, including, but not limited to, the landing area(s) and skid trails, shall be

revegetated pursuant to the erosion and sedimentation control plans and the stormwater management plans as approved by the Commonwealth of Pennsylvania's Department of Environmental Protection and/or the Township.

- R. A timber harvesting operation shall not include any on-site processing of harvested trees or manufacturing, except as permitted by this chapter.
- S. Prior to commencement of timber harvesting, the applicant shall post bond in form acceptable to the Township Solicitor and in an amount as determined by the Township Engineer to be sufficient to guarantee restoration of disturbed areas as required herein. Substitute security may be permitted if in form acceptable to the Township Solicitor.

1911.5. Road Maintenance. All persons conducting timber harvesting or logging, as defined herein, shall meet the following road maintenance requirements:

- A. Prior to hauling on any Township road, the applicant shall post bond in an amount to be determined by the Township Engineer, and in form acceptable to the Township Solicitor, to guarantee restoration of any road damages by hauling.
- B. The Township shall have the authority to suspend any timber harvesting operation should the Township determine that conditions of the timber harvesting operation will cause or make likely damage to a Township-maintained road.
- C. The repair of roads, bridges and culverts damaged as a result of the timber harvesting operation shall be repaired to the satisfaction of the Township.
- D. The permittee, logging operator, or a designated representative shall not create a new access or use an existing access onto a county- or state-maintained road without first showing proof that the access is permitted by the Allegheny County Department of Public Works or the Commonwealth of Pennsylvania's Department of Transportation.
- E. The permittee, logging operator, or a designated representative shall not create a new access or use an existing access onto a Township-maintained road without first obtaining permission from the Township for using said access.
- F. Any disturbance along a Township-maintained street or road to create a new or improve upon an existing access shall be reconstructed back to its original condition as it was prior to the commencement of the timber harvesting.

1911.6. Waivers and Enforcement.

- A. The Township Zoning Officer, in his reasonable discretion and upon the written recommendation of the Township Engineer, shall have the right to waive any technical or substantive requirement of this Part if the requirement is determined

to be unnecessary to achieve the environmental preservation purposes of this chapter, if the waiver results in no additional threat of erosion, landslide, stream pollution or degradation or adverse impact on adjacent properties and if the requirement imposes unnecessary hardship. The Township Zoning Officer, in his reasonable discretion and upon the written recommendation of the Township Engineer, shall also have the right to add any additional conditions, at the time of permit issuance or as work under an issued permit proceeds, including additional bonding or other financial security for the actual restoration of damaged roads, deemed necessary to protect the health, welfare and safety of the residents of the Township.

- B. The Township Zoning Officer or his/her designee shall be the enforcement officer for this Part and shall issue or deny permits hereunder.
- C. The Township Zoning Officer or his/her designee may enter the site of any timber harvesting operation before, during, or after active logging to:
 - i. Review the timber harvesting plan or any other required documents for compliance with this Part; and
 - ii. Inspect the operation for compliance with the timber harvesting plan and other on-site requirements of this Part.

1911.7. Violations and Penalties.

- A. Upon finding that a timber harvesting operation is in violation of any provision of this Part, the Township shall issue the logging operator and the landowner a written notice of violation in accordance with the provisions of this chapter regarding enforcement notices, describing each violation and specifying a date by which corrective action must be taken.
- B. The Township may order the immediate suspension of any timber harvesting operation and may institute any appropriate action to prevent, restrain, correct or abate the violation of this Part upon finding that:
 - i. Corrective action has not been taken by the date specified in a notice of violation;
 - ii. The operation is proceeding without a timber harvesting plan; or
 - iii. The operation is causing an immediate environmental risk.
- C. Suspension orders shall be in writing, shall be issued to the logging operator and the landowner and shall remain in effect until the timber harvesting operation is brought into compliance with this Part or other applicable statutes or regulations.

- D. Penalties. Penalties for any violation of this Part shall be enforced in accordance with Part 24 of this chapter.

§ 27-1912. Airport Zoning.

- 1912.1. Purpose. The purpose of this section is to create airport zoning height regulations with respect to the Pittsburgh International Airport and the Allegheny County Airport.
- 1912.2. Applicability.
- A. The regulations in this subsection shall apply to uses and structures located within areas illustrated on the Pittsburgh International Airport (PIT) Airspace Plan (Drawing 7c of 19 of the PIT Airport Master Plan, as amended), and on the Allegheny County Airport (AGC) Airspace Plan (Drawing 7 of the AGC Airport Master Plan, as amended), which PIT Airspace Plan and AGC Airport Master Plan are incorporated hereby by reference, which include the following zones:
- i. Approach surface zone.
 - ii. Conical surface zone.
 - iii. Horizontal surface zone.
 - iv. Primary surface zone.
 - v. Transitional surface zone.
- 1912.3. Permit Applications. As regulated by Act 164 and defined by 14 CFR Part 77.13(a) (as amended or replaced), any person who plans to erect a new structure, to add to an existing structure, or to erect and maintain any object (natural or man-made), in the vicinity of the airport, shall first notify the Department's Bureau of Aviation (BOA) by submitting PennDOT Form AV-57 to obtain an obstruction review of the proposal at least 30 days prior to commencement thereof. The Department's BOA response must be included with this permit application for it to be considered complete. If the Department's BOA returns a determination of no penetration of airspace, the permit request should be considered to be in compliance with the intent of this subsection. If the Department'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 § 27-1912.4, Variance.
- A. 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.

B. No notice or review under this subsection is required for any of the following construction or alteration:

- i. Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height and would be located in the congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation.
- ii. Any antenna structure of 20 feet or less in height except one that would increase the height of another antenna structure.
- iii. Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device, of a type approved by the Administrator, or an appropriate military service on military airports, the location and height of which is fixed by functional purpose.
- iv. Any construction or alteration for which notice is required by any other FAA regulation.

1912.4. Variance. Any request for a variance shall include documentation in compliance with 14 CFR 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 FAA and the Department'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:

- A. 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.
- B. 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 § 27-1912.7, Obstruction Marking and Lighting.
- C. 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 intent of this section.

- 1912.5. Use Restrictions. Notwithstanding any other provisions of this section, no use shall be made of land or water within those portions of the Township lying within the areas illustrated on the PIT Airspace Plan (Drawing 7c of 19 of the PIT Airport Master Plan, as amended), or on the AGC Airspace Plan (Drawing 7 of 14 of the AGC Airport Master Plan, as amended), in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise endanger or interfere with the landing, takeoff or maneuvering of aircraft utilizing the Pittsburgh International Airport or the Allegheny County Airport.
- 1912.6. Preexisting Nonconforming Uses. The regulations prescribed by this section shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this section or to otherwise interfere with the continuance of a nonconforming use. No nonconforming use shall be structurally altered or permitted to grow higher, so as to increase the nonconformity; and a nonconforming use, once substantially abated (subject to the underlying Zoning Ordinance), may only be reestablished consistent with the provisions herein.
- 1912.7. Obstruction Marking and Lighting. Any permit or variance granted pursuant to the provisions of this section may be conditioned according to the conditional determination process described in Subsection 2113.4 to require the owner of the structure or object of natural growth in question to permit the municipality, at its own expense, or to 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.
- 1912.8. Conflicting Regulations. Where there exists a conflict between any of the regulations or limitations prescribed in this section and any other regulation applicable to the same area, the more-stringent limitation or requirement shall govern and prevail.

PART 20

OFF-STREET PARKING AND LOADING

§ 27-2001 Applicability.

- 2001.1. Off-street parking spaces shall be provided in accordance with the specifications in this Part in any district whenever any new use is established or any existing use is enlarged.
- 2001.2. All parking areas established prior to the effective date of this chapter that are not in conformance with all provisions of this Part shall be allowed to continue as

previously laid out. Any change or alteration to these existing nonconforming parking areas shall require that portions be altered to be complete in accordance with all provisions of this Part.

- 2001.3. Any change in use or in floor area of an existing building that would require a greater number of off-street parking spaces than the previous use or floor area shall provide additional off-street parking in accordance with this Part. If the number of additional required parking spaces results in more than a 25% increase in the total number of parking spaces currently provided on the lot or requires the addition of at least three more spaces, whichever is greater, then all existing parking is also required to equal or exceed all provisions of this Part, including surfacing.
- 2001.4. Accessory off-street parking spaces in existence on the effective date of this chapter shall not be reduced in number unless the remaining off-street parking equals or exceeds all provisions of this Part for equivalent new construction of the current use of the building.
- 2001.5 Residential Subdivision Overflow Parking.
- A. In subdivisions containing 10 or more single-family dwelling units, overflow parking spaces shall be provided at a minimum ratio of one (1) parking space for every five (5) dwelling units.
- B. Such overflow parking spaces shall be located within 300 feet of the dwelling units they are intended to serve and may be provided in designated parking bays, common areas, or on-street spaces where approved by the Township.
- C. Required overflow parking shall be clearly designated on the approved subdivision or land development plan and shall not be counted toward required parking for any other use.

§ 27-2002 Off-Street Parking Design.

Parking areas in all zoning districts shall comply with the following standards:

- 2002.1. Size. Each off-street parking space shall meet the following minimum dimensions:

Type of Parking Space	Width (feet)	Length (feet)
Angle or 90°	9	18
Parallel	8	22

Handicapped	13	18
Van-accessible	17	18

2002.2. Design.

A. Parking areas shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto the cartway of any public street.

B. The minimum dimensions of aisles and driveways shall be as follows:

- i. Minimum width of aisles providing two-way travel shall be 24 feet.
- ii. One-way aisles shall not be dead-ended. A functional exit or turnaround shall be provided. Minimum width of aisles providing one-way travel shall vary with the angle of parking, as follows:

Angle of Parking	Width (feet)
Parallel	12
30°	14
45°	16
60°	20
90°	24

iii. Entrance and Exit Drives.

1. The minimum width of entrance and exit drives shall be:

- a. For one-way travel, a minimum of 12 feet.
- b. For two-way travel, a minimum of 24 feet.

c. A maximum of 35 feet at the street line and 54 feet at the curbline.

2. Adequate sight distance shall be provided, subject to review and approval by the Township Engineer. Driveways shall not exceed a slope of 10% within 12 feet of the street right-of-way line.

iv. Fire lanes shall be provided in accordance with the requirements of the Township Fire Code and the Township Fire Department.

v. Dead-end aisles in off-street parking areas shall be designed according to the following minimum standards:

1. Depth of turnaround area: 13 feet.

2. Width of turnaround area: 24 feet.

C. All required parking spaces shall be accessible, unobstructed, and available for parking during normal hours of operation, and shall not be used for storage, display, dumpsters, snow storage, loading, or outdoor sales unless otherwise authorized.

2002.3. Accessible Parking Spaces.

A. Parking spaces for use by persons with disabilities shall meet the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design as amended.

B. Such parking spaces shall be located as close as possible to ramps, walkways, entrances and elevators. Where feasible, these parking spaces shall be located so that the physically handicapped are not forced to wheel or walk across main traffic lanes or behind parked cars to reach the ramps and other facilities. The spaces shall be situated in those areas of the parking lots located nearest to each primary building entrance.

C. The minimum number of handicapped parking spaces that must be provided is as follows:

Total Parking Spaces Required by § 27-2003	Number of Required Spaces That Must Be Accessible Spaces
--	--

Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20 plus 1 for each 100 over 1,000

D. For every six handicapped parking spaces required, at least one must be van accessible.

2002.4. Access. Access to parking areas shall be provided in accordance with the following requirements:

- A. When an existing lot does not adjoin a public or private street, an easement of access and an access drive shall be provided leading to the parking areas.
- B. Access to off-street parking areas shall be limited to well-defined locations, and in no case shall there be unrestricted access along the length of a street. In any district other than a residential district, the street frontage shall be curbed to restrict access to the lot, except where the access drives are proposed.
- C. The number of access drives from a single lot or development to any public street shall not exceed two for every 400 feet of street frontage.

- D. Except on corner lots, access drives shall be located at least 200 feet from the intersection of any two street right-of-way lines. Where a site has frontage on more than one street, access shall be provided from the street with the lower traffic volume, if physically practical.
- E. Access drives entering state highways are subject to a highway occupancy permit issued by the Pennsylvania Department of Transportation (PennDOT). Access drives entering county roads are subject to a permit issued by the Allegheny County Department of Public Works.
- F. Access drives entering Township streets shall comply with the requirements of Pa. Code, Title 67, Chapter 441, "Access to and Occupancy of Highways by Ways and Local Roads."
- G. Each parking space shall have access directly to a driveway. Interior circulation of traffic shall be designed so that no driveway providing access to parking spaces shall be used as a through street. Interior traffic circulation shall be designed to ensure safety and access by emergency vehicles.

2002.5. Shared Parking Requirements. In order to accommodate the usage of the same parking spaces for two or more different land uses, requiring different principal hours of use, a lower number of required parking spaces may be permitted. All uses shall be located on the same lot under the same ownership. Subsequent changes in land uses within the mixed-use development shall require a new occupancy permit and proof that sufficient parking will be available. The following provisions apply to shared parking:

- A. The required parking for mixed uses shall be computed as follows:
 - i. Determine the minimum amount of parking required for each land use as though it were a separate use.
 - ii. Using the table below, determine the number of spaces needed by each use for each of the four time periods by multiplying the parking required for each use by the corresponding percentage of use for that time period.
 - iii. Calculate the total number of spaces needed for all uses for each time period.
 - iv. The time period with the highest number of parking spaces required for the sum of all uses shall be the number of parking spaces required.

Calculating Parking for Mixed-Use Developments

Use	Weekday		Weekend	
	Daytime	Evening	Daytime	Evening

Office/industrial	100%	10%	10%	5%
Retail	60%	90%	100%	70%
Hotel	75%	100%	75%	100%
Restaurant	75%	100%	100%	100%
Entertainment/ recreational	40%	100%	80%	100%

- B. To apply for usage of the shared parking requirement, a table shall be submitted showing the breakdown of the gross floor area devoted to each of the above five land use categories. Uses that do not fit into any of the categories shown in the above table shall not be eligible to use this provision. The total amount of required parking shall be tabulated by use and time period. The time period requiring the highest number of parking spaces shall be selected as the basis for the shared parking requirement.
- C. A shared parking plan shall be enforced through written agreement. An attested copy of the agreement between the owners of record shall be submitted to the Township, which shall forward a copy to the Township Solicitor for review and approval. Proof of recordation of the agreement shall be presented to the Township prior to issuance of an occupancy permit. The agreement shall:
- i. List the names and ownership interest of all parties to the agreement and contain the signatures of those parties;
 - ii. Provide a legal description of the land;
 - iii. Include a site plan showing the area of the parking parcel;
 - iv. Describe the area of the parking parcel and designate and reserve it for shared parking unencumbered by any conditions which would interfere with its use;
 - v. Agree and expressly declare the intent for the covenant to run with the land and bind all parties and all successors in interest to the covenant;
 - vi. Assure the continued availability of the spaces for joint use and provide assurance that all spaces will be usable without charge to all participating uses; and
 - vii. Describe the method by which the covenant shall, if necessary, be revised.
- D. If the agreement expires, each owner shall provide the required parking spaces for their principal use.

- 2002.6. Safety Requirements. The Board of Commissioners shall consider whether safety requirements are warranted to reduce traffic hazards which endanger public safety. The developer shall be responsible for construction of any required islands, acceleration, deceleration or turning lanes and shall bear the cost of installing any required traffic control devices, signs or pavement markings within and adjoining the boundaries of the development site.
- 2002.7. Marking. In parking areas which contain five or more spaces, all parking spaces shall be clearly delineated by painted lines marked with durable white or yellow paint in stripes a minimum of four inches wide extending the length of the parking space. All vehicular entrances and exits to parking areas shall be clearly marked for all conditions. Short-term visitor parking spaces shall be differentiated from long-term employee spaces by suitable markings. Handicapped parking shall be appropriately marked.
- 2002.8. Curbs and Wheelstops.
- A. All outdoor hard-surfaced off-street parking areas shall be curbed unless sheet drainage of surface water can be achieved, subject to approval by the Township Engineer.
 - B. Wheelstops shall be provided along boundaries of adjoining properties, public rights-of-way, sidewalks or landscaped areas unless curbs are provided in that portion of the parking lot.
- 2002.9. Surfacing. All outdoor off-street parking areas, except those accessory to single-family dwellings and within the rear lots in the industrial districts, shall be paved with asphalt, concrete or similar material of adequate thickness to support the weight of fully loaded vehicles which customarily park or travel on it. Parking areas in the rear lots of the industrial districts shall, as a minimum, have a dust-free slag or stone surface parking area.
- 2002.10. Location of Parking Areas.
- A. Required parking spaces shall be located on the same lot with the principal use. In the case where adequate lot area does not exist on the same lot to meet the parking requirements, the Board of Commissioners may approve off-site parking, provided the following requirements are met:
 - i. The parking area shall be located no more than 400 feet from the principal entrance to the building it is intended to serve and evidence of a lease agreement or cross-easement is submitted for any property under different ownership proposed to be used for off-site parking.
 - ii. Walking paths shall be provided between the principal use and the parking lot. Such paths shall not cross streets except at designated crosswalks.

- iii. All such parking spaces must be located in a zoning district that permits the principal use.
 - B. No parking area containing more than five parking spaces shall be located closer than 10 feet to any adjoining property line, and parking authorized in front yards shall be located at least 10 feet from the street right-of-way line, except in shopping centers, where parking shall be located at least 20 feet from the street right-of-way line.
- 2002.11. Landscaping. Parking areas containing more than 10 spaces shall provide the landscaping required by § 27-1903.10C(i). In addition, a landscaped area shall be provided between the edge of the right-of-way and any parking area authorized in any yard which fronts on a street in accordance with § 27-1903.10C(ii).
- 2002.12. Shopping Cart Return Areas. One shopping cart return area shall be provided for each 10,000 square feet of gross floor area in retail stores that provide shopping carts. Shopping cart return areas shall measure nine feet by 18 feet and shall provide containment on three sides and shall be identified by an above-grade sign secured to the containment structure. The surface area of the sign shall not exceed four square feet.
- 2002.13. Lighting. Any lighting used to illuminate off street parking areas shall be designed in conformance with the requirements provided in § 27-1902.7 Lighting and Glare.
- 2002.14. Stormwater Management. All paved areas shall be designed so that stormwater runoff shall not adversely affect adjacent properties. The method of stormwater management and the design of the proposed facilities shall be subject to the requirements of the Township Stormwater Management Ordinance [Chapter 23] and to review and recommendation by the Township Engineer.
- 2002.15. Shopping Center Parking Design. Parking areas serving shopping centers shall be designed to provide internal pedestrian circulation and clearly defined drive aisles. Large parking fields exceeding 100 spaces shall be visually segmented through landscaped islands or medians in accordance with § 27-1903. Parking areas shall not occupy more than 75% of the front yard setback area unless otherwise approved by conditional use. Cross-access between adjacent commercial properties is encouraged and may be required where feasible. Internal pedestrian connections shall be provided from primary parking areas to principal building entrances, using sidewalks, crosswalks, and/or raised crossings where appropriate.

§ 27-2003 Off-Street Parking Requirements.

- 2003.1. Any new use or change of use in any zoning district shall comply with the following minimum requirements for the provision of off-street parking spaces:
 - A. When the calculation of required parking spaces results in a requirement of a fractional parking space, any fraction shall be counted as one parking space.

- B. Where more than one use exists on a lot, parking requirements for each use shall be provided.
- C. In no case shall the public right-of-way be used for meeting a required parking requirement.
- D. Any new use or change of use in any zoning district shall comply with the following minimum requirements for the provision of off-street parking spaces, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Part 19.

Use	Parking Spaces Required
Single-family and two-family dwellings	2 parking spaces per dwelling unit
Garden apartments, mid-rise apartments, high-rise apartments, townhouse or mobile home park	2 parking spaces per dwelling unit plus 1 additional visitor parking space for every 2 dwelling units. In developments containing 50 or more dwelling units, additional overflow parking shall be provided at a rate of 5 spaces per 50 dwelling units, which may be counted toward required visitor parking.
Community centers in a planned residential development or subdivision	1 space for each 10 dwelling units in the development
Agriculture	1 space per employee
Agricultural, nursery or greenhouse sales	1 space per employee plus 1 space for each 400 square feet of growing and display area accessible to the public
Mineral removal	1 space for each employee on the 2 largest shifts, combined
Churches	1 space per 4 seats or 80 linear inches of pew, or if there are no pews or seats, 1 per 15 square feet of floor area used for assembly
Day-care center or nursery school	1 space for each teacher and/or employee on largest shift plus 1 space per each 6 students

Public utility building or structure	1 space per employee on peak shift plus 1 space for each service vehicle stored on the lot
Schools, elementary and junior high	1 space for each employee or faculty member or 1 space for each 3 seats in the principal place of assembly, whichever is greater
Schools, secondary and postsecondary	1 space for each employee or faculty member plus 1 space for each 10 students or 1 space for each 3 seats in the principal place of assembly, whichever is greater
Dormitories, fraternity houses, sorority houses	1 space for each bed at maximum capacity
Theater, auditorium or gymnasium	1 space per 4 seats
Hospitals and nursing homes	1 space per 3 beds and 1 space for each employee on the peak working shift
Hotel/motel	1 space per employee on peak shift plus 1 space per sleeping unit
Professional office (other than medical), business office, business services	1 space for every 300 square feet of GFA
Medical offices, clinics	1 space for each 200 square feet of gross floor area
Banks and financial institutions	1 space per 300 square feet of gross floor area plus 1 space per employee on peak shift plus 5 off-street waiting spaces per drive-in window
Group care, personal care, transitional dwelling	1 space for each employee on peak shift plus 1 space for each resident authorized to drive plus 1 space for each 6 beds

Retail business, personal service establishments	1 space for each 250 square feet of gross floor area
Fast-food restaurants	1 space per 75 square feet of GFA plus 1 space per employee on peak shift
Other restaurants, bars or taverns	1 space for each 100 square feet of GFA plus 1 space for each employee on peak working shift
Bowling alleys	5 spaces for each alley
Tennis, racquetball and handball courts	1 space per employee plus 4 spaces for each court
Golf courses	6 spaces for each hole plus 1 space for each employee
Playing fields, play courts	2 parking spaces for each team member on the field or court during regulation play plus 1 space for each 3 seats in bleachers or viewing stands
Swimming pools, public/ commercial	1 space for each 50 square feet of surface water area
Amusement or video arcade	1 space for each 150 square feet of GFA
Billiard parlors	3 spaces for each table
Dance halls, skating rinks	1 space for each 150 square feet of GFA

Amusement park	1 space for each 1,500 square feet of gross lot area
Health clubs, private clubs	1 space for each 150 square feet of GFA
Funeral homes	1 space for each 50 square feet of floor area in the parlors plus 1 space for each 300 square feet of remaining gross floor area
Indoor places of assembly (without fixed seats)	1 space for each 100 square feet of GFA
Indoor places of assembly (with fixed seats)	1 space for each 3 seats
Outdoor places of assembly (without fixed seats)	1 space for each 1,500 square feet of gross lot area
Outdoor places of assembly (with fixed seats)	1 space for each 3 seats
Libraries/museums	1 space for each 500 square feet of gross floor area
Service stations/vehicle repair garages	4 spaces for each bay plus 1 space for each employee on peak shift plus 1 space for each business vehicle
Repair shops	1 space for each 350 square feet of gross floor area
Manufacturing	1 space for each 1,500 square feet of gross floor area or 1 space for each employee on the peak working shift, whichever is greater

Warehousing, truck terminals, wholesaling	1 space for each 2 employees on peak working shift or 1 space for each 2,000 square feet of gross floor area, whichever is greater
Mini-warehouse, self-storage facility	1 space for each employee plus 1 space for each 300 square feet devoted to office
Flex space	Each portion of the floor area used for office, manufacturing and/or warehousing shall meet the minimum requirements of this section for that specific use
Medical marijuana dispensary	1 space for each 250 square feet of gross floor area
Medical marijuana grower/ processor	1 space for each 1,500 square feet of gross floor area or 1 space for each employee on the peak working shift, whichever is greater
Shopping center	1 space per 300 square feet of gross floor area, unless a shared parking analysis is approved in accordance with § 27-2202.5.
All other uses	1 space for each 3 occupants at maximum permitted occupancy or 1 space for each 300 square feet of gross floor area, whichever is greater

§ 27-2004 Off-Street Loading.

In all zoning districts, whenever a new use is established or an existing use is structurally altered, converted or enlarged, off-street loading spaces shall be provided in accordance with the requirements of this section.

2004.1. Off-Street Loading Design.

- A. Size. Each loading berth shall be at least 70 feet in length and 12 feet in width with an overhead clearance of 14 feet. The area used for loading berths shall not be used to satisfy parking area requirements and shall not block any driveway used for circulation through the site.

- B. Access. Loading berths shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto public streets, and the design shall be subject to review and approval by the Township Engineer. Loading berths shall have direct access to a driveway and shall be maintained free from obstruction.
- C. Location. All loading berths shall be located on the same lot with the principal use they are intended to serve. No loading berth shall be located in a required front yard. Loading berths shall be located at least 25 feet from the nearest point of intersection of any two streets.
- D. Screening. Loading berths shall be screened by a six-foot hedge, wall or opaque fence on all sides which face a residential use or zoning district classification.
- E. Surfacing. All loading berths shall have a paved, concrete or bituminous surface, with adequate thickness to support the weight of a fully loaded vehicle and graded with positive drainage to dispose of surface water.
- F. Lighting. Any lighting used to illuminate loading berths shall be designed to reflect away from any adjoining residential use or zoning classification and away from any street or highway.

2004.2. Off-Street Loading Requirements.

- A. In all zoning districts, every use other than residential uses which requires the receipt or distribution, by tractor-trailer, of material or merchandise shall provide off-street loading berths in accordance with the following requirements:

Gross Floor Area (square feet)	Number of Berths Required
Under 20,000	None
20,000 to 59,999	1
60,000 to 99,999	2
100,000 to 160,000	3

- B. In addition to required off-street parking and loading facilities, adequate storage areas for vehicles awaiting loading and unloading shall be provided. Under no circumstances shall vehicles be stored on or block access to a public right-of-way.
- C. All required loading berths and maneuvering areas shall be designed and arranged to provide safe and efficient access to and from the site without requiring backing

movements onto or from a public street, except where specifically approved by the Township due to site constraints.

- D. Off-street loading berths, service areas, and vehicle waiting areas shall be located to the side or rear of principal buildings whenever practicable and shall be screened from adjoining residential properties and public streets in accordance with the landscaping and screening requirements of this Chapter.
- E. Loading operations shall not obstruct internal circulation, fire lanes, emergency access routes, required parking areas, sidewalks, or pedestrian accessways.
- F. All loading berths and associated maneuvering areas shall be surfaced with asphalt, concrete, or another dust-free durable surface approved by the Township and shall be properly graded and drained to prevent stormwater runoff impacts onto adjacent properties or public rights-of-way.
- G. Where a loading berth is located within 100 feet of a residential use or residential zoning district, the Township may require additional buffering, screening, fencing, landscaping, lighting controls, or limitations on hours of operation to minimize noise, glare, and operational impacts.
- H. Shared loading facilities may be permitted between adjacent uses or properties where the applicant demonstrates to the satisfaction of the Township that peak loading demands will not overlap and that adequate easements and maintenance agreements are provided.
- I. Loading berth dimensions shall be adequate to accommodate the type and size of vehicles expected to utilize the facility. Unless otherwise approved by the Township, each required loading berth shall have minimum dimensions of 12 feet in width, 55 feet in length, and 14 feet in vertical clearance.
- J. No loading berth or maneuvering area shall be utilized for the long-term parking or storage of vehicles, trailers, shipping containers, equipment, or materials unrelated to active loading operations.

PART 21 SIGNS

§ 27-2101 Applicability.

2101.1. The regulations contained in this Part shall apply to all signs in all zoning districts.

§ 27-2102 Types and Classes.

Signs in all zoning districts shall be categorized according to the types and classes described below and shall comply with the requirements for those types and classes described in this section.

2102.1. Classes.

- A. Freestanding. A sign supported on a foundation or by one or more uprights, poles or braces permanently affixed to the ground and not attached to any building or other structure, including:
 - i. Pole Sign. A freestanding sign which is supported by one or more poles, uprights, braces or pylons and which has a minimum clearance between the bottom edge of the sign and the adjacent ground level as specified by this chapter.
 - ii. Ground Sign. A freestanding sign which is affixed to the ground by means of a permanent foundation and which provides a maximum clearance of 18 inches between the bottom edge of the sign and the adjacent ground level.
- B. Wall. A sign attached parallel to the exterior wall of a building and projecting no more than 12 inches from the wall surface.
- C. Canopy or Awning Sign. A sign printed on, attached to, or integrated into an awning or canopy structure affixed to a building.
- D. Arcade Sign. A sign suspended beneath a ceiling of an arcade, roof or marquee containing only the name of a business for the purpose of assisting pedestrian traffic traveling under the arcade, roof or marquee to identify the location of establishments within a shopping center or similar building.
- E. Bulletin. A type of changeable-copy sign constructed to allow letters or symbols to be changed periodically, such as those used by churches and schools to announce events.
- F. Roof Sign. A sign erected and maintained upon or above the roof of any building which projects no more than six feet above the roof.
- G. Projecting Sign. A sign mounted perpendicular to a building wall and projecting outward more than 12 inches, excluding awnings and canopies regulated separately.
- H. Billboard. An off-premises sign which advertises an establishment, activity, person, product or service which is unrelated to or unavailable on the premises where the billboard is located.

- I. Changeable-Copy. A sign whose informational content can be changed or altered by manual or electronic means. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable-copy sign for purposes of this chapter.
- J. Digital. A sign with a fixed or changing message composed of a series of lights, including light- emitting diode (LED), which may be changed through electronic means without altering the face or surface of the sign.
- K. Portable Sign. A sign that is not permanently affixed to a building, a structure or the ground, which is designed to be moved from place to place, including, but not limited to, signs attached to wood or metal frames designed to be self-supporting and movable; paper, cardboard or canvas signs wrapped around supporting poles; sandwich-board signs; and trailer- or boat- mounted signs.
- L. Attention-Getting Device. A pennant, flag, valance, banner, propeller, spinner, streamer, searchlight, balloon or other inflatable device, or similar object or representation of a product, vehicle, equipment or other advertising image or any ornamentation which is designed or used for the purpose of promoting, advertising or attracting attention.
- M. Indirectly Illuminated. A sign illuminated by a light source mounted outside the sign face and directed solely toward the sign surface. All fixtures shall be fully shielded and arranged to prevent glare or spillover onto adjacent properties or streets.
- N. Internally Illuminated. A sign illuminated from within the sign cabinet, sign face, individual channel letters, halo-lit letters, cabinet sign, or similar enclosed lighting system.
- O. Neon or Exposed Tube Illumination Sign. A sign or portion of a sign illuminated by exposed glass tubing filled with neon, argon, LED neon-flex, or similar lighting technology, whether used as lettering, logos, decorative borders, or artistic display elements.
- P. Festoon Lighting. A group of two or more lightbulbs of more than 20 watts each, hung or strung overhead, not on a building or structure, which are exposed to view by persons on a public right- of-way, or which are not shaded or hooded to prevent the direct rays of light from being visible from the property line, but not including the temporary erection of lights as part of a holiday celebration, or small lights of less than 20 watts each.

2102.2. Types. Signs are categorized by use, function or purpose into the following types:

- A. Residential Identification Sign. A sign identifying the address, occupant, unit number, or permitted identification information associated with a residential dwelling or property.
- B. Home Occupation or Home Office Identification Sign. A sign identifying an approved home occupation or home office conducted on the premises.
- C. Residential Development Identification Sign. A permanent wall or freestanding ground sign identifying the name and/or address of a residential subdivision, multifamily development, neighborhood, or planned residential community.
- D. Temporary Property Availability Sign. A temporary on-premises sign indicating the availability of property or space for sale, lease, rental, occupancy, or development.
- E. Development Sign. A temporary sign identifying a subdivision, land development, redevelopment project, or planned construction activity occurring on the premises.
- F. Construction Sign. A temporary sign identifying contractors, subcontractors, architects, engineers, financing institutions, or other entities participating in construction activities on the premises.
- G. Public Sign. A sign erected, required, or authorized by a governmental agency, public authority, utility, or court in carrying out official governmental functions, including traffic control, public safety, directional, informational, or warning signage.
- H. Notification Sign. A noncommercial incidental sign providing property, safety, warning, security, access, or operational information customarily associated with the premises.
- I. On-Premises Directional Sign. A sign directing or instructing vehicular or pedestrian traffic regarding entrances, exits, parking areas, loading areas, circulation patterns, or similar on-site information.
- J. Business Identification Sign. An on-premises sign identifying a lawful use, occupant, business, institution, or activity located on the property where the sign is installed.
- K. Temporary Sign. A sign intended for limited-duration display and not permanently installed or affixed to the ground or structure.
- L. Window Sign. A sign, display, graphic, lettering, digital display, or similar device installed, placed, painted, or affixed on or within a window and visible from the exterior of the building.

- M. Drive-Through Menu and Directional Sign. A freestanding or wall-mounted sign associated with a drive-through facility used for menu display, ordering instructions, directional guidance, customer information, clearance information, or related operational purposes.
- N. Electronic Message Center Sign. A digital or electronically controlled sign capable of displaying changing text, images, graphics, or symbols through electronic means, including LED or similar display technology.
- O. Multi-Tenant Directory Sign. A freestanding or wall-mounted sign identifying multiple occupants, tenants, businesses, or uses located within a shopping center, office park, mixed-use development, or multi-tenant property.
- P. Pedestrian-Oriented Sign. A sign designed primarily for visibility and readability by pedestrians, including projecting signs, blade signs, or similar small-scale signage intended to serve walkable commercial or mixed-use areas.
- Q. Wayfinding Sign. A sign intended to guide motorists, bicyclists, or pedestrians toward public facilities, parking areas, districts, neighborhoods, trails, parks, civic uses, or other destinations.

§ 27-2103 General Regulations.

The following regulations shall apply to signs in all zoning districts:

2103.1. Permit Required.

- A. Except as otherwise provided in § 27-2103.3, no sign may be constructed, erected, moved, enlarged, illuminated or substantially altered except in accordance with the provisions of this chapter and in accordance with a sign permit issued by the Township Zoning Officer.
- B. Sign permit applications and sign permits shall be governed by the same provisions of this chapter applicable to zoning permits.
- C. Any permit issued by the Zoning Officer for the erection, alteration, replacement or relocation of any sign shall expire automatically within six months of the date of issuance if work authorized by the permit has not been initiated and diligently pursued.

2103.2. Prohibited Signs. The following signs shall not be permitted in any zoning district:

- A. Attention-getting devices;
- B. Portable signs;
- C. Festoon lighting;

- D. Moving or flashing signs, except for that portion of a permitted sign which indicates time or temperature;
 - E. Signs on trees, utility poles or official traffic control devices or signs;
 - F. Signs which imitate traffic control devices;
 - G. Signs painted on walls or chimneys of a building or on fences or walls;
 - H. Projecting signs that extend over a public right-of-way or do not maintain a minimum vertical clearance of eight feet above any pedestrian way.:
 - I. Signs on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property or private property, other than temporarily for overnight storage on the site of a business or for maintenance, repair, loading, unloading or rendering a service at any location, which are visible from the public right-of-way and where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property.
- 2103.3. Exempt Signs. The following signs are exempt from these regulations and the requirement to obtain a permit:
- A. Residential identification signs, as defined herein, provided they do not exceed one square foot in surface area;
 - B. Holiday decorations displayed for recognized federal or state holidays, provided they do not interfere with traffic safety or do not, in any other way, become a public safety hazard and are removed within 15 days following the holiday;
 - C. Memorial/historical plaques, as defined herein;
 - D. Public signs, but not including on-premises directional signs regulated by § 27-2104.7.
 - E. "No trespassing" or "no hunting" signs.
- 2103.4. Lots With Multiple Street Frontage. In all zoning districts, lots fronting on more than one street shall be permitted to have one of each type of sign which is authorized for the lot on each street frontage.
- 2103.5. Temporary Signs. In all zoning districts where authorized by § 27-2103, real estate, construction and development signs shall be considered temporary signs which shall be removed within 30 days of the completion of sales or construction.
- 2103.6. Notification Signs. In all zoning districts, the number, location and size of legal notification signs erected by public agencies shall be in accordance with the laws of

the commonwealth. In all zoning districts, legal notification signs posted on private property by property owners, such as "no trespassing," "no hunting" and the like, shall be limited to a surface area not exceeding two square feet. The placement and maximum number of signs permitted along road frontages shall be one sign for every 30 feet of road frontage.

- 2103.7. Visibility. No sign shall be located in such a position that it will cause a hazard by obstructing visibility for traffic on a street or obscuring a traffic signal or other traffic control device. No sign, other than official traffic signs and off-premises directional signs, shall hang over or be erected within the right-of-way of any street. No sign shall be located within the clear sight triangle defined by § 27-1904.4 of this chapter.
- 2103.8. Illumination. Illumination, when authorized by this chapter, shall be directed upon the sign face and not towards adjoining properties or streets. Flashing or oscillating signs shall not be permitted. Lighting shall be stationary and constant in intensity and color at all times. The intensity of any source of illumination of any sign, whether indirect or internal, shall be controlled so as to not exceed a maximum of 1.0 footcandle at the property line.
- 2103.9. Maintenance and Inspection. All signs shall be constructed of a durable material and maintained in good condition. Any sign found to be in an unsafe condition upon inspection shall be declared to be a public nuisance, and the Zoning Officer shall give notice to the owner in writing, in accordance with § 27-2401.2 of this chapter, to repair or remove the sign within 10 days. Upon failure of the owner to comply, the Township shall remove the sign at the owner's expense.
- 2103.10. Removal of Signs. Whenever any business is discontinued or vacated, all signs relating to the discontinued or vacated business shall be removed within 30 days of the vacation or discontinuance of the business. Upon failure of the owner to comply, the Township may remove the sign at the owner's expense. The Township may lien the property for the cost of removing the sign and all legal fees and costs incurred with filing and enforcing the lien.
- 2103.11. Sign Location. Except for billboards, political signs and off-premises directional signs, as defined herein, where authorized by this chapter, all signs shall be located on the premises which they are intended to serve.

§ 27-2104. Signs Authorized in all Zoning Districts.

The following signs are authorized in all zoning districts:

- 2104.1. One bulletin sign, electronic message center sign, or business identification sign shall be permitted for a church, school, library, governmental facility, park, community center, or similar public, institutional, or semipublic use.
 - A. Wall signs shall not exceed 12 square feet in area.

- B. Freestanding ground signs shall not exceed 32 square feet in area.
 - C. Signs may be nonilluminated, indirectly illuminated, internally illuminated, or electronic message center signs where otherwise permitted by this Chapter.
- 2104.2. Temporary Property Availability Signs. One temporary property availability sign shall be permitted on each lot.
- A. In residential zoning districts, such signs shall not exceed:
 - i. 12 square feet in area; and
 - ii. Six feet in height.
 - B. In nonresidential zoning districts, such signs shall not exceed:
 - i. 32 square feet in area; and
 - ii. Eight feet in height.
 - C. Signs shall be removed within 30 days after the property is sold, leased, rented, occupied, or otherwise no longer available.
- 2104.3. Development and Construction Signs. Temporary development signs and construction signs shall be permitted on lots undergoing subdivision, land development, redevelopment, construction, or similar site improvements.
- A. One development sign and one construction sign shall be permitted per street frontage.
 - B. Development signs shall not exceed:
 - i. 32 square feet in area; and
 - ii. Eight feet in height.
 - C. Construction signs shall not exceed:
 - i. 16 square feet in area; and
 - ii. Eight feet in height.
 - D. Such signs shall be removed within 30 days following completion of construction, occupancy of the development, or cessation of active work.

- 2104.4. Temporary Signs. Temporary signs shall be permitted in all zoning districts, subject to the following:
- A. Temporary signs may include banners, promotional displays, community event signs, seasonal displays, noncommercial signs, grand opening signs, and similar limited-duration signage.
 - B. Temporary signs shall not be illuminated unless specifically authorized elsewhere in this Chapter.
 - C. Temporary signs shall not:
 - i. Be placed within a public right-of-way;
 - ii. Obstruct vehicular or pedestrian visibility;
 - iii. Interfere with required parking, fire lanes, sidewalks, or accessible routes;
or
 - iv. Be attached to utility poles, trees, fences, or traffic control devices.
 - D. In residential districts:
 - i. Individual temporary signs shall not exceed six square feet in area or four feet in height.
 - E. In nonresidential districts:
 - i. Individual temporary signs shall not exceed 40 square feet in area or eight feet in height.
 - F. Temporary signs shall not be displayed for more than:
 - i. 30 consecutive days; or
 - ii. 90 cumulative days within a calendar year.
 - G. Portable signs shall not be permitted unless specifically authorized by this Chapter.
- 2104.5. Home Occupation or Home Office Identification Signs. One nonilluminated home occupation or home office identification sign shall be permitted for an approved home occupation or home office.
- A. The sign shall not exceed 1.5 square feet in area.

- B. The sign shall be wall-mounted, mailbox-mounted, or otherwise attached to the principal structure.
 - C. The sign shall maintain the residential character of the property.
- 2104.6. On-Premises Directional Signs. On-premises directional signs shall be permitted for nonresidential, multifamily, institutional, and mixed-use developments.
- A. Individual directional signs shall not exceed four square feet in area.
 - B. On lots less than one acre:
 - i. A maximum of four directional signs shall be permitted.
 - C. On lots one acre or greater:
 - i. A maximum of six directional signs shall be permitted on the first acre; and
 - ii. Two additional directional signs shall be permitted for each additional acre or fraction thereof.
 - D. Directional signs may be nonilluminated or indirectly illuminated only.
- 2104.7. Notification Signs. Notification signs providing safety, security, access, operational, or property-related information shall be permitted in all zoning districts.
- A. Individual notification signs shall not exceed two square feet in area.
 - B. Notification signs shall not be illuminated.
 - C. Along road frontages, one notification sign shall be permitted for every 30 feet of frontage.

§ 27-2105. Signs Authorized in Residential and S-C Zoning Districts.

The following signs shall be permitted in all Residential and Special Conservation (S-C) Zoning Districts, subject to the requirements of this Chapter:

- 2105.1. Residential Development Identification Signs. One permanent residential development identification sign shall be permitted for a residential subdivision, multifamily development, neighborhood, or planned residential community.

- A. The sign may be a wall sign or freestanding ground sign and may be nonilluminated or indirectly illuminated.
 - B. The maximum sign area shall not exceed 24 square feet.
 - C. Freestanding signs shall not exceed six feet in height.
 - D. A residential development identification sign may be incorporated into a decorative entrance wall, landscaping feature, fence, or similar architectural element, provided:
 - i. The structure complies with all applicable setback and clear sight triangle requirements of this Chapter;
 - ii. The sign does not obstruct visibility for vehicular or pedestrian traffic; and
 - iii. Illumination, where provided, complies with § 27-2103.8.
 - E. Electronic message center signs shall not be permitted in Residential or S-C Districts except where specifically authorized elsewhere in this Chapter.
- 2105.2. Identification Signs for Nonresidential Uses. One wall sign or freestanding ground sign shall be permitted for any lawful nonresidential use located within a Residential or S-C Zoning District, including uses approved as conditional uses, special exceptions, institutional uses, public uses, or lawful nonconforming uses.
- A. Signs may be nonilluminated or indirectly illuminated only.
 - B. The maximum sign area shall not exceed 12 square feet.
 - C. Freestanding signs shall not exceed six feet in height.
 - D. Internally illuminated cabinet signs, pole signs, and digital signs shall not be permitted.
 - E. Signs shall be designed to maintain compatibility with the residential or conservation character of the surrounding area.

§ 27-2106. Signs Authorized in the R-3-A District.

In the R-3-A District, in addition to the signs authorized by § 27-2104, the following signs shall be permitted for nonresidential uses, mixed-use developments, and business establishments:

2106.1. Business Identification Signs.

- A. Wall Signs.

- i. Each business establishment shall be permitted wall signs which may be nonilluminated, indirectly illuminated, internally illuminated, or halo illuminated.
- ii. The aggregate surface area of all wall signs for each business establishment shall not exceed one square foot for each linear foot of building frontage occupied by the business.
- iii. Wall signs shall not extend above the roofline or parapet wall of the building.
- iv. Neon or exposed tube illumination signs may be permitted as an accessory component of a wall sign or window sign, provided:
 - 1. The illuminated area does not exceed 25% of the total permitted sign area;
 - 2. No flashing, animation, scrolling, or color-changing effects are utilized; and
 - 3. The sign complies with the illumination requirements of § 27-2103.8.

B. Freestanding Ground Signs. In addition to permitted wall signs, one freestanding ground sign shall be permitted per lot, regardless of the number of businesses on the property, subject to the following:

- i. The maximum sign area shall not exceed 40 square feet.
- ii. No individual dimension of the sign shall exceed eight feet.
- iii. The maximum height shall not exceed eight feet, measured from adjacent grade to the highest point of the sign structure, including decorative bases or architectural features.
- iv. Ground signs may be nonilluminated, indirectly illuminated, internally illuminated, or halo illuminated.
- v. Freestanding ground signs shall be setback:
 - 1. A minimum of three feet from any side or rear property line; and
 - 2. A minimum of 10 feet from any public right-of-way, or 15 feet from the edge of cartway where the right-of-way is not contiguous with the front property line.

- vi. Ground signs shall not obstruct visibility for vehicular or pedestrian traffic and shall comply with the clear sight triangle requirements of § 27-1904.4.
- vii. Monument-style ground signs are encouraged in place of pole-mounted sign structures.
- viii. Landscaping shall be provided around the base of freestanding signs where practicable.

2106.2. Window Signs.

- A. Window signs shall be permitted, provided the aggregate area of all window signs does not exceed 25% of the total window area for each tenant frontage.
- B. Window signs may include painted graphics, vinyl lettering, electronic displays, or similar visual displays visible from the exterior.
- C. Flashing, scrolling, animated, or video-style window displays shall not be permitted.

2106.3. Pedestrian-Oriented Signs.

- A. Pedestrian-oriented signs, including projecting signs or blade signs, may be permitted in mixed-use or walkable development areas.
- B. Such signs shall:
 - i. Not exceed eight square feet in area;
 - ii. Maintain a minimum vertical clearance of eight feet above pedestrian walkways;
 - iii. Not project into a vehicular travel lane; and
 - iv. Be securely mounted to the building façade.

§ 27-2107. Signs Authorized in Commercial and Industrial Districts.

The following signs shall be permitted in the B-1, B-1-A, B-2, B-3, and I-1 Zoning Districts, subject to the requirements of this Chapter.

- 2107.1. Temporary Signs. Temporary signs shall be permitted in commercial and industrial zoning districts subject to the following:

- A. Temporary signs may include banners, promotional signs, grand opening displays, seasonal displays, temporary window displays, hiring signs, and community event signage.
- B. No more than two temporary signs or banners shall be displayed per establishment at any one time.
- C. Temporary signs shall:
 - i. Be securely attached to a building or approved sign structure;
 - ii. Not be attached to utility poles, trees, fences, or traffic control devices;
 - iii. Not obstruct pedestrian or vehicular circulation; and
 - iv. Not be located within a public right-of-way or clear sight triangle.
- D. Temporary signs shall not exceed:
 - i. 40 square feet per establishment; or
 - ii. 100 square feet total on a multi-tenant site.
- E. Temporary signs shall not be displayed:
 - i. More than 30 consecutive days; or
 - ii. More than 90 cumulative days within a calendar year.
- F. Portable signs shall not be permitted unless specifically authorized elsewhere in this Chapter.
- G. Temporary signs shall be nonilluminated unless otherwise permitted by this Chapter.

2107.2. Electronic Message Center and Changeable-Copy Signs.

- A. One electronic message center sign or changeable-copy sign shall be permitted per lot.
- B. Such signs shall:

- i. Be integrated into a permitted wall sign or freestanding sign structure;
- ii. Comply with § 27-2110; and
- iii. Not exceed the maximum permitted sign area for the associated sign structure.

C. Manual, mechanical, and digital message displays shall be permitted provided all illumination and operational requirements of this Chapter are satisfied.

2107.3. Business Identification Signs.

A. Wall Signs.

- i. Each business establishment shall be permitted wall signs which may be:
 - 1. Nonilluminated,
 - 2. indirectly illuminated,
 - 3. internally illuminated,
 - 4. halo illuminated,
 - 5. or neon/exposed tube illuminated where permitted.
- ii. The aggregate surface area of all wall signs for each business establishment shall not exceed:
 - 1. One square foot for each linear foot of building frontage occupied by the business; or
 - 2. 300 square feet, whichever is less.
- iii. Wall signs shall not:
 - 1. Extend above the roofline or parapet wall; or
 - 2. Project into required setbacks or public rights-of-way.
- iv. Neon or exposed tube illumination signs may be permitted as part of a wall sign or window sign, provided:
 - 1. The illuminated area does not exceed 25% of the total permitted sign area;

2. No flashing, animation, scrolling, chasing, or color-changing effects are utilized;
 3. The sign complies with § 27-2103.8 illumination standards; and
 4. The sign is mounted entirely within the window or against the building façade.
- v. In the B-3 District:
1. The aggregate area of all wall signs shall not exceed 5% of the gross area of the building façade facing Route 50;
 2. Flashing signs shall not be permitted; and
 3. Signs facing Route 50 shall generally be attached to buildings except where one permitted freestanding sign is authorized.

B. Freestanding Ground Signs.

- i. One freestanding ground sign shall be permitted per lot.
- ii. Monument-style signs are encouraged in place of pole-mounted signs.
- iii. Ground signs shall not exceed:
 1. 32 square feet in B-1, B-1-A, and B-2 Districts;
 2. 64 square feet in the I-1 District
- iv. Ground signs shall not exceed:
 1. Eight feet in height in B-1, B-1-A, B-2, and I-1 Districts; and
 2. Eleven feet in height in the B-3 District.
- v. Ground signs may be:
 1. Nonilluminated,
 2. indirectly illuminated,
 3. internally illuminated,
 4. or halo illuminated.

vi. Ground signs shall:

1. Maintain a minimum setback of 10 feet from public rights-of-way;
2. Not obstruct visibility or interfere with traffic safety; and
3. Comply with the clear sight triangle requirements of § 27-1904.4.

vii. Landscaping shall be provided around the base of freestanding signs where practicable.

C. Pole Signs.

i. Pole signs may be permitted only where:

1. No freestanding ground sign exists or is proposed; and
2. Adequate site visibility cannot reasonably be achieved with a monument-style sign.

ii. Pole signs shall not exceed:

1. 20 feet in height; or
2. 64 square feet in sign area.

iii. Pole signs shall maintain:

1. A minimum eight-foot vertical clearance; and
2. A minimum 10-foot setback from all property lines and rights-of-way.

iv. No portion of a pole sign shall project over a public right-of-way or into a required clear sight triangle.

v. Internally illuminated cabinet-style pole signs are discouraged.

D. Roof Signs.

i. Roof signs shall be permitted only in the I-1 District.

ii. Roof signs shall:

1. Not exceed one square foot for every two linear feet of building frontage;
2. Not exceed 100 square feet in area; and
3. Not project more than six feet above the roofline.

E. Arcade, Canopy, and Pedestrian-Oriented Signs.

- i. Arcade signs shall not exceed eight square feet per establishment.
- ii. Canopy signs:
 1. Shall not be illuminated unless specifically approved; and
 2. Shall contain lettering not exceeding six inches in height.
- iii. Pedestrian-oriented signs, including projecting or blade signs, may be permitted provided:
 1. They do not exceed eight square feet;
 2. Maintain eight feet of pedestrian clearance; and
 3. Do not project into vehicular travel lanes.

F. Window Signs.

- i. The aggregate area of all window signs shall not exceed 25% of the total window area for each tenant frontage.
- ii. Window signs may include:
 1. painted graphics,
 2. vinyl lettering,
 3. electronic displays,
 4. or similar visual displays.
- iii. Flashing, animated, scrolling, or video-style window displays shall not be permitted.

G. Drive-Through Signs. Drive-through menu boards and directional signs shall be permitted as accessory signs to approved drive-through uses.

- i. Menu boards shall not exceed 32 square feet.
- ii. Directional signs shall not exceed four square feet.
- iii. Flashing, animation, scrolling, or video-style displays shall not be permitted.
- iv. Illumination shall comply with § 27-2103.8.

H. Multi-Tenant Developments.

- i. A uniform sign plan shall be required for all shopping centers, office parks, mixed-use developments, and multi-tenant properties.
- ii. The uniform sign plan shall establish:
 - 1. Consistent sign materials;
 - 2. Coordinated illumination styles;
 - 3. Compatible architectural design elements;
 - 4. Sign hierarchy and placement standards; and
 - 5. Coordinated colors and landscaping.
- iii. The Board of Commissioners may approve modifications to sign area where enhanced setbacks, landscaping, or coordinated architectural design is provided.

I. Special Requirements in the B-3 District.

- i. Flashing signs shall not be permitted.
- ii. Freestanding signs facing Route 50 shall be limited to one per development site unless otherwise approved as part of a unified sign plan.
- iii. Signs within the B-3 District shall emphasize coordinated architectural design, pedestrian scale, landscaping integration, and reduced visual clutter along the corridor.

§ 27-2108. Signs Authorized in the Planned Economic Development District (PEDD).

The following signs shall be permitted in the Planned Economic Development District (PEDD), subject to the requirements of this Chapter.

2108.1. Business Identification Signs.

A. Wall Signs.

- i. Each business establishment shall be permitted wall signs which may be:
 1. Nonilluminated,
 2. indirectly illuminated,
 3. halo illuminated,
 4. or internally illuminated in accordance with this Chapter.
- ii. The aggregate surface area of all wall signs for each business establishment shall not exceed:
 1. One square foot for each linear foot of building frontage occupied by the business; or
 2. 100 square feet, whichever is less.
- iii. Wall signs shall:
 1. Be integrated with the architectural design of the building;
 2. Not extend above the roofline or parapet wall;
 3. Not obscure architectural features or windows; and
 4. Utilize high-quality materials compatible with the principal structure.
- iv. Cabinet-style internally illuminated signs are discouraged in favor of individually illuminated channel letters, halo illumination, or externally illuminated signage.
- v. Neon, exposed tube illumination, flashing, scrolling, animated, or color-changing signs shall not be permitted except as specifically approved as part of a coordinated development sign package.

B. Freestanding Ground Signs.

- i. One freestanding ground sign shall be permitted per lot.

- ii. Monument-style signs shall be required. Pole signs shall not be permitted within the PEDD District.
- iii. Freestanding ground signs shall not exceed:
 - 1. 32 square feet in sign area; and
 - 2. Six feet in height.
- iv. Ground signs may be:
 - 1. Nonilluminated,
 - 2. indirectly illuminated,
 - 3. or halo illuminated.
- v. Internally illuminated cabinet-style ground signs shall not be permitted.
- vi. Ground signs shall:
 - 1. Be integrated into coordinated landscaping features;
 - 2. Utilize architectural materials complementary to the principal building;
 - 3. Not interfere with vehicular or pedestrian visibility; and
 - 4. Comply with all clear sight triangle requirements.
- vii. Ground signs shall maintain a minimum setback of:
 - 1. 10 feet from any public right-of-way; and
 - 2. Five feet from any side or rear property line.

2108.2. Directional Signs.

A. General Requirements.

- i. Directional signs shall be permitted to provide vehicular and pedestrian wayfinding information.
- ii. Directional signs may include:
 - 1. building identification,

2. parking information,
3. access circulation,
4. loading areas,
5. visitor entrances,
6. and similar operational guidance.

iii. Directional signs shall not exceed:

1. Four square feet in area; and
2. Four feet in height.

iv. Directional signs may be:

1. nonilluminated,
2. indirectly illuminated,
3. or halo illuminated only.

v. On lots less than one acre, a maximum of four directional signs shall be permitted.

vi. On lots one acre or greater:

1. A maximum of six directional signs shall be permitted on the first acre; and
2. Two additional directional signs shall be permitted for each additional acre or fraction thereof.

2108.3. Multi-Tenant and Campus Development Sign Plans.

A. Planned office parks, research parks, innovation campuses, and multi-tenant developments shall submit a coordinated master sign plan as part of the land development approval process.

B. The master sign plan shall establish:

- i. Consistent sign materials and architectural design;

- ii. Coordinated illumination methods;
- iii. Sign hierarchy and placement standards;
- iv. Wayfinding and directional signage systems;
- v. Landscaping integration; and
- vi. Pedestrian-oriented signage where applicable.

C. The Township may require reductions in sign area, height, illumination intensity, or sign quantity to maintain the intended campus-style and coordinated character of the PEDD District.

2108.4. Prohibited Signs in the PEDD District. The following signs shall be prohibited within the PEDD District:

- A. Pole signs.
- B. Portable signs.
- C. Flashing, animated, scrolling, or video-display signs.
- D. Roof signs.
- E. Pennants, streamers, inflatable devices, and similar attention-attracting devices.
- F. Off-premises advertising signs or billboards unless specifically authorized elsewhere in this Chapter.

§ 27-2109. Billboards.

2109.1. Location. Billboards may be authorized as a conditional use only in the B-2 and I-1 Districts as the sole principal use of the lot, provided the lot has frontage along I-376 or I-79 and all of the following requirements are met:

- A. Billboards shall not be erected within 500 feet of any of the following: house, public or private school, church or cemetery, said 500 feet being measured along the radius of a circle from the centermost point of the billboard structure extending in all directions.
- B. On interstate and limited access highways, billboards shall not be erected within 500 feet of an interchange or safety rest area located on either side of the highway, as measured along the interstate or limited access highway from the beginning or ending of the pavement widening at the exit from or entrance to the

main traveled way and all points in between said beginning and ending of pavement widening.

- C. Billboards shall maintain a lateral minimum spacing between any existing or proposed billboard structures of 2,000 feet. Required spacing shall be measured in all directions between the nearest points of each billboard structure, but shall only include billboards located within Collier Township.
- D. A billboard face shall be set back no more than 20 feet from the right-of-way line of I-376 or I-79.
- E. The minimum side and rear yard requirements applying to a principal structure as set forth within the zoning district in which the billboard is to be located shall apply to the post which supports each billboard structure.
- F. No new billboard shall be erected in such a manner as to block the view from the road or street of any existing business identification sign or residential or nonresidential structure.
- G. No billboard shall be constructed within the clear sight triangle of the public street or road on which it is situated, as defined by § 27-1904.4 of this chapter, and it shall not in any case obstruct or impede traffic safety.
- H. No billboard face shall be erected over any sidewalk or public right-of-way.
- I. Billboards shall not be part of a roof or wall, nor shall they be mounted on the roof, wall or other part of a building or any other structure.
- J. Billboards may be permitted to have digital faces, provided the digital billboard satisfies all other provisions of this section and the digital billboard complies with all of the following requirements:
 - i. All messages, images, or displays on a digital billboard shall remain unchanged for a minimum of eight seconds.
 - ii. The time interval used to change from one complete message, image or display to the next complete message, image or display shall be a maximum of one second.
 - iii. There shall be no appearance of a visual dissolve or fading, in which any part of one message, image or display appears simultaneously with any part of a second message, image or display.
 - iv. There shall be no appearance of flashing or sudden bursts of light and no appearance of video motion, animation, movement or flow of the message, image or display.

- v. The intensity and contrast of light levels shall remain constant throughout the sign face.
- vi. Each digital billboard shall be equipped with photocell sensors and automatic dimming software to reduce the intensity of illumination during periods of darkness or increase the intensity of illumination during periods of brightness.
- vii. No billboard may exceed a maximum illumination of 0.3 footcandles above ambient light level as measured at the property line with any adjoining property.
- viii. Each digital billboard fronting along I-376 or I-79 shall maintain a lateral minimum spacing between any existing or proposed digital billboard of 2,650 feet. Required spacing shall be measured in all directions between the nearest points of each billboard structure, but shall only include billboards located within Collier Township.
- ix. Public service announcements. The owner of every digital billboard shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public, including, but not limited to AMBER Alert™ or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.
- x. The entire base of the billboard structure parallel to the sign face shall be permanently landscaped with suitable shrubbery, bushes and/or small trees. A landscaping plan shall be submitted and approved at the conditional use hearing for the digital billboard. All landscaping shall be maintained in an attractive and healthy manner in accordance with sound conservation practices.
- xi. The plans submitted with the conditional use application for the digital billboard shall depict how the owner of the digital billboard will incorporate into the billboard structure notice to the public that the digital billboard is located in Collier Township.
- xii. The Board of Commissioners shall have the right, during the conditional use hearing, to impose such other reasonable conditions that the Board of Commissioners believes to be appropriate and reasonable to protect the general health, safety and welfare of the public given the specific location of the digital billboard.

- 2109.2. Size and Height. A billboard shall have a maximum allowable gross surface area of 960 square feet per sign face. This gross surface area shall be permitted, provided all of the following additional requirements are met:
- A. A billboard shall have no more than two sign faces per billboard structure, which may be placed back to back or in a V-shaped configuration having an interior angle of 60° or less.
 - B. The dimensions of the gross surface area of the billboard's sign face shall not exceed 16 feet in total height or 60 feet in total length, provided the total allowable gross surface area for the sign face is not exceeded.
 - C. A billboard structure shall have a maximum height above the curb of the roadway from which it is intended to be viewed of 50 feet.
- 2109.3. Construction Methods. Billboards shall be constructed in accordance with applicable provisions of the Township Building Code, as now or hereafter adopted, and shall meet all of the following additional requirements:
- A. A billboard structure shall have a maximum of one vertical support being a maximum of three feet in diameter or width and without additional bracing or vertical supports.
 - B. A billboard sign face shall be independently supported and have vertical supports of metal which are galvanized or constructed of approved corrosive-resistant, noncombustible materials. Structures constructed with galvanized metal shall be painted.
 - C. The one vertical support shall be capable of enabling the entire sign face to be able to withstand a minimum one-hundred-mile-per-hour wind load. Structural design computations shall be made and certified by a registered engineer and shall be submitted to the Township with the application for conditional use.
 - D. The base shall be installed using a foundation and footings approved by the Township Engineer for the type of construction proposed.
 - E. The entire base of the billboard structure parallel to the sign face shall be permanently landscaped with suitable shrubbery and/or bushes of a minimum height of three feet placed in such manner as to screen the foundation of the structure.
 - F. Landscaping shall be maintained by the sign owner in an attractive and healthy manner in accordance with accepted conservation practices.
 - G. No bare cuts shall be permitted on a hillside.

- H. All cuts or fills shall be permanently seeded or planted.
- I. A nondigital billboard with display lighting shall be constructed so that it does not glare upon adjoining property and shall not exceed a maximum of 1.0 footcandle upon the adjoining property.
- J. Display lighting shall be directed towards the face of the billboard.
- K. No billboard structure, sign face or display lighting shall move, flash or emit noise. No display lighting shall cause distractions, confusion, nuisance or hazard to traffic, aircraft or other properties.
- L. Except for digital billboards, the use of colored lighting shall not be permitted.

2109.4. Maintenance.

- A. A billboard structure shall be entirely painted every three years, unless constructed of an approved corrosive-resistant material.
- B. Every 10 years, the owner of the billboard shall have a structural inspection made of the billboard by a qualified Pennsylvania registered engineer and shall provide to the Township a certificate from the engineer certifying that the billboard is structurally sound.
- C. Annual inspections of the billboard shall be conducted by the Township to determine compliance with this chapter. The owner shall pay an annual inspection fee as established from time to time by resolution of the Board of Commissioners.
- D. Billboards found to be in violation of this chapter shall be brought into compliance or removed within 30 days upon proper notification by the Township issued in accordance with § 27-2402.1 of this chapter.
- E. Billboards using removable paper or other materials shall be maintained in such condition as to eliminate loose or frayed material protruding or hanging from the structure. All paper and other waste materials shall be removed from the site and disposed of properly whenever any sign face is changed.

2109.5. Liability Insurance. The applicant for a sign permit to erect a billboard shall provide a certificate of insurance for public liability and property damage which holds the Township harmless. The amount of insurance to be maintained shall be determined and adjusted from time to time by resolution of the Board of Commissioners. The insurance certificate shall contain a clause stating that the insurance shall not be canceled or reduced without first giving 10 days' notice to the Township.

2109.6. Permits.

- A. Prior to submission of an application for a sign permit, the applicant for a billboard shall obtain and submit with the application approvals from the Allegheny County Department of Aviation or the United States Federal Aviation Administration (FAA), when applicable.
 - B. Approval of the conditional use shall be valid for six months from the date of action by the Board of Commissioners granting the conditional use. If the applicant fails to obtain a sign permit for the approved billboard within the six-month period, approval of the conditional use shall expire automatically, without written notice to the applicant.
 - C. The issuance of a sign permit for a billboard which has been granted approval of a conditional use shall be conditioned upon the approval of the Pennsylvania Department of Transportation (PennDOT) for billboards along state highways. If the applicant fails to submit evidence of the required approval by PennDOT within 120 days of the issuance of the conditional sign permit, the sign permit shall be revoked by the Township Zoning Officer, who shall provide written notice to the applicant.
 - D. The applicant may reapply for the required sign permit, upon submission of evidence of PennDOT approval, without payment of any additional sign permit fee, provided the application is filed within the six-month period during which the conditional use approval is valid.
- 2109.7. Application Fees. Said application shall be accompanied by an application fee in an amount equal to that set from time to time by resolution of the Board of Commissioners.
- 2109.8. Nonconforming Billboards.
- A. Any billboard that was legally erected prior to January 1, 2024, on a lot that has frontage on I-376 or I-79 may be converted to a digital billboard as a conditional use so long as: (1) the operations of the new digital billboard comply with the requirements of Sections 27- 2109.1.J; and (2) the construction of the new digital billboard complies with § 27-2109.2 and 27-2109.3 of this section. Any other billboard which does not conform to the requirements of this section shall not be enlarged, converted to digital, or moved unless the billboard complies with all provisions of this section.
 - B. Any billboard which is damaged or destroyed by more than 51% of its replacement value at the time of damage or destruction shall be reconstructed only in compliance with all provisions of this § 27-2109.

§ 27-2110. Digital Signs and Electronically Changing Message Signs.

All digital signs and electronically changing message signs shall meet the following requirements:

2110.1. Location.

- A. Shall be permitted by right in any district for public education facilities, city government uses, and/or places of worship and shall be constructed as part of a ground sign only.
- B. Shall be permitted by right in all commercial zoning districts (B-1, B-1-A, B-2, B-3), the Planned Economic Development District (PEDD), and the Industrial (I-1) District and shall be constructed as part of a ground sign only.
- C. Only one digital or electronic sign shall be permitted on any one property, and no digital or electronic sign shall be permitted on a property that already has an existing or proposed manual or mechanical changeable-copy sign.
- D. All digital/electronic signs shall have a minimum thirty-foot setback from residential property lines.

2110.2. Messages.

- A. All messages, images, or displays on a digital sign or electronically changing message sign shall remain unchanged for a minimum of 10 seconds; except signs with a changeable sign area of less than 30 square feet in a commercial district may change a minimum interval of every six seconds.
- B. The time interval used to change from one complete message, image or display to the next complete message, image or display shall be a maximum of one second.
- C. There shall be no appearance of a visual dissolve or fading, in which any part of one message, image or display appears simultaneously with any part of a second message, image or display.
- D. There shall be no appearance of flashing or sudden bursts of light and no appearance of video motion, animation, movement or flow of the message, image or display.
- E. The intensity and contrast of light levels shall remain constant throughout the sign face.
- F. Each digital sign or electronically changing message sign shall be equipped with automatic day/ night dimming software, to reduce the illumination intensity of the sign from one hour after sunset to one hour prior to sunrise. In any residential

zoning district, digital/electronically changing signs shall be turned off between the hours of 11:00 p.m. and 7:00 a.m.

- G. In residential districts, no sign may exceed a maximum illumination of 0.5 footcandle above ambient light level as measured at the property line. In all other districts, no sign may exceed a maximum illumination of 1.0 footcandle above ambient light level as measured at the property line.
- H. Public Service Announcements: The owner of every message center sign shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public, including, but not limited to AMBER Alerts™ or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.

PART 22

NONCONFORMING USES, STRUCTURES AND LOTS

§ 27-2201 Applicability.

This Part shall apply to all nonconforming uses, structures and lots, as defined by this chapter. Nothing contained herein shall require any change in the overall layout, plans, construction, size or designated use of any development, building, structure or part thereof for which official approval (including final land development approval, conditional use approval, special exception approval, or variance) and required permits have been granted prior to the effective date of this chapter or any amendment thereto.

§ 27-2202 Nonconforming Uses.

These regulations shall apply to any use of a structure or lot in any zoning district which is a nonconforming use as defined by this chapter. Whenever the boundaries of a zoning district shall be changed so as to transfer an area from one zoning district to another zoning district of a different classification, these regulations shall apply to any uses which thereby become nonconforming

- 2202.1. Classes. Continuation and Sale. Where, at the effective date of enactment or amendment of this chapter, a lawful use of a lot or structure exists that is made no longer permissible under the terms of this chapter as enacted or amended, such use may be sold or otherwise transferred to other owners and may be continued as long as it remains otherwise lawful in accordance with the provisions of this Part.
- 2202.2. Enlargement or Expansion.
 - A. No nonconforming use of a lot or nonconforming use of a structure shall be enlarged or increased or extended to occupy a greater area of the lot or structure than was occupied at the effective date of enactment or amendment of this chapter, unless the Zoning Hearing Board, after public hearing, shall interpret that the enlargement or extension is necessitated by the natural expansion and growth of the nonconforming use. Any such enlargement or expansion shall conform to the area, height and yard requirements of the zoning district in which it is located. Any approval for expansion shall be limited to the minimum necessary and shall not increase off-site impacts (traffic, noise, light, odor, hours of operation, or outdoor storage) beyond those existing at the time the use became nonconforming.
 - B. No nonconforming use shall be moved in whole or in part to any other portion of the lot occupied by such use at the effective date of enactment or amendment of this chapter.
 - C. Any nonconforming use may be extended throughout any part of a structure which was designed for such use at the time the use became nonconforming; however, a nonconforming use shall not be extended to occupy any structure, lot

or portion of a lot that was not owned by the owner of the nonconforming use at the time the use became nonconforming.

2202.3. Change of Use.

- A. A nonconforming use shall not be changed to any use other than a conforming use, except as permitted as a use by special exception by the Zoning Hearing Board in accordance with the following standards:
 - i. The new use will more closely correspond to the uses authorized in the district as permitted uses, conditional uses or uses by special exception.
 - ii. The new use will be in keeping with the character of the neighborhood in which it is located and will have an equal or lesser impact on the neighborhood than the existing nonconforming use.
 - iii. The applicant clearly demonstrates a hardship in converting the use to a conforming use in accordance with the criteria of § 27-2306 for obtaining a variance.
- B. When a nonconforming use is changed to a conforming use, the use thereafter shall not be changed to a nonconforming use. Any change from one nonconforming use to another shall comply with the parking requirements of Part 20 for the new use and shall be subject to the area, bulk and buffer area regulations for such use in the zoning district where such use is authorized as a permitted use, conditional use or use by special exception.
- C. Where a nonconforming use exists on a lot, a conforming use shall not be established on the same lot unless the nonconforming use is discontinued.

2202.4. Abandonment. When a nonconforming use of a structure and/or lot is discontinued or abandoned for 12 consecutive months, the structure and/or lot shall not thereafter be used except in conformance with the regulations of the zoning district in which it is located. For purposes of this section, discontinuance or abandonment shall mean cessation of the use, regardless of intent to resume. However, periods during which the use is interrupted due to active renovation, reconstruction, or repair conducted pursuant to valid and current permits shall not be considered abandonment, provided such work is diligently pursued.

2202.5. Damage or Destruction.

- A. Residential dwellings which are nonconforming uses may be rebuilt on the existing foundation in the event of damage or destruction, provided the reconstruction is started within three years of the date of destruction.

- B. In the case of nonconforming uses other than dwellings, when damage or destruction of a structure in which the nonconforming use is conducted involves 50% or less of the total floor area of the structure, repairs or reconstruction may be undertaken, provided that such restoration is started within 18 months of the date of destruction.
- C. In the case of nonconforming uses other than dwellings, when the structure in which the nonconforming use is conducted is damaged or destroyed by fire or other means to an extent of more than 50% of its total floor area, the structure shall be reconstructed only to house a conforming use.

§ 27-2203. Nonconforming Structures.

These regulations shall apply to all nonconforming structures, as defined by this chapter, in all zoning districts.

- 2203.1. Structural Alteration. A nonconforming structure may be enlarged or structurally altered, provided the enlargement or alteration does not encroach any further into a required yard than the existing nonconforming structure does, and further provided that no new nonconformities are created. All other alterations or enlargements shall require review by the Zoning Hearing Board, and, after public hearing, the Board may determine undue hardship and may authorize a variance for the reasonable modification of such structure.
- 2203.2. Damage or Destruction. Any nonconforming structure which has been partially or completely damaged or destroyed by fire or other means may be rebuilt or repaired on its existing foundation even though such foundation may violate the setback requirements for the zoning district in which the structure is located, provided that the repair or reconstruction and reoccupancy of the structure occurs within 18 months of the date that the original structure was damaged or destroyed.
- 2203.3. Moving. Should a nonconforming structure be moved for any reason for any distance whatever, it shall thereafter conform to the requirements of the zoning district in which it is located.
- 2203.4. Signs.
 - A. Nonconforming signs may be repaired or reconstructed, provided that no structural alterations are made which increase the gross surface area of the sign; however, nonconforming signs which are damaged or destroyed to an extent of more than 50% of their replacement cost at the time of destruction shall not be reconstructed except in conformity with the provisions of this chapter.
 - B. Nonconforming signs shall not be enlarged, added to or replaced by another nonconforming sign, use or structure, except that the interchange of poster panels shall be permitted.

- 2203.5. Repair or Maintenance. Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any structure or part thereof declared to be unsafe by any official charged with protecting the safety of the public, provided all other requirements of this section are met.

§ 27-2204. Nonconforming Lots.

The following regulations shall apply to nonconforming lots, as defined by this chapter.

- 2204.1. Any lot of record existing at the effective date of this chapter may be used for the erection of a structure conforming to the use regulations of the zoning district in which it is located, without a lot area or lot width variance, even though its lot area and width are less than the minimum required by this chapter; however, such lot must comply with the front, rear and side yard, height and lot coverage standards of the zoning district wherein it is located.
- 2204.2. Where structures exist on adjacent nonconforming lots of record which have front yards less than the minimum depth required, the minimum front yard for an adjacent nonconforming lot of record shall be the average depth of the nonconforming front yards on the adjacent nonconforming lots in the same block on the same side of the street.

§ 27-2205. Registration of Nonconformity.

- 2205.1. The owner of a nonconforming use shall make an application for registration of the nonconforming use; and upon presentation of documentation acceptable to the Zoning Officer that the use was lawfully in existence prior to the effective date of this chapter or any amendment which created the nonconformity, the Zoning Officer shall register the same on a map and by the Allegheny County Assessor's lot and block number as a legal nonconforming use.
- 2205.2. In the course of administering this chapter and reviewing applications for zoning approval, building permits, certificates of occupancy or variances, the Zoning Officer shall register all nonconforming structures and nonconforming lots as they become known through the application process.

PART 23

ZONING HEARING BOARD

§ 27-2301 Membership.

The membership of the Zoning Hearing Board shall consist of three residents of the Township appointed by the Board of Commissioners. Their terms of office shall be three years and shall be so fixed that the term of office of one member shall expire each year. The Board shall promptly notify the Board of Commissioners when vacancies occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the Township, including membership on the Planning Commission and Zoning Officer.

§ 27-2302. Alternate Members.

- 2302.1. Appointment of Alternate Members. The Board of Commissioners may appoint by resolution at least one, but no more than three, residents of the Township to serve as alternate members of the Board. The term of office of an alternate member shall be three years. When seated pursuant to the provisions of § 27-2302.2, an alternate shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law for Board members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the power and duties set forth in this chapter and as otherwise provided by law. Alternates shall hold no other office in the Township, including membership on the Planning Commission and Zoning Officer. Any alternate may participate in any proceeding or discussion of the Board but shall not be entitled to vote as a member of the Board unless designated as a voting alternate member pursuant to § 27-2302.2 of this chapter.
- 2302.2. Participation by Alternate Members. If, by reason of absence or disqualification of a member, a quorum is not reached, the Chairman of the Board shall designate as many alternate members of the Board to sit on the Board as may be needed to provide a quorum. Any alternate member of the Board shall continue to serve on the Board in all proceedings involving the matter or case for which the alternate was initially appointed until the Board has made a final determination of the matter or case. Designation of an alternate pursuant to this subsection shall be made on a case-by-case basis in rotation according to declining seniority among all alternates.

§ 27-2303. Removal of Members.

Any Zoning Hearing Board member may be removed for malfeasance, misfeasance or nonfeasance in the office or for other just cause by a majority vote of the Board of Commissioners taken after the member has received 15 days' advance notice of the intent to take such vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

§ 27-2304. Organization of the Board.

- 2304.1. Officers. The Zoning Hearing Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves.
- 2304.2. Quorum. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all members of the Zoning Hearing Board, except when member(s) of the Zoning Hearing Board are disqualified to act in a particular matter, alternate members shall be appointed to provide a quorum.
- 2304.3. Hearing Officer. The Zoning Hearing Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf, and the parties may waive further action by the Zoning Hearing Board and accept the findings or decision of the hearing officer as final.
- 2304.4. Procedures. The Zoning Hearing Board may make, alter and rescind rules and forms for its procedure, consistent with ordinances of the Township and laws of the Commonwealth of Pennsylvania.
- 2304.5. Files and Annual Report. The Zoning Hearing Board shall keep full public records of its business and shall submit a report of its activities to the Board of Commissioners once a year.

§ 27-2305. Jurisdiction of the Board.

The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudication in the following matters:

- 2305.1. Substantive challenges to the validity of any land use ordinance, except curative amendments brought before the Board of Commissioners.
- 2305.2. Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption, which challenges shall be raised by an appeal taken within 30 days after the effective date of the ordinance.
- 2305.3. Appeals from the determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease-and-desist order or the registration or refusal to register any nonconforming use, structure or lot.
- 2305.4. Appeals from a determination by the Township Engineer or the Zoning Officer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within a land use ordinance.

- 2305.5. Applications for variances from the terms of this chapter and the Flood Hazard Ordinance [Chapter 8] or such provisions within a land use ordinance pursuant to § 27-2306.
- 2305.6. Applications for uses by special exception under this chapter or floodplain or flood hazard ordinance or such provisions within a land use ordinance, pursuant to Part 18 and § 27-2307 of this chapter.
- 2305.7. Appeals from the Zoning Officer's determination under Section 916.2 of the Pennsylvania Municipalities Planning Code (Act 247, as amended).⁴⁸
- 2305.8. Appeals from the determination of the Zoning Officer or Township Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving subdivision and land development or planned residential development.
- 2305.9. Appeals from decisions of the Zoning Officer with respect to requests for reasonable accommodation under the Fair Housing Act Amendments or the Americans with Disabilities Act. In hearing such an appeal, the Board shall apply the criteria set forth in § 27-2403.2 of this chapter. In granting a request for reasonable accommodation, the Board may attach such reasonable safeguards and/or limitations as it may deem necessary to properly implement this chapter and protect the public health, safety and welfare in a manner consistent with the requirements of the Fair Housing Act Amendments or the Americans with Disabilities Act.
 - A. In handling a request for reasonable accommodation, the Board shall be governed by the provisions of this Part to the fullest extent as may be consistent with the Fair Housing Act Amendments and the Americans with Disabilities Act.

§ 27-2306. Variances.

The Board, upon appeal, shall have the power to authorize variances from the requirements of this chapter and to attach such conditions to the variance as it deems necessary to assure compliance with the purposes of this chapter. In considering an application for a dimensional variance, the Board may consider the economic detriment to the applicant if the variance is denied, the financial hardship created by strict compliance, and the characteristics of the surrounding neighborhood, in accordance with applicable Pennsylvania case law, provided that the applicant still demonstrates unnecessary hardship. A variance may be granted if all of the following findings are made where relevant in a given case:

- 2306.1. That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally

created by the provisions of this chapter in the neighborhood or district in which the property is located.

- 2306.2. That, because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- 2306.3. That such unnecessary hardship has not been created by the appellant.
- 2306.4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
- 2306.5. That the variance, if authorized, will represent the minimum variance necessary to afford relief and will represent the least modification possible of the regulation in issue.

§ 27-2307. Uses by Special Exception.

The Board shall have the power to hear and decide on applications for uses by special exception as authorized by this chapter, in harmony with its general purpose and intent, and in accordance with the standards set forth in Part 18. The Board shall approve a use by special exception only if it meets all applicable requirements of this chapter and the express standards and criteria set forth in Part 18. In granting a use by special exception, the Board may attach such reasonable safeguards, in addition to those expressed in this chapter, as it may deem necessary to properly implement this chapter and protect the public health, safety and welfare.

§ 27-2308. Notice and Conduct of Hearings.

- 2308.1. Notice.
 - A. Written notice of the hearing shall be given to the public, the applicant, the Zoning Officer, the Board of Commissioners, the Planning Commission and to any person who has made timely request for the same. A notice of the hearing shall be given to other persons at such a time and in such manner as the Board of Commissioners or the Zoning Hearing Board shall designate.
 - B. Public notice, as defined herein, shall be given for the public hearing. In addition, written notice of said hearing shall be conspicuously posted on the affected tract or tracts of land or water body at least one week prior to the public hearing.
- 2308.2. Conduct of Hearing. The Board shall conduct hearings in accordance with the following requirements:

- A. The hearing shall be held within 60 days from the date of the applicant's request, unless the applicant has agreed, in writing, to an extension of time.
- B. The hearing shall be conducted by the Board, or the Board may appoint any member as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board; however, the appellant or the applicant, as the case may be, in addition to the Township, may, prior to the decision of the hearing, waive decision or findings by the Board and accept the decision or findings of the hearing officer as final.
- C. The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Board, and any other person, including civic or community organizations, permitted to appear by the Board. The Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.
- D. The Chairman or Acting Chairman of the Board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
- E. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
- F. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.
- G. The Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. Fees for the stenographer and transcript are governed by § 27-2311.2 of this chapter.
- H. The Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda or other materials, except advice from its Solicitor, unless the parties are afforded an opportunity to contest the material so noticed, and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.
- I. The Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within 45 days after the last hearing before the Board or hearing officer. Where the application is contested or denied, each decision shall be

accompanied by findings of fact and conclusions based thereon, together with the reasons therefor. Conclusions based on any provisions of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer, and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available to the parties within 45 days, and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than 30 days after the report of the hearing officer.

§ 27-2309. Failure to Render a Decision.

- 2309.1. Where the Board fails to render a decision within the required 45-day period or fails to commence, conduct, or complete the required hearing within the time limits prescribed by the Pennsylvania Municipalities Planning Code, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed, in writing or on the record, to an extension of time.
- 2309.2. When a decision has been rendered in favor of the applicant because of failure of the Board to meet or render a decision, the Board shall give public notice of the decision within 10 days from the last day it could have met to render a decision. If the Board shall fail to provide such notice, the applicant may do so. Nothing in this section shall prejudice the right of any party opposing the application to appeal the decision to the Court of Common Pleas.

§ 27-2310. Mediation.

- 2310.1. Parties to proceedings authorized in this Part may utilize mediation as an aid in completing such proceedings. In proceedings before the Zoning Hearing Board, in no case shall the Zoning Hearing Board initiate mediation or participate as a mediating party. Mediation shall supplement, not replace, those procedures in this Part once they have been formally initiated. Nothing in this subsection shall be interpreted as expanding or limiting municipal police powers or as modifying any principles of substantive law.
- 2310.2. Participation in mediation shall be wholly voluntary. The appropriateness of mediation shall be determined by the particulars of each case and the willingness of the parties to negotiate. The municipality, in offering the mediation option, shall assure that in each case, the mediating parties, assisted by the mediator as appropriate, develop terms and conditions for:

- A. Funding mediation.
 - B. Selecting a mediator who, at a minimum, shall have a working knowledge of municipal zoning and subdivision procedures and demonstrated skills in mediation.
 - C. Completing mediation, including time limits for such completion.
 - D. Suspending time limits otherwise authorized in this chapter or in the Pennsylvania Municipalities Planning Code (Act 247, as amended), provided there is written consent by the mediating parties, and by an applicant or Township decision-making body, if either is not a party to the mediation.
 - E. Identifying all parties and affording them the opportunity to participate.
 - F. Subject to legal restraints, determining whether some or all of the mediation sessions shall be open or closed to the public.
 - G. Assuring that mediated solutions are in writing and signed by the parties and become subject to review and approval by the appropriate decision-making body pursuant to the authorized procedures set forth in this chapter.
- 2310.3. No offers or statements made in the mediation sessions, excluding the final written mediated agreement, shall be admissible as evidence in any subsequent judicial or administrative proceedings.

§ 27-2311. Fees and Expenditures.

- 2311.1. Fees. The Board of Commissioners may prescribe reasonable fees with respect to hearings before the Zoning Hearing Board. Fees for said hearings may include compensation for the Secretary and members of the Zoning Hearing Board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or other technical consultants or expert witness costs.
- 2311.2. Stenographer's Appearance Fee and Transcripts. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or hearing officer or shall be paid by the person appealing from the decision of the Board if such appeal is made; and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.

- 2311.3. Expenditures. Members of the Board may receive compensation for the performance of their duties as may be fixed by the Board of Commissioners, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the Board of Commissioners. Within the limits of funds appropriated by the Board of Commissioners, the Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical services.

§ 27-2312. Time Limitations.

- 2312.1. No person shall file any proceeding before the Zoning Hearing Board later than 30 days after a preliminary or final application for development has been approved by an appropriate Township officer, agency or body, if such proceeding is designed to secure reversal or to limit the approval in any manner, unless such person alleges and proves that he had no notice, knowledge or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest.
- 2312.2. The failure of anyone, other than the landowner, to appeal from an adverse decision on an application for tentative approval of a planned residential development or from an adverse decision by a Zoning Officer on a challenge to the validity of an ordinance or map filed pursuant to Section 916.2 of the Pennsylvania Municipalities Planning Code shall preclude an appeal from a final approval except in the case where the final submission substantially deviates from the approved tentative approval.
- 2312.3. All appeals from determinations adverse to the landowner shall be filed by the landowner within 30 days after notice of the determination is issued.

§ 27-2313. Stay of Proceedings.

- 2313.1. Upon filing of any proceeding and during its pendency before the Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action thereunder, shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Board by persons other than the applicant, the applicant may petition the court having jurisdiction of the zoning appeals to order such persons to post bond as a condition to continuing the proceedings before the Board. The question of whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court.

- 2313.2. All appeals from decisions rendered by the Zoning Hearing Board shall be taken to the Allegheny County Court of Common Pleas and shall be filed within 30 days after the entry of the decision or, in the case of a deemed decision, within 30 days after the date upon which notice of said deemed decision is given as required by Subsection 908(9) of the Pennsylvania Municipalities Planning Code (Act 247, as amended).

PART 24

ADMINISTRATION AND ENFORCEMENT

§ 27-2401. Zoning Officer Powers and Duties.

- 2401.1. The provisions of this chapter shall be administered and enforced by a Zoning Officer who shall be appointed by the Board of Commissioners. The Zoning Officer shall hold no elective office in the Township. The Zoning Officer shall meet the qualifications established by the Township and shall be able to demonstrate, to the satisfaction of the Township, a working knowledge of municipal zoning.
- 2401.2. The Zoning Officer shall have all the powers and duties conferred upon him them by this chapter and the Pennsylvania Municipalities Planning Code. The Zoning Officer's duties shall include the following:
- A. Receive and examine all applications for zoning approval, building permits and certificates of occupancy.
 - B. Notify applicants of any deficiencies in applications and request additional information.
 - C. Process applications for zoning approval, building permits and certificates of occupancy for all permitted uses.
 - D. Receive applications for uses by special exception and variances and forward these applications to the Zoning Hearing Board for action prior to considering issuance of zoning approval, building permits or certificates of occupancy for the proposed use.
 - E. Receive applications for conditional uses and forward these applications to the Planning Commission and Board of Commissioners for recommendation and action prior to considering issuance of zoning approval, a building permit or certificate of occupancy for the proposed use.
 - F. Post written notice of public hearings on affected tracts of land at least one week prior to hearing.
 - G. Receive and process all requests for reasonable accommodation under the Fair Housing Act Amendments and the Americans with Disabilities Act (ADA).
 - H. Issue permits only where there is compliance with the provisions of this chapter, with other Township ordinances and the laws of the commonwealth.
 - I. Issue denials of zoning approval, a building permit or certificate of occupancy and refer any appeal of the denial to the Zoning Hearing Board for action thereon.

- J. Conduct inspections and surveys to determine compliance or noncompliance with this chapter.
- K. Issue notices of violation in accordance with the requirements of § 27-2402.
- L. With the approval of the Board of Commissioners, or when directed by the Board of Commissioners, institute, in the name of the Township, any appropriate action or proceeding to prevent unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate such violation so as to prevent the occupancy or use of any building, structure or land; or to prevent any illegal act, conduct, business or use or about such premises.
- M. Revoke any order or permit issued under a mistake of fact or contrary to the law or the provisions of this chapter.
- N. Record and file all applications for zoning approvals, building permits and certificates of occupancy, with accompanying plans and documents, and maintain those files as a public record.
- O. Maintain the Official Zoning District Map for the Township.
- P. Submit a monthly written report to the Board of Commissioners of all building permits, certificates of occupancy, sign permits, temporary use permits and all notices of violation and orders issued.
- Q. Meet with the Planning Commission no less frequently than quarterly to advise the Commission regarding potential developments and to discuss any problems in administering this chapter and/ or recommend amendments to this chapter.
- R. The Zoning Officer may approve a deviation of up to ten percent (10%) from a dimensional requirement of this chapter where the deviation is minor in nature, will not adversely affect adjacent properties, and is consistent with the intent of this chapter. The provisions of this section shall not apply to use regulations, density requirements, or any condition imposed by the Board of Commissioners or Zoning Hearing Board. Any request exceeding the standards of this section shall require relief from the Zoning Hearing Board.

§ 27-2402. Enforcement.

- 2402.1. Violations. Failure to comply with any provisions of this chapter; failure to secure zoning approval or a building permit prior to the erection, construction, extension, structural alteration, addition or occupancy of a building or structure; or failure to secure a certificate of occupancy for the use or change of use or occupancy of structures or land, shall be a violation of this chapter.

2602.2. Enforcement Notice. The enforcement notice shall contain the following information:

- A. The name of the owner of record and any other person against whom the Township intends to take action.
- B. The location of the property in violation.
- C. The specific violation, with a description of the requirements which have not been met, citing in each instance the applicable provisions of this chapter.
- D. The date before which steps for compliance must be commenced and the date before which the steps must be completed.
- E. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within 30 days of issuance of the enforcement notice, in accordance with the procedures set forth in this chapter and the Pennsylvania Municipalities Planning Code.
- F. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

2402.3. Enforcement Remedies.

- A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorneys' fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the Magisterial District Judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.
- B. Each day that a violation continues shall constitute a separate violation, unless the Magisterial District Judge, determining that there has been a violation, further determines that there was a good- faith basis for the person, partnership or corporation violating this chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the Magisterial District Judge, and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorneys' fees collected for the violation of this chapter shall be paid over to the Township.

- C. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per-diem fine pending a final adjudication of the violation and judgment.
- D. Nothing contained in this subsection shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this subsection.

2402.4. Causes of Action. In case any building or structure is erected, constructed, reconstructed, structurally altered, repaired, converted or maintained or any building or structure or land is used in violation of this chapter or of any other ordinance or regulation made under authority conferred hereby, the Board of Commissioners or, with approval of the Board of Commissioners, the Zoning Officer or other proper official, in addition to other remedies, may institute in the name of the Township any appropriate action or proceeding to: prevent, restrain, correct or abate such unlawful erection, construction, reconstruction, structural alteration, repair, conversion, maintenance or use; to prevent the occupancy of any building, structure or land; or to prevent any illegal act, conduct, business or use which constitutes a violation.

§ 27-2403. Coordination with Other Township Requirements and Permits and State and Federal Requirements and Permits.

2403.1. Applications for Permits. In all cases, any application for a permit of any of the types described in this chapter shall be decided not only on the basis of compliance with this chapter but also on the basis of compliance with all other applicable Township ordinances and all other applicable rules and regulations of the various Township authorities and agencies which might be concerned, as well as state and federal requirements and permits.

2403.2. Reasonable Accommodation Procedure and Criteria.

- A. Persons with a claim for a reasonable accommodation under the Fair Housing Act Amendments or the Americans with Disabilities Act shall submit their request in writing to the Zoning Officer on an application form which shall require that the following information, and such other information as may be reasonably needed to process the request, be provided:
 - i. Specific citation of the Zoning Ordinance provision from which reasonable accommodation is requested;
 - ii. The name and address of the applicants;
 - iii. The specific description of the reasonable accommodation sought and the particulars, including exact dimensions of any proposed structural or locational accommodation;

- iv. The condition of the applicants for which reasonable accommodation is sought;
 - v. A description of the hardship, if any, that the applicants will incur absent provision of the reasonable accommodation requested;
 - vi. A description of any alternative methods of relieving the claimed hardship that have been considered and the reason, if any, why the applicants have rejected such alternatives;
 - vii. A statement describing why the requested accommodation is necessary to afford the applicants an opportunity equal to a nonhandicapped or nondisabled person to use and enjoy the dwelling in question;
 - viii. A description of the manner in which the accommodation, if granted, will be terminated or removed if no longer required to afford equal housing opportunity to handicapped or disabled persons; and
 - ix. A statement of any facts indicating whether or not nonhandicapped or nondisabled persons would be permitted to utilize the property in question in a manner similar to that sought by the applicants.
- B. The Zoning Officer may hold any meetings and/or hearings necessary in his discretion to elicit information or argument pertinent to the request for accommodation.
- C. The Zoning Officer's decision shall be in writing and shall state the reasons for the decision.
- D. The Zoning Officer shall issue his written decision to the applicants and the Township within 30 days of filing of the request for accommodation.
- E. A request for reasonable accommodation should be directed in the first instance to the Zoning Officer. In considering a request for reasonable accommodation, the Zoning Officer shall, with the advice and counsel of the Township Solicitor, apply the following criteria:
- i. Whether the applicants are handicapped or disabled within the meaning of the Federal Fair Housing Act Amendments or the Americans with Disabilities Act;
 - ii. The degree to which the accommodation sought is related to the handicap or disability of the applicants;
 - iii. A description of the hardship, if any, that the applicants will incur absent provision of the reasonable accommodation requested;

- iv. The extent to which the requested accommodation is necessary to afford the applicants an opportunity equal to a nonhandicapped or nondisabled person to use and enjoy the dwelling in question;
- v. The extent to which the proposed accommodation may impact other property owners in the immediate vicinity;
- vi. The extent to which the requested accommodation may be consistent with or contrary to the zoning purposes promoted by this chapter, the Comprehensive Plan and the community development objectives set forth in this chapter;
- vii. The extent to which the requested accommodation would impose financial and administrative burdens upon the Township;
- viii. The extent to which the requested accommodation would impose an undue hardship upon the Township;
- ix. The extent to which the requested accommodation would require a fundamental alteration in the nature of the Township's regulatory policies, objectives and regulations;
- x. The extent to which the requested accommodation would result in a subsidy, privilege or benefit not available to nonhandicapped or disabled persons;
- xi. The permanency of the requested accommodation and the conditions under which such accommodation will be removed, terminated or discontinued when no longer needed to provide handicapped or disabled persons with equal opportunity to use and enjoy the dwelling in question; and
- xii. The extent to which the requested accommodation will increase the value of the property during and after its occupancy by applicants.

§ 27-2404. Zoning Approval Required.

2404.1. When Required.

- A. No land use may be established or changed; no structure or building may be erected, constructed, reconstructed, structurally altered, razed or removed; and no building or structure may be used or occupied or the use changed until a zoning permit (zoning approval) has been obtained from the Zoning Officer.
- B. In the instances where a building permit is required and applied for, a zoning permit shall be prerequisite to the building permit. In those instances where no

building permit is required, an application for a certificate of occupancy for a new or changed use of land or structure shall include an application for a zoning permit.

- C. In the case of a conditional use or use by special exception, the Zoning Officer shall refer the application to the Planning Commission and Board of Commissioners or to the Zoning Hearing Board, whichever is applicable, for a decision granting zoning approval, prior to issuing a zoning permit. Whenever the approval of a conditional use or use by special exception includes conditions attached to the approval, said conditions shall be incorporated into the zoning permit.
- D. In the case of a permitted use, the Zoning Officer shall not issue the zoning permit unless and until all applicable regulations of this chapter have been met and, in the case of a use for which land development plan approval is required by the Township Subdivision and Land Development Ordinance [Chapter 22], unless and until final approval of the land development plan has been granted by the Board of Commissioners. Whenever final approval of a land development plan is subject to conditions, those conditions shall be incorporated into the zoning permit.

2404.2. Application for Zoning Permit.

- A. All applications for zoning permits shall be made in writing by the owner or his authorized agent on a form furnished by the Township and shall include a statement of the intended use of the building and a property survey, both prepared in duplicate and drawn to scale, and copies of all required county, state and/or federal permits as approved by the appropriate agency, and shall include the following information at a minimum:
 - i. All applications for a zoning permit shall be accompanied by two copies of a property survey, drawn to scale, showing: key location map; graphic scale; North arrow; closest intersecting public road; exact dimensions and total acreage of the lot(s) or parcel; zoning of lots and zoning of all abutting properties; exact location and exterior dimensions of the existing and proposed building(s) or other structure(s); exact location and area of all existing and proposed watercourses; drainageways, rights-of-way and easements; exact location of existing and proposed driveways, streets and roads within, adjacent and opposite of the lot(s) or parcel; exact location of existing and proposed off-street parking, loading and pedestrian movement facilities; exact dimensions of front, side and rear yards for all principal and accessory uses; and any other additional data as may be deemed necessary and be requested by the Zoning Officer to determine compliance with this chapter.

- ii. The Zoning Officer may require an applicant to furnish a survey of the property by a Pennsylvania registered land surveyor when complete and accurate information is not readily available from existing records.
 - iii. The Zoning Officer may require additional data to determine compliance with this chapter.
 - B. It shall be the duty of the Zoning Officer to review the application to determine if all necessary information has been submitted and request more information of the applicant or officially receive the application for review by the appropriate Township agencies.
 - C. Unless such requirement is waived by the Board of Commissioners, all applications for a zoning permit shall be accompanied by a fee, to be based upon the fee schedule of the Township, as provided for in § 27-2410 of this chapter.
- 2404.3. Zoning Permit. Upon approval of the application for a zoning permit, one copy of the approved permit shall be returned to the applicant. One copy of such permit shall be kept on file in the Township office.
- 2404.4. Denial of Zoning Permit. In the event of a denial, the Zoning Officer shall state in writing the reason(s) for such denial, including the citation of the specific section(s) of this chapter or other pertinent ordinances that have not been met.
- 2404.5. Inspection. The Zoning Officer, or his duly appointed representative, may make inspections on the property for which an application for a zoning permit has been submitted or issued.
- 2404.6. Failure to Obtain Zoning Permit. Failure to obtain a zoning permit shall be a violation of this chapter and shall be subject to the enforcement remedies of this chapter.

§ 27-2405. Building Permit Requirements.

- 2405.1. When Required. A building permit shall be required in accordance with the requirements of the Township Building Code. A zoning permit shall be prerequisite to obtaining a building permit. Building permits shall not be issued unless the property included in the permit application is a lot of record, as defined by this chapter.
- 2605.2. Foundation Survey Required.
- A. Within 72 hours of forming the footer for the foundation of a proposed structure, the person to whom the building permit has been issued shall notify the Zoning Officer and shall provide a surveyor's certification of the location of the footer. Within three business days, the Zoning Officer shall notify the holder of the

building permit whether the foundation survey is in compliance with this chapter. Failure of the Zoning Officer to act within the time specified shall result in deemed approval of the footer location. If the permittee proceeds with construction during the three-day review period, work shall be at the permittee's own risk.

- B. Failure to submit the required foundation survey shall be grounds for the Zoning Officer to issue a cease-and-desist order.
- C. If the Zoning Officer finds that the foundation survey is not in compliance with the provisions of this chapter and the approved building permit, the Zoning Officer shall require the removal of the footer, or the portion thereof, that is not in compliance by issuing a notice of violation in accordance with the procedures specified in § 2402.1.

§ 27-2406. Certificate of Occupancy.

2406.1. A certificate of occupancy indicating compliance with the provisions of this chapter shall be required prior to:

- A. Occupancy of any structure following completion of construction, reconstruction or enlargement of the structure governed by an approved building permit.
- B. A change in the use of an existing building, structure, water body or land area, except for the same use operated by a different owner.
- C. A change of a nonconforming use, building or structure authorized by the Zoning Hearing Board.

2406.2. Application for Permit.

- A. All requests for a certificate of occupancy shall be made in writing, on a form furnished by the Township, completed by the owner or other authorized agent, and shall include a statement of the type of proposed use intended for the building, land or water body.
- B. A certificate of occupancy for a change of use in an existing building shall be applied for and shall be issued before the new use is established.
- C. It shall be the duty of the Zoning Officer to review the application to determine if all necessary information has been submitted, to request more information of the applicant or to officially receive the application.
- D. Unless such requirement is waived by the Board of Commissioners, all applications for a certificate of occupancy shall be accompanied by a fee to be

based upon the fee schedule of the Township, as provided for in § 27-2410 of this chapter.

2406.3. Issuance of Certificate of Occupancy.

- A. Applications for a certificate of occupancy shall be reviewed by the Zoning Officer. The Zoning Officer shall issue the findings or approval of the application.
- B. Upon approval of the request for a certificate of occupancy, one copy of the certificate shall be given to the applicant, and one copy of the certificate shall be kept on file in the Township office.

2406.4. Denial of Certificate of Occupancy. In the event of denial, the Zoning Officer shall forward to the applicant a written statement containing the reason(s) for such denial and shall cite the specific requirements of this chapter that have not been met.

2406.5. Time Limitations. A certificate of occupancy shall remain valid for as long as the structure or building is used in the manner the certificate has been issued for.

2406.6. Temporary Certificate of Occupancy. A temporary certificate of occupancy may be issued by the Zoning Officer for a period not exceeding six months to permit partial occupancy of a building while work is being completed, provided such temporary certificate of occupancy may require such conditions and safeguards as may be warranted, including posting of surety, to protect the health and safety of the occupants and the public and guarantee compliance with the provisions of this chapter or any conditions attached to the zoning permit.

2406.7. Failure to Obtain a Certificate of Occupancy. Failure to obtain a certificate of occupancy shall be a violation of this chapter and shall be subject to enforcement remedies as provided in this chapter.

§ 27-2407. Temporary Use Permits.

A temporary use permit shall be required prior to the initiation of a permitted temporary use of a structure, land or water body and shall meet the following requirements:

2407.1. Approvals Required.

- A. Temporary uses, such as festivals, fairs or other similar activities, sponsored by a governmental, local nonprofit, community or charitable organization shall be exempt from obtaining approval of a use by special exception from the Zoning Hearing Board, provided the Zoning Officer determines compliance with the standards of § 27-1806.53 as a condition precedent to obtaining the temporary use permit under this section.

- B. Sidewalk sales, carload sales and other special promotions conducted on the site of an existing retail establishment with the permission of the landowner for a period of not more than 72 consecutive hours shall be exempt from obtaining a temporary use permit. Any such activity which exceeds 72 consecutive hours in duration shall be subject to approval by the Zoning Officer of a temporary use permit under this section, provided the Zoning Officer determines compliance with all applicable standards of § 27-1806.53.
- C. Temporary construction trailers, model homes or sales offices shall be subject to approval of a temporary use permit by the Zoning Officer under this section, provided the Zoning Officer determines compliance with § 27-1908.
- D. All other temporary uses shall be subject to approval by the Zoning Hearing Board of a use by special exception in accordance with the criteria of § 27-1806.53 as a condition precedent to obtaining a temporary use permit from the Zoning Officer under this section.

2407.2. Application for Permit.

- A. All requests for temporary use permits shall be made in writing on a form furnished by the Township and shall include a full description of the type of use for which such permit is being sought and the dates during which this use shall be in existence.
- B. It shall be the duty of the Zoning Officer to review the application for compliance, request more information of the applicant or officially receive the application.
- C. Unless such requirement is waived by the Board of Commissioners, all applications for a temporary use permit shall be accompanied by a fee, to be based upon the fee schedule adopted by the Township, as provided for in § 27-2410 of this chapter.
- D. Any temporary use permit that requires approval of a use by special exception by the Zoning Hearing Board in accordance with the express standards and criteria of § 27-1806.53 shall not be issued until the favorable decision of the Zoning Hearing Board is received.

2407.3. Issuance of Permit.

- A. Applications for a temporary use permit shall be reviewed by the Zoning Officer. The Zoning Officer shall issue approval or denial of the temporary use permit.
- B. Upon approval of the request for a temporary use permit, one copy of the permit shall be given to the applicant. The copy of the permit must be publicly displayed at the site of the temporary use during the existence of the use. One copy of the permit shall be kept on file in the Township office.

- 2407.4. Denial of Permit. In the event of denial, the Zoning Officer shall forward to the applicant a written statement containing the reason(s) for such denial and shall cite the specific requirements of this chapter that have not been met.
- 2407.5. Time Limitations. Temporary use permits are valid for the time period(s) specified in this chapter.
- 2407.6. Inspections.
- A. The Zoning Officer, or his fully appointed representative, may make an inspection of the property on which such temporary use is to be located to determine the suitability of the site for the use. This inspection shall be made prior to issuing a permit, prior to initiation of the use or, in the event a renewal of the permit is requested, during the time the use is in existence.
 - B. In the event of such inspection, a record shall be made indicating the time and date of inspection, the findings of the Zoning Officer in regard to conformance with this chapter and other Township ordinances, and the opinion of the Zoning Officer in regard to the suitability of the site for this use.
- 2407.7. Failure to Obtain a Temporary Use Permit. Failure to obtain a temporary use permit shall be a violation of this chapter and shall be subject to enforcement remedies as provided in this chapter.

§ 27-2408. Sign Permits.

A sign permit shall be required prior to the erection or structural alteration of any sign, either permanent or temporary. It shall be unlawful for any person to commence work for the erection or alteration of any sign until a permit has been issued. No sign permit shall be required for real estate signs; nameplate signs; or official governmental street, road and traffic control signs.

- 2408.1. Application for Permit.
- A. All requests for sign permits shall be made in writing on a form furnished by the Township and shall include a full description of the proposed sign, a description of the lot upon which such proposed sign is to be located and a description of any other existing signs on the same lot.
 - B. All applications for a sign permit shall be accompanied by two copies of a drawing showing: width of sign; height of sign; gross surface area of sign; total height of sign above adjacent ground level; clearance between bottommost part of sign and ground level; distance between front edge of sign and adjacent street or road right-of-way; and distance between front edge of sign and inside edge of adjacent sidewalk, if applicable.

- C. It shall be the duty of the Zoning Officer to review the application for completeness and compliance, request more information of the applicant or officially receive the application for the sign.
- D. All applications for a sign permit shall be accompanied by a fee, to be based upon the fee schedule of the Township as provided for in § 27-2410 of this chapter, unless such requirement is waived by the Board of Commissioners.

2408.2. Issuance of Permit.

- A. Applications for a permanent sign permit shall be reviewed by the Planning Commission. The Zoning Officer may issue the permit upon receipt of Planning Commission comments or upon expiration of 30 days from the date of referral, whichever occurs first.
- B. Applications for a temporary sign permit shall be reviewed by the Zoning Officer.
- C. Upon approval of the sign permit, one copy of the permit shall be given to the applicant, and one copy of the permit shall be kept on file in the Township office.

2408.3. Denial of Permit. In the event of denial, the Zoning Officer shall forward to the applicant a written statement containing the reason(s) for such denial and shall cite the specific requirements of this chapter that have not been met.

2408.4. Inspections.

- A. For a permanent sign permit, the Zoning Officer, or his fully appointed representative, may make the following inspections on property on which the permanent sign is to be located: prior to installation of the sign, following installation of the sign, occasionally to determine continued maintenance and compliance with this chapter, in response to any written complaint, whenever the sign is proposed to be replaced or modified, and upon cessation of the use for which the sign was erected.
- B. For a temporary sign permit, the Zoning Officer, or his fully appointed representative, may make inspection(s) to determine conformance with this chapter and other applicable Township ordinances and the suitability of the site for this use.

2408.5. Failure to Obtain a Sign Permit. Failure to obtain a sign permit shall be a violation of this chapter and shall be subject to enforcement remedies as provided in this chapter.

§ 27-2409. Procedure for Amendments.

The Board of Commissioners may introduce and/or consider amendments to this chapter and to the Zoning District Map as proposed by the Board of Commissioners or by the Planning Commission or by a petition of landowners of property within the Township.

- 2409.1. Petitions. Petitions for amendments shall be filed with the Planning Commission at least 15 calendar days prior to the meeting at which the petition is to be heard. In the case of a petition for reclassification of property, the petitioners, which shall consist of a majority of the landowners of the property to be considered for reclassification, upon such filing, shall submit a legal description of the property proposed to be rezoned. All petitions shall include a statement justifying the request and documenting consistency with the Township's Comprehensive Plan and a filing fee, in accordance with the fee schedule fixed by resolution of the Board of Commissioners. The Planning Commission shall review the proposed amendment and report its findings and recommendations in writing to the Board of Commissioners.
- 2409.2. Referral. Any proposed amendment presented to the Board of Commissioners without written findings and recommendations from the Township Planning Commission and the Allegheny County Planning Commission shall be referred to these agencies for review at least 30 days prior to the public hearing of the Board of Commissioners. The Board of Commissioners shall not hold a public hearing upon such amendments until the required reviews are received or the expiration of 30 days from the date of referral, whichever comes first.
- 2409.3. Posting of Property. If the proposed amendment involves a change to the Zoning District Map, notice of the public hearing shall be conspicuously posted by the Township at points deemed sufficient by the Township along the tract to notify potentially interested citizens at least seven days prior to the date of the public hearing.
- 2409.4. Public Notice and Public Hearing. Before acting on a proposed amendment, the Board of Commissioners shall hold a public hearing thereon. Public notice, as defined by this chapter, shall be given containing a brief summary of the proposed amendment and reference to the place where copies of the same may be examined.
- 2409.5. Readvertisement. If, after any public hearing is held upon a proposed amendment, the amendment is substantially changed or revised to include land not previously affected by the amendment, the Board of Commissioners shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.
- 2409.6. Publication, Advertisement and Availability.
 - A. Proposed amendments shall not be enacted unless the Board of Commissioners gives notice of the proposed enactment, including the time and place of the

meeting at which passage will be considered and a reference to the place in the Township where copies of the proposed amendment may be examined without charge or obtained for a charge not greater than the cost thereof.

B. The Board of Commissioners shall publish the proposed amendment once in a newspaper of general circulation in the Township not more than 60 nor less than seven days prior to passage. Publication of the proposed amendment shall include either the full text thereof or the title and a brief summary prepared by the Township Solicitor setting forth all the provisions in reasonable detail. If the full text is not included:

- i. A copy thereof shall be provided to the newspaper at the time public notice is published.
- ii. An attested copy of the proposed ordinance shall be filed in the County Law Library.

2409.7. Action. Within 90 days of the date when the public hearing on the proposed amendment is officially closed, the Board of Commissioners shall vote on the proposed amendment. In the event substantial amendments are made in the proposed amendment, the Board of Commissioners shall readvertise in one newspaper of general circulation in the Township a brief summary of the amendments at least 10 days prior to enactment.

2409.8. Filing Amendment with County Planning Commission. Within 30 days after enactment, a copy of the amendment to this chapter shall be forwarded to the Allegheny County Department of Economic Development — Planning Division.

2409.9. Mediation Option. The Board of Commissioners may offer the mediation option as an aid in completing proceedings authorized by § 27-2409. The Township and the mediating parties shall meet the stipulations and follow the procedures set forth in § 27-2310 of this chapter.

§ 27-2410. Fees.

The Board of Commissioners shall establish and revise, from time to time, a schedule of fees by resolution, as well as a collection procedure, for all applications submitted under the provisions of this chapter. The schedule of fees shall be available to the public from the Zoning Officer or Township Secretary.

§ 27-2411. Landowner Curative Amendments.

A curative amendment may be filed by a landowner who desires to challenge, on substantive grounds, the validity of this chapter or the Zoning District Map or any provision thereof, which prohibits or restricts the use or development of land in which he has an interest.

2411.1. Procedure. The landowner may submit a curative amendment to the Board of Commissioners with a written request that his challenge and proposed amendment be heard and decided as provided in Sections 609.1 and 1004 of the Pennsylvania Municipalities Planning Code, Act 247, as amended. As with other proposed amendments, the curative amendment shall be referred to the Township Planning Commission and the Allegheny County Planning Commission at least 30 days before the hearing is conducted by the Board of Commissioners. Public notice shall be given in accordance with Sections 610, 1004 and other applicable provisions of the Pennsylvania Municipalities Planning Code. The hearings shall be conducted in accordance with the provisions of Subsections (4) through (8) of Section 908 of the Pennsylvania Municipalities Planning Code, and all references in that section to the Zoning Hearing Board shall be references to the Board of Commissioners.

2411.2. Evaluation of Merits of Curative Amendment.

- A. If the Board of Commissioners determines that a validity challenge has merit, the Board of Commissioners may accept a landowner's curative amendment, with or without revision, or may adopt an alternative amendment which will cure the alleged defects. The Board of Commissioners shall consider the curative amendments, plans and explanatory material submitted by the landowner and shall also consider:
- i. The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities;
 - ii. If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of this chapter or Zoning District Map;
 - iii. The suitability of the site for the intensity of the use proposed by the site's soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources and other natural features;
 - iv. The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts; and

- v. The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.

2411.3. Declaration of Invalidity by Court. If the Township does not accept a landowner's curative amendment brought in accordance with this section and a court subsequently rules the challenge has merit, the court's decision shall not result in a declaration of invalidity for this entire chapter but only for those provisions which specifically relate to the landowner's curative amendment challenge.

§ 27-2412. Municipal Curative Amendment.

If the Township determines that this chapter or any portion thereof is substantially invalid, shall take the following actions:

- 2412.1. The Township shall declare, by formal action, its Zoning Ordinance or portions thereof substantively invalid and propose to prepare a curative amendment to overcome such invalidity. Within 30 days following such declaration and proposal, the Board of Commissioners shall:
 - A. By resolution, make specific findings setting forth the declared invalidity of the Zoning Ordinance, which may include:
 - i. References to specific uses which are either not permitted or not permitted in sufficient quantity;
 - ii. Reference to a class of use or uses which require revision; or
 - iii. Reference to the entire ordinance which requires revision.
 - B. Begin to prepare and consider a curative amendment to the Zoning Ordinance to correct the declared invalidity.
- 2412.2. Within 180 days from the date of the declaration and proposal, the Township shall enact a curative amendment to validate, or reaffirm the validity of, its Zoning Ordinance pursuant to the provisions required by Section 609 of the MPC in order to cure the declared invalidity of the Zoning Ordinance.

- 2412.3. Upon the initiation of the procedures, as set forth in Subsection 2412.1, the governing body shall not be required to entertain or consider any landowner's curative amendment filed under Section 609.1 of the MPC, nor shall the Zoning Hearing Board be required to give a report requested under Section 909.1 or 916.1 of the MPC subsequent to the declaration and proposal based upon the grounds identical to or substantially similar to those specified in the resolution required by Subsection 2412.1A. Upon completion of the procedures as set forth in Subsections 2412.1 and 2412.2, no rights to a cure pursuant to the provisions of Sections 609.1 and 916.1 of the MPC shall, from the date of the declaration and proposal, accrue to any landowner on the basis of the substantive invalidity of the unamended Zoning Ordinance for which there has been a curative amendment pursuant to this section.
- 2412.4. A municipality having utilized the procedures as set forth in Subsections 2412.1 and 2412.2 may not again utilize said procedure for a thirty-six-month period following the date of the enactment of a curative amendment, or reaffirmation of the validity of its Zoning Ordinance, pursuant to Subsection 2412.2; provided, however, that if, after the date of declaration and proposal, there is a substantially new duty or obligation imposed upon the municipality by virtue of a change in statute or by virtue of a Pennsylvania appellate court decision, the municipality may utilize the provisions of this section to prepare a curative amendment to its ordinance to fulfill said duty or obligation.

PART 25

SITE PLAN REVIEW

§ 27-2501. Applicability.

- 2501.1. Prior to the issuance of a building permit or occupancy permit, a site plan shall be submitted and approved for the following uses:
- A. All new buildings or additions to existing buildings, except single-family dwelling units.
 - B. All conditional uses.
 - C. Any change in use which will require additional parking spaces to comply with this chapter.
 - D. Any proposed change in existing parking lot modification.
 - E. Any other situation, where the Zoning Officer finds that the proposed activity may significantly affect parking, access, drainage, landscaping, buffering, or compliance with this chapter.
 - F. Site plan review under this Part is in addition to any land development review required under Chapter 22, and, where both apply, the Township may consolidate reviews to avoid duplication.

§ 27-2502. Site Plan Specifications.

- 2502.1. All site plans shall be drawn on a plan prepared to the following specifications:
- A. The plan shall be drawn to scale and be sealed by a registered surveyor or engineer or landscape architect.
 - B. The scale shall not be smaller than one inch equals 50 feet. A smaller scale may be acceptable in certain circumstances if the required data can be clearly shown.

§ 27-2503. Site Plan Content.

- 2503.1. All site plans shall contain the following information, if applicable:
- A. North arrow, title, original date prepared and revision dates.
 - B. Names of abutting property owners.
 - C. Location map.

- D. Property dimensions and directional bearings.
- E. Center line and edges of abutting streets.
- F. House number and route number, if assigned.
- G. Location of all buildings.
- H. Use of all building areas in gross floor area.
- I. Vehicular and pedestrian traffic features, including parking.
- J. Landscaping, fencing, walls and open space features.
- K. Existing watercourses, floodplain information and proposed changes.
- L. Existing grades and proposed changes at two-foot contours.
- M. Location and effect of outdoor lighting.
- N. Outdoor garbage facilities.
- O. Location of all existing utilities and easements.
- P. Proposed changes or additions to existing utilities.
- Q. Proposed stormwater drainage facilities.
- R. Location of nearest fire hydrant.
- S. Table specifying proposed and required lot area, lot width, height, yard areas, impervious surface area, building size and parking requirements.
- T. Preliminary architectural drawings showing front elevation and indicating exterior facing materials.

§ 27-2504. Site Plan Review Process.

All site plans shall be subject to the following regulations:

- 2504.1. Initial Submission. All site plans shall be submitted to the Zoning Officer with the required fees and completed application. Incomplete site plans, as determined by the Zoning Officer, shall be returned to the applicant for revisions. Site plans requiring review by the Planning Commission and the Board of Commissioners must be received at least 15 working days prior to the regularly scheduled meeting of the Planning Commission in order to be placed on the agenda of that meeting. Enough

copies of the plan shall be submitted in order to provide a complete copy to all persons involved in the review of the submission.

- 2504.2. Conditional Uses and Planned Residential Development Plans. All site plans for conditional uses and planned residential developments shall be reviewed and acted upon in accordance with the procedures set forth in Parts 17, Planned Residential Development, and 18, Conditional Uses, Special Exceptions, and Express Standards and Criteria, of this chapter. Conditional use site plans involving new construction shall also comply with § 27-2502, Site Plan Specifications, and § 27-2503, Site Plan Content, of this chapter.
- 2504.3. Exemption for Site Plans Proposing Minor Use Changes. All site plans proposing building additions under 5,000 gross square feet of additional floor area and/or changes in parking lot configuration only shall be reviewed and acted upon by the Zoning Officer within 90 days of a complete submission. The Zoning Officer shall either approve, conditionally approve or deny the site plan. Any denial shall state the reasons for denial and reference the sections of this chapter which are in violation. Following approval of a site plan, the applicant may apply for other required permits, including, but not limited to, building permits, grading permits and sign permits.
- 2504.4. Other Site Plans Proposing Major Use Changes. All site plans proposing any new principal building or any addition over 5,000 gross square feet of additional floor area shall be reviewed by the Planning Commission. The Planning Commission shall have 90 days from the date the plan is first reviewed to make a recommendation to the Board of Commissioners. The Planning Commission shall either recommend approval, conditional approval or denial of the site plan to the Board of Commissioners. Following approval by the Planning Commission, 15 copies of the proposed site plan, together with any revisions and/or conditions, shall be submitted to the Township Zoning Officer, who will forward the plans to the Board of Commissioners for review and approval. Revised plans must be submitted the Friday before the regularly scheduled meeting of the Board of Commissioners. The Board of Commissioners shall either approve, conditionally approve or deny the site plan. Failure of the Commissioners to act on the plan within the specified time period will constitute deemed approval.
- 2504.5. Action Required on Approved Site Plans. Prior to issuance of a building permit, the applicant of an approved site plan shall enter into the developer's agreement with the Township to guarantee the completion of site improvements. The agreement shall require the posting of security in such amounts as prescribed by the Pennsylvania Municipalities Planning Code. The agreement shall include any or all on-site and off-site improvements for which the applicant is responsible. The Board of Commissioners, upon recommendation from the Planning Commission, may, at its discretion, waive the requirement for the developers' agreement and posting of security.

APPENDIX

