

# ZONING

Chapter 27

Township

of

SLIPPERY ROCK

BUTLER COUNTY

Pennsylvania

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Book# \_\_\_\_\_

## CHAPTER 27

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## PART 1

### General Provisions

#### **§101. Title.**

The official title of this Chapter shall be the “Zoning Ordinance of the Township of Slippery Rock.”

#### **§102. Purpose and Authority.**

This Chapter is adopted by virtue of the authority granted to the Township under Article VI of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988, and as further amended. The provisions of this Chapter are designed:

- A. To promote, protect and facilitate one or more of the following: the public health, safety, morals, general welfare; coordinated and practical community development and proper density of population; emergency preparedness and operations, airports, and national defense facilities, the provision of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewage, schools, recreational facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements, as well as preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains.
- B. To prevent one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers.
- C. To preserve prime agriculture and farmland considering topography, soil type and classification and present use.
- D. To provide for the use of land within the Township for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and two-family dwellings and a reasonable range of multifamily dwellings in various arrangements, mobile homes and mobile home parks.
- E. To accommodate reasonable overall community growth, including population and employment growth and opportunities for development of a variety of residential dwelling types and nonresidential uses.

**§103. Community Development Objectives.**

1. In addition to the general purposes listing in Section 102, the community development goals and objectives created as result of the Northwestern Butler County Multimunicipal Comprehensive Plan and adopted herein by reference, have been considered as a basis upon which the regulations and controls of this Ordinance are derived. This ordinance implements that plan and has been determined to be generally consistent with said plan by a Butler County Planning Commission review.

**§104. Compliance.**

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

**104.2** Township of Slippery Rock will be exempt from the provisions of this Chapter in the exercise of its municipal functions.

**104.3** Governmental entities and agencies shall be exempt from the provisions of this Ordinance only to the extent that it has been determined and confirmed by the Township Solicitor that the Township has no power to apply its zoning regulations to the particular use of land. Property owned, leased or operated by the Commonwealth of Pennsylvania, or the United States, or any other public or governmental body or agency, shall be subject to the requirements of this Ordinance as follows:

- A. Where such public or governmental uses are specifically listed, they shall be governed as indicated.
- B. Where such public or governmental uses are not specifically listed, they shall be permitted only in districts permitting private uses of a similar or substantially similar nature.

**104.4** If the zoning officer determines that a proposed use of land is not provided for within any districts within the bounds of the Township (or subject to an intergovernmental agreement providing for same) and the use is not substantially similar to any defined use; he shall refuse action. The Zoning Officer shall refer the application to the Zoning Hearing Board, which shall have the authority to permit or deny the proposed use as a special exception in the I-1 Light Industrial District, pursuant to all other regulations of said district and with the imposition of any reasonable additional conditions and safeguards as may be imposed pursuant to Section 401.

**§105. Interpretation of Regulations.**

Whenever the provisions of this Chapter are at variance with any other lawfully adopted rules, regulations or ordinances, the more restrictive requirement shall govern.

More than one Principal Use or Principal structure may be located upon a single lot, provided that all minimum lot sizes and setbacks can be complied with individually for each use, by devoting sufficient sizes to each use. No impact home based businesses, home occupations, in home day care services, and similar endeavors within a dwelling shall be considered accessory to the use of the dwelling.



## PART 2

### Definitions

#### **§201. Interpretation.**

For the purpose of this Chapter, words used in the present tense shall include the future. The singular number shall include the plural and the plural shall include the singular. The masculine shall include the feminine and the neuter. The word “shall” is always mandatory. The word “building” includes “structure” and shall be construed as if followed by the words “or any part thereof.” The phrase “used for” includes “arranged for,” “person” includes an individual, corporation, partnership, incorporated association or any other legal entity. The word “includes” or “including” shall not limit the term to the specified example, but is intended to extend its meaning to all other instances of like kind and character. Except as defined within this Chapter, all words and phrases shall have their normal meanings and usage.

#### **§202. Specific Terms.**

The following words and phrases shall have the meaning given in this Section:

**ACCESSORY BUILDING** — a subordinate building, incidental to, and located on the same lot as, the principal building and used for an accessory use.

**ACCESSORY USE** — a use incidental to, and subordinate to and located on the same lot occupied by the principal use to which it relates.

**AGRICULTURE** — any agricultural use, including farming, dairying, pasturage, agriculture, aquaculture, horticulture, floriculture, viticulture, horsekeeping, animal and poultry husbandry and forestry (including the harvesting of timber), but excluding exotic animal raising and care or dog kennels as defined by this Chapter. Agriculture also includes the home sale of fruits, meats, vegetables and similar agricultural produce, produced entirely on the premises, and any agricultural operation as defined by the Pennsylvania Municipalities Planning Code.

**AGRICULTURAL SERVICES** — businesses selling goods or services to a substantially agricultural clientele, including: feed mills, seed sales, feed grinding services and agricultural implement dealers.

**BASEMENT** — a floor level completely below grade or floor level in which more than two-thirds (2/3) of the perimeter walls are below grade. A wall shall be considered below grade where the dimension from the first floor line to the finished grade is five (5) feet or less, and the slope of the finished grade extending ten (10) feet from the building walls does not exceed thirty degrees (30°).

**BED AND BREAKFAST** — an owner-occupied residence offering, for pay, overnight or short-term lodging and breakfast for transient guests.

**BILLBOARD** — a sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, a service rendered or a commodity sold at a location other than where the sign is located. This definition does not include directional signs which refer to a business located on a road adjacent to the location of the sign.

**BOARDING AND ROOMING HOUSE** — a dwelling having two (2) or more sleeping rooms for rent to persons not related to its other occupants.

**BOARDER** — an individual who is not part of a family, but who occupies a sleeping room on a commercial basis as a permanent resident.

**BOTTLE CLUB** - An establishment operated for profit or pecuniary gain, which has a capacity for the assemblage of twenty (20) or more persons and in which alcoholic liquors, alcohol or malt or brewed beverages are not legally sold but where alcoholic liquors, alcohol or malt or brewed beverages are either provided by the operator or agents or employees of the operator for consumption on the premises or are brought into or kept at the establishment by the patrons or persons assembling there for use and consumption. The term shall not include a licensee under the act of April 12, 1951 (P.L.90, No. 21), known as the Liquor Code, or any organization as set forth in Section 6 of the act of December 19, 1990 (P.L. 1200, No. 202), known as the Solicitation of Funds for Charitable Purposes Act.

**BUILDING** — a roofed structure, whether or not enclosed by walls, to be used for the shelter, enclosure or protection of persons, goods, materials or animals.

**BUILDING MATERIAL AND SUPPLY YARDS**— A commercial establishment storing, usually exterior, or offering for sale building and construction supplies, coal, heavy equipment, landscape material, plant materials, and similar goods. Supply yards shall not include the wrecking, salvaging, dismantling or storage of automobiles and similar vehicles.

**CAR WASH** — an area of land and/or a structure with machine or hand-operated facilities used principally for the cleaning, washing, polishing or waxing of motor vehicles.

**CEMETERY** — land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundaries of such cemetery, but not including accessory burial of family members or pets on land accessory to a single family dwelling or agricultural operation when conducted in conformity to Commonwealth law.

**COMMERCIAL RECREATION** — a facility which offers various indoor or outdoor recreational opportunities for its patrons including such games performances and opportunities for observation or participation in games or sports. Specific types of commercial recreation are based upon the activities offered. All Commercial Recreation shall be classified as Indoor, Outdoor, or Intensive.

**COMMERCIAL RECREATION INDOOR** – a facility that offers various indoor recreational opportunities for its patrons including such games as: pool, billiards, bowling, video games, and similar pursuits.

**COMMERCIAL RECREATION OUTDOOR** – a facility which offers outdoor recreational opportunities for its patrons including such games as: golf driving ranges, miniature golf, paintball, archery, tennis, team sports such as soccer or baseball, camps and clinics for sport instruction and similar pursuits. This category does not include recreation fields accessory to schools, churches or community based non-profit organizations.

**COMMERCIAL RECREATION, INTENSIVE** – a facility which offers various outdoor recreational or spectator opportunities for its patrons including go-cart raceways, auto raceways, motor sports participations or spectator opportunities, outdoor concert performances, outdoor commercials shooting ranges, commercial hunting operations and similar pursuits. This category does not include annual or seasonal festivals held by non-profit community organizations, or lawful businesses, which may include occasional accessory or incidental outdoor performances. This definition also does not include shooting ranges owned or operated by any non-profit conservation organization or sportsman's organizations, any noncommercial target shooting conducted upon private or public land, or any traditional hunting activities carried out in conformance with PA Game Commission Regulations.

**COMPANION DWELLING UNIT** – A temporary mobile home subordinate to and detached from the principal residence on the same ownership providing independent living quarters including sleeping, eating, cooking, and sanitation facilities for one or more persons who are qualifying occupants. Qualifying occupants including persons who are either:

1. A caregiver for a resident of the principal dwelling on the lot, when such a resident is either over the age of sixty (60), convalescent from an illness, handicapped, or impaired or having a record of such impairment.
2. Relatives to the second degree of kinship (sons, daughters, mothers, fathers, brothers, sisters, grandparents) of the residents of the principal dwelling on the lot; including such kinship by adoption or marriage.

**COMMUNICATIONS ANTENNA** – an accessory structure designed for transmitting or receiving wireless communications of video, voice, data or similar transmission, including, but not limited to , omnidirectional or whip antennas, direction or panel antennas and satellite or microwave dish antennas.

**COMMUNICATIONS TOWER** – a structure other than a building, such as a monopole, self-supporting or guyed tower, designed and use to support communications antennas, where said structure exceeds the height limitation for the district, including any antenna.

**CONDITIONAL USE** — a use to be allowed or denied by the Board of Supervisors pursuant to public notice and hearing and recommendations by the Slippery

Rock Township Planning Commission and pursuant to the express standards and criteria set forth in this Chapter In allowing a conditional use, the Board of Supervisors may attach such reasonable conditions and safeguards, in addition to those expressed in this Chapter, as it may deem necessary to implement the purposes of the Planning Code and of this Chapter.

**CONSTRUCTION** — the construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of mobile homes.

**CONVENIENCE STORE** — a retail establishment of limited size (less than eight-thousand (8,000) square feet floor area), designed for the sale of sundries, groceries and vehicle fuel.

**CORRECTIONAL FACILITY OR HALFWAY HOUSE** – a facility that provides lodging, meals, counseling, treatment, and rehabilitation to adjudicated delinquents, parolees, and individuals, whether adult or juvenile, with security to confine said persons. This definition includes housing persons who are judged to be a credible threat to the community based upon a competent court regardless of sanity.

**DAY-CARE SERVICES FOR CHILDREN (DAY CARE)** — provides out-of-home care for part of a twenty-four-hour (24) day to children under sixteen (16) years of age, excluding care provided by relatives and excluding day care furnished in places of worship during religious services. This Chapter identifies three (3) levels of day-care services for children:

- (1) **FAMILY DAY-CARE HOMES** — facilities in which child day care is provided at any one time to four (4), five (5) or six (6) children who are not relatives of the caregiver.
- (2) **GROUP DAY-CARE HOMES** — facilities in which care is provided for more than six (6) but less than twelve (12) children, at any one time, where the child care areas are being used as a family residence. (Care of six (6) to twelve (12)-children where the child care areas are not used as a family residence will be considered a day-care center.)
- (3) **DAY-CARE CENTERS** — facilities in which care is provided for seven (7) or more children, at any one time, where the child care areas are not used as a family residence.

Child care for less than four (4) children will not be considered as day-care services.

**DWELLING** — a building arranged, intended, designed or used as the living quarters for one (1) or more families living independently of each other upon the premises. The term “dwelling” shall not be deemed to include “hotel,” “motel,” or “rooming house”.

- (1) **SINGLE-FAMILY DWELLING** — a building containing only one (1) dwelling unit, and detached with yards on all sides. This definition also in-

cludes up to one (1) Recreational Cabin upon a single owner occupied lot, which meets the Uniform Construction Code Definition of a “Recreational Cabin”.

- (2) **TWO-FAMILY DWELLING** — a building containing two (2) dwelling units, commonly defined under as a duplex, but defined herein regardless of configuration.
- (3) **MULTI-FAMILY DWELLING** — a building containing three (3) or more dwelling units, including apartment houses, townhouses, flats and garden apartments.

**DWELLING UNIT** — a building or portion thereof containing one (1) or more rooms for living purposes, together with separate and exclusive cooking and sanitary facilities, accessible from the outdoors either directly or through an entrance hall shared with other dwelling units and used or intended to be used by one (1) family as permanent residents.

**DWELLING UNIT, STUDENT** — any dwelling unit occupied exclusively or by a majority of persons unrelated by blood who are attending undergraduate or graduate programs offered by colleges or universities or who are on semester break or summer break from studies at colleges or universities; or any combination of such persons. Student dwelling units shall be considered as single or multiple family dwelling units, as appropriate, unless otherwise specified by this code.

**DUPLEX** — see “two-family dwelling.”

**EATING AND DRINKING PLACES** — a business establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state, in individual servings, or in nondisposable containers and where the customer consumes these foods while seated at tables or counters located within the building. This definition includes banquet halls as defined and regulated by the Pa. Department of Agriculture.

**ESSENTIAL SERVICES** — the erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of underground or overhead gas, electrical, steam or water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduit cables, fire alarm boxes, police call boxes, traffic signals, hydrant and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate services by such public utilities or municipal or other governmental agencies or for the public health and safety or general welfare, but not including buildings.

**EXOTIC ANIMAL RAISING AND CARE** — the keeping of any animals not subject to regulation of the PA Department of Agriculture as part of an Agricultural Operation, and which are not common household pets, and/or which are subject to Pennsylvania a Game Commission exotic wildlife permits. For the purpose of this definition, “common household pets” includes domestic breeds of dogs (but not wild canids), domestic cats (but not wild felines), and reptiles, small rodents, or

miniature swine when kept within the confines of a single family or multiple family dwelling.

**FAMILY** –

- (1) The Township of Slippery Rock recognizes the importance of providing safe, decent and affordable housing to its citizens. Yet, it must also recognize the potential impact of transient student households on the Township. Therefore, for the purpose of this Chapter, a family shall be considered:
  - (a) Any number of people, relate by blood, marriage or adoption who occupy a dwelling unit as permanent residents.
  - (b) Permanent group homes for the handicapped or other family-like living arrangements for handicapped persons.
- (2) Guests and Boarders as permitted by district, subject to Section 413. For this Chapter, a household comprised of persons unrelated by blood, marriage or adoption shall meet the following criteria:
  - (a) R-1 – Two (2) or fewer unrelated persons per house-hold.
  - (b) R-2, AC-1, RC-1 or other districts – four (4) or fewer unrelated persons per household.
- (3) These determinations were based upon Census of 1990 household data; used when the Township established zoning. For nonfamily households, it was found that less than one-half percent (1/2%) of nonfamily households exceeded four (4) persons.

**FLEA MARKET** – a business which leases outdoor, tent or partially enclosed space to persons who wish to vend a variety of new and used goods for sale to the general public by displaying those goods on tables, in or on motor vehicles, or on the ground. This definition does not include farmers’ markets, which sell produce, flowers, and similar agricultural products.

**FLOOR AREA** — the sum of the gross area of the several floors of a building or buildings measured from the face of the exterior walls or from the centerline of the walls separating two (2) buildings. This includes the term “gross floor area”.

**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. 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 (MPC)

**FRATERNITY/SORORITY** — for the purpose of this Chapter, fraternities and sororities shall mean men’s or women’s social organizations comprised of the stu-

dents of a university or college and officially recognized as a fraternity or a sorority by such university or college.

**FUNERAL PARLOR** - a building or part thereof used for human funeral services. Such building may contain space and facilities for embalming and the performance of other services used in the preparation of the dead for burial (including cremation on-site in compliance with Commonwealth law), the performance of autopsies and other surgical procedures, the storage of caskets, funeral urns and other related funeral supplies, and the storage of funeral vehicles.

**GROSS FLOOR AREA** – See “Floor Area”

**GUEST** – a transient person who maintains legal residency elsewhere or otherwise does not meet qualifications of permanent residency, but may be lodging in the Township under a commercial basis for a period of less than thirty (30) days.

**HEAVY INDUSTRY** – the manufacture, storage, processing, and treatment of materials which are potentially hazardous, or processes which produce significant amounts of smoke, noise, glare, or dust or odor as a primary or secondary effect of the principal use of the land or buildings Heavy Industry characteristically employs some of such equipment such as smokestacks, tanks, distillation or reaction columns, chemical processing equipment, scrubbing towers, pickling equipment and waste-treatment lagoons. Heavy industry, although conceivably operable without polluting the environment, has the potential to pollute when equipment malfunctions or human error occurs. Examples of heavy industry are oil refineries, bulk fuel storage yards, basic steel manufacturing plants (such as foundries, blast furnaces, and stamping mills), industries handling animal offal or hides, basic cellulose pulp-paper mills and similar fiberboard and plywood production, production of cement and asphalt, lime manufacturing, ore and metal smelting and refining, natural gas distillation, and chemical plants such as petrochemical complexes. An incinerator structure of facility which, including the incinerator, contains five thousand (5,000) square feet or more, whether public or private, is “heavy industry” for purpose of this Ordinance, as is any electric power production plant which is a principal use, whether said power is generated by coal, natural gas, cogeneration or more than three (3) wind turbines (unless such turbines are clearly accessory and incidental to a dwelling or other business)

**HEIGHT OF BUILDING** — the vertical distance measured from the average level of finished grade along all the exterior walls of the building to the highest point of the roof and to the highest point on any structure which rises wholly or partly above the roof.

**HOME OCCUPATION** — any use customarily carried on entirely within a dwelling, by the occupant thereof, which use is clearly incidental and subordinate to the use of the dwelling for dwelling purposes and does not have the residential character thereof. Examples include, but are not limited to, professional services such as legal, financial, accounting or engineers, barber and beauty shops, studios of artists, writers and associations (limited to one (1) student at any time). (See “professional office.”)

**HOSPITAL OR MEDICAL CLINIC** — an entity providing specialized or advanced health care services and in-patient or outpatient medical or surgical care for the sick or injured and including related facilities such as laboratories, patient accommodations, training facilities, central services facilities and staff offices that are an integral part of the facilities. This also includes sole purpose medical facilities which dispense regulated pharmaceuticals or specific therapy on site.

**JUNK** — any discarded material or article and shall include, but not be limited to, scrap metal, scrapped or abandoned motor vehicles, machinery, equipment, paper, glass, containers and structures. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal. For the purpose of this Chapter, a proper container shall mean a solid plastic or metal container, with a sealable lid, specifically designed for the storage of waste matter.

**JUNKYARD** — any place where any junk is stored, disposed of or accumulated. This definition shall include recycling centers, recycling yards and salvage businesses. However, it does not include municipal recycling centers where no materials are stored in an exterior environment.

**KENNEL** — the keeping of Five (5) or more dogs that are more than six months old, owned or unowned, for any period of time, or keeping of more than ten (10) domestic cats confined within a building or structure for any time during a 24 hour period, or any facilities identified as a kennel by the laws or regulations of Pennsylvania.

**LIGHT MANUFACTURING** — the assembly, fabrication, manufacture, production, processing, storage and/or wholesale distribution of goods or products where no process involved will produce noise, light, vibrations, air pollution, fire hazard or emissions, noxious or dangerous to neighboring properties within four-hundred (400) feet, including production of the following goods: home appliances; electrical instruments; office machines; precision instruments; electronic devices; robotics, time pieces; 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; light sheet metal products; plastic goods; pharmaceutical goods; food products such as wholesale commercial bakeries, and wholesale laundering (but not including animal slaughtering, curing nor rendering of fats).

**LIMITED COMMERCIAL** — a small commercial establishment providing light retail goods or services for the convenience of residents of the municipality, which is compatible with the essential character of the neighborhood or district; is not disruptive to neighboring residential uses; confines sales, services and storage activities to the interior of the building; and conforms with the other requirements of the district in which it is located. Limited commercial establishments shall further be defined as those which do not exceed 5,000 square feet of floor area.

**LOT** — a tract or parcel of land, regardless of size, held in single or joint ownership, which is occupied or capable of being occupied by buildings, structures and accessory buildings, including such open spaces as are arranged, designed or required. The term “lot” shall also mean “parcel” “plot,” “site” or similar term.

**LOT, CORNER** — a lot at the point of intersection of and abutting on two (2) or more intersecting streets.

**LOT LINE** — any line dividing a lot from another lot or from an abutting street or other right-of-way.

**MINI STORAGE FACILITIES** — a building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractors supplies.

**MINERALS** Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, lime stone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas. (MPC)

**MINERAL EXCAVATION** - Mineral extraction shall include all activity which removes from the surface or beneath the surface of the land any minerals, natural resource or other element of economic value, by means of mechanical excavation necessary to separate the desired material from an undesirable one; or to remove the strata or material which overlies or is above the desired material in its natural condition and position. Excavation includes, but is not limited to, the excavation necessary to the extraction of: sand, gravel, topsoil, limestone, sandstone, coal, clay, shale and iron ore. Excavation includes drilling, pumping and fracturing techniques to bring gaseous or liquid minerals to the surface.

**MOBILE HOME** — a transportable, single-family dwelling intended for permanent occupancy continued on one (1) or more units designed to be joined into one (1) 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 HOME PARK** — a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two (2) or more mobile home lots.

**MOTEL OR HOTEL** — a building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for travelers.

**NATURAL GAS COMPRESSOR STATION**- A facility designed and constructed to compress natural gas that originates from a gas well or collection of such wells operating as a midstream facility for delivery of 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 designed and constructed to remove materials such as ethane, propane, 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 that is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from the natural gas.

**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, except for a name plate sign identifying the owner of the premises and their occupation. Such sign may not exceed two square feet in size and may not be internally or directly illuminated.
- E.** The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors, or electrical 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 twenty-five percent (25%) of the habitable floor area.
- H.** The business may not involve any illegal activity.

**If the business meets all such requirements, it shall be considered a lawful accessory use to any otherwise legal dwelling in the Township.**

**NONCONFORMING LOT** — a 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 STRUCTURE** — a structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions of this Chapter or an amendment hereafter enacted, where such structure lawfully existed prior to the enactment of this Part or amendment or prior to the application of this Chapter or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

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

**NURSING HOME, PERSONAL CARE HOME, OR ASSISTED LIVING** — a facility to give long-term skilled care to geriatric or handicapped patients and licensed as such a facility by the Commonwealth of Pennsylvania.

**PARKING SPACE** — an open space with a dustless all-weather surface or space in a private garage or other structure with an effective length of at least eighteen (18) feet and a uniform width of at least nine (9) feet for the storage of one (1) automobile and accessible from a public way or such dimensions as otherwise required for specific uses.

**PERMANENT RESIDENT** — a person who owns residential real estate in the Township of Slippery Rock which they regard as their residence for the purpose of voting, or maintains a domicile under the Pennsylvania Code with regards to personal income tax, or is in the process of establishing residency for such purposes within a period of sixty (60) days, or a lawful tenant pursuant to Ordinance 16, 6/11/1986, Chapter 11 of the Code of Township ordinances, including minor children within legal custody of such a person.

**PERSONAL SERVICES** — any enterprise conducted for man which primarily offers services to the general public, such as shoe repair, valet services, watch repairing, barber shops, beauty parlors, gymnasiums and fitness centers, tattoos and body piercing, computer repair, retail copy printing, licenses therapeutic massage and related activities.

**PLACE OF WORSHIP AND ASSEMBLY** — a place of religious instruction or public gathering and worship, which may include incidental instruction and charitable activities but not including a public school, university, college, trade or commercial school, day care services, or any form of group residence or half-way house. This definition includes similar non-religious places of public assembly such as libraries, museums, municipal meeting rooms and other forms of interior public assembly that do not include entertainment or regular provisions of food and drink for a fee.

**PLANNED RESIDENTIAL DEVELOPMENT** — an area of land, controlled by a landowner to be developed as a single entity for a number of dwelling units, or

combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling or use, density or intensity, lot coverage and required open space to the regulations established in any one (1) district created, from time to time, under the provisions of this Chapter.

**PLANNING CODE** — the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as reenacted and amended by Act No. 170 of 1988 and as further amended from time to time.

**PRIVATE CLUBS AND LODGES** – for the purposes of this ordinance, Private Clubs and Lodges are defined as buildings and related facilities owned and operated by an association or group of individuals established for fraternal, social, educational, conservation, recreational or civic benefit of members, and not primarily for profit. Full access to facilities is typically restricted to members and their guests. Facilities may include a clubhouse, dining facilities, golf courses, swimming, tennis, non-commercial shooting ranges, primitive camping, or cabins. For the purpose of this ordinance, this definition may include private commercial golf courses; but does not include miniature golf, golf driving ranges, paintball, commercial hunting, commercial motor sports, or other uses defined by this ordinance as various forms of commercial recreation.

**PRIVATE PARKS AND PLAYGROUNDS** – developed or undeveloped open spaces and/or structures and facilities which are provided by nongovernment individuals or entities for the purposes of play, amusement or relaxation. Such uses may include assembly buildings, swimming pools, passive areas, gardens and related amenities and activities.

**PROFESSIONAL OFFICE** — the office or studio of a physician, surgeon, dentist, lawyer, architect, artist, engineer, certified public accountant, real estate broker or salesman, insurance broker or agent, musician, teacher or similar occupation, or a business or portion of a business where only administrative, computer, and clerical services occur.

**PUBLIC PARKS AND PLAYGROUNDS** — parks and playgrounds which are owned and operated by the Township of Slippery Rock or by an authority created for such purposes by the Township of Slippery Rock, or another government entity.

**PUBLIC UTILITY BUILDING** - A building or structure owned by a municipality, municipal authority electric utility, or consumer gas company for the purpose of providing and maintaining consumer services, but not including communications towers, natural gas compressor stations or processing plants, or electrical generation

**RECREATIONAL CAMPGROUND** – an area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins (which may lack plumbing or toilet facilities) tents, and recreational vehicles (See also definition of recreational vehicle).

**RECREATIONAL VEHICLE** – a vehicular type or unit primarily designed for temporary living quarters for recreational, camping, or travel use, which either

has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper, and motor home.

**REPAIR/SERVICE BUSINESS** — a building designed and used for the storage, care, repair or refinishing of motor vehicles or engines or similar devices including both minor and major mechanical overhauling, paint and body work.

**RESEARCH LABORATORY** - a facility that conduct quasi industrial testing of materials and products, such as crash testing tensile properties, and toxicity. Facilities doing light research such as water testing or registered geologist shall be regarded as professional offices.

**RETAIL LIQUOR STORE** – a private enterprise that sells distilled spirits. This definition does not include a state owned and operated liquor store, wholesaler, licensed bar or tavern, stores selling only malted beverages, or a licenses limited winery (or retail outlet thereof) or brewery or licenses distillery.

**ROOM** — room shall mean any enclosed area within a dwelling unit, meeting this Chapter for sleeping, living, cooking or dining purposes, excluding such enclosed spaces as closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms and similar spaces.

**SANITARY LANDFILL** — a disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume and applying cover material over all exposed waste at the end of each operating day.

**SAWMILL** – a business that cuts raw logs into lumber for construction or other uses, and may include planning, or lumber drying services.

**SCREEN PLANTING** — screen planting for this Chapter shall mean an ever-green hedge planted in such a way that it will block a line of sight. It shall be the responsibility of the property owner to maintain a screen planting, replacing trees as needed. The Zoning Officer may require replacement of screening trees.

**SCREENING** — a fence, screen planting or wall provided in such a way that it will block a line of sight.

**SERVICE STATION** — buildings and premises where the primary use is the supply and dispensing at retail of motor fuels, lubricants, batteries, tires and motor vehicles.

**SEXUALLY ORIENTED BUSINESS**

- A. The term includes without limitation, the following establishments when operated for profit, whether direct or indirect:
1. Adult bookstores.
  2. Adult motion-picture theaters, regardless of seating capacity.
  3. Any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, studios, compartments or stalls separate from the common areas of

the premises for the purpose of viewing sexually oriented motion pictures or where an entertainer provides adult entertainment to a member of the public, a patron or a member.

4. An adult entertainment studio or any premises that are physically arranged and used as such, whether advertised or represented as an adult entertainment studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio non therapeutic or unlicensed massage or any other term of like import.
- B. The term “booths, cubicles, rooms, studios, compartments or stalls” for purposes of defining sexually oriented establishments does not mean enclosures which are private offices used by the owner, manager or persons employed on the premises for attending to the tasks of their employment and which are not held out to the public for the purpose of viewing motion pictures or other entertainment for a fee, and which are not open to any persons other than employees.
- C. The Term “adult entertainment” shall include An exhibition of any sexually oriented motion pictures, meaning those distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.  
A live performance, display or dance of any type which has as a significant or substantial portion of the performance any actual or simulated performance of specified sexual activities or exhibition and viewing of specified anatomical areas, removal of articles of clothing or appearing unclothed, pantomiming, modeling or any other personal services offered customers.
- D. The term “adult bookstore” shall mean a commercial establishment which ,as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:
1. Books, magazines, periodicals or other printed matter or photographs, films, motion pictures, video cassettes or video reproductions, slides or other visual representations which depict or describe specified sexual activities or specified anatomical areas; or
  2. Instruments, devices or paraphernalia which are designed for use in connection with specified sexual activities, whether used to view such materials or for use on or off the premises.
  3. A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing specified sexual activities or specified anatomical areas and still be categorized as "adult bookstore or adult video store." Such other business purposes will not serve to exempt such commercial establishment from being categorized as an "adult bookstore or adult video store" so long as one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe specified sexual activities or specified anatomical areas.
- E. **SPECIFIED ANATOMICAL AREAS** mean human genitals, pubic region, anus, buttocks, female breast(s) below a point immediately above the top of the areo-

la, or human male genitals in a discernibly turgid state, even if completely covered. SPECIFIED SEXUAL ACTIVITIES means any of the following:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, masturbation or sodomy; or
3. Excretory functions as part of or in connection with, any of the activities set forth in (A) and (B) above.

**SIGN** –any structure, building, wall, or other outdoor surface, or any device or Part thereof, which displays or includes any letter, word, model, banner, flag, pennant, insignia, device, or other representations used for announcement, direction, advertisement or identification. The actual area of any sign shall be measured in square feet and determined by the sum of the geometrically computed area(s) encompassing separate individual letters, words, or graphic elements on the background.

**SIGN, BUSINESS** — a sign which directs attention to a business, profession or industry conducted on the premises or to products sold, manufactured or assembled upon the same premises upon which it is displayed.

**SIGN, CHANGEABLE COPY** - a sign or portion thereof which has a reader board for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects, not consisting of an illumination device and may be changed or re-arranged manually with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign.

**SIGN, DIRECTIONAL** – a sign that directs patrons to a business activity or location other than the property where the sign is located.

**SIGN, ELECTRONIC** - Electronic signs are identified by their subtype: electronic changeable copy signs, electronic graphic display signs multi-vision signs, or video display signs.

**SIGN, ELECTRONIC CHANGEABLE COPY** - a sign or portion thereof that displays single color electronic information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of single color light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. Electronic changeable copy signs do not include official or time and temperature signs. Electronic changeable copy signs include projected images or messages with these characteristics onto buildings or other objects.

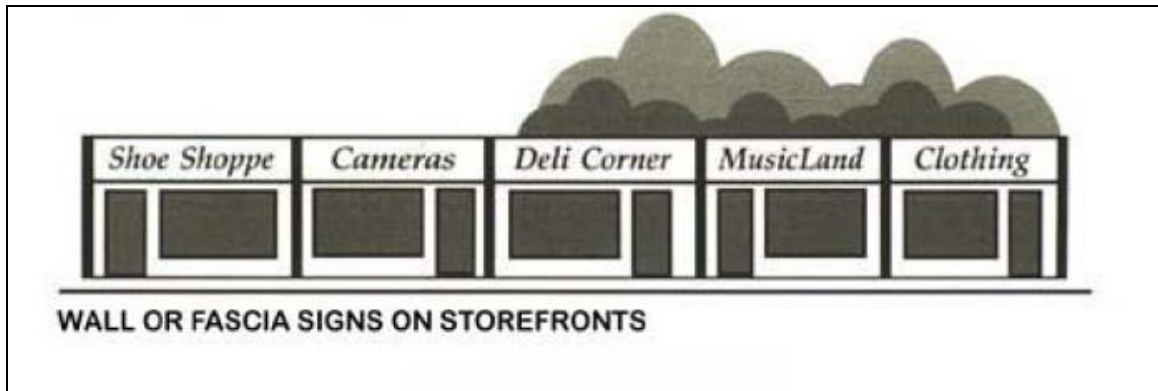
**SIGN, ELECTRONIC GRAPHIC DISPLAY** - a sign or portion thereof that displays multiple color electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements

using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

**SIGN, MULTI-VISION** - any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.

**SIGN, VIDEO DISPLAY** - a sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

**SIGN, FAÇADE, FASCIA, OR WALL** - A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than eighteen (18) inches from the building or structure wall. Also includes signs affixed to architectural projections that project from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed.



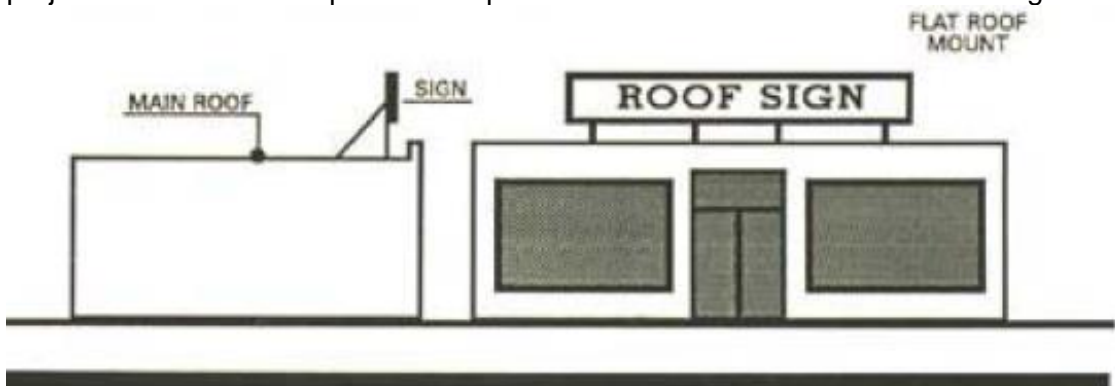
**SIGN, FREESTANDING**- A sign principally supported by one or more columns, poles, or braces placed in or upon the ground.

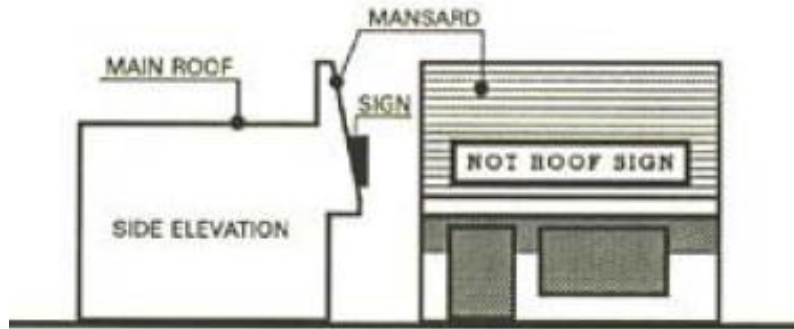


**SIGN, PROJECTING-** A sign other than a Wall Sign that is attached to or projects more than eighteen (18) inches from a building face or wall or from a structure whose primary purpose is other than the support of a sign.



**SIGN, ROOF-** A sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. Signs mounted on mansard facades, pent eaves, and architectural projections such as canopies or marquees shall not be considered to be roof signs.





**SIGN, SANDWICH BOARD**- A temporary sign created by attaching two sign faces at a single point, intended to be self-supporting.

**SIGN, WINDOW** - A sign affixed to the surface of a window with its message intended to be visible to exterior environment.

**SLEEPING ROOM** - A room devoted to sleeping in which no cooking or lavatory activities occurs, and meeting all standards for such under the Pennsylvania Uniform Construction Code.

**SPECIAL EXCEPTION** — a use permitted with special permission granted by the Zoning Hearing Board, to occupy or use land and/or a building for specific purposes in accordance with the criteria set forth in this Chapter when such is not permitted by right.

**STORY** — that portion of a building located between the surface of any floor and the next floor above; if there is not more than one (1) floor the space between any floor and the ceiling next above it shall be considered a story.

**STREET** — a public or private right-of-way, excluding driveways, intended for use as a means of vehicular and pedestrian circulation which provides a means of access to abutting property. The word “street” includes thoroughfare, avenue, boulevard, court, drive, expressway, highway, lane, alley and road or similar terms.

**STREET LINE** — a line defining the right-of-way boundaries of a street.

**STRUCTURE** — any manmade object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

**THEATRE** – a building that houses an indoor auditorium for live or film performances, but is not a bottle club and does not feature regular performances of sexually explicit entertainment.

**TRANSIENT OCCUPANCY** means the right to use, occupy or possess, or the use, occupancy, or possession of, a dwelling unit, sleeping room, or a habitable unit for a period of sixty (60) consecutive calendar days or less

**TRANSITIONAL HOUSING FACILITY** – a structure whose principal use is to provide shelter for more than a 12 hours period to two (2) or more persons who are homeless, subject to abuse, under a protection from abuse order, or whom otherwise need transitional housing, but are not persons in group housing due to being adjudicated a juvenile delinquent, having a criminal record, or have a status as a sex offender, or persons who currently use illegal drugs, or persons who have been convicted of the manufacture or sale of illegal drugs, or persons with or without disabilities who present a direct threat to the persons or property of others.

**TRUCK TERMINAL, WAREHOUSE AND DISTRIBUTION** - land and buildings used as a relay station for the transfer of a load from one (1) vehicle to another or one (1) party to another. The terminal cannot be used for permanent or long-term accessory storage for principal land uses at other locations. The terminal facility may include storage areas for trucks and buildings or areas for the repair of trucks associated with the terminal. This definition also includes a use engaged in storage, wholesale and distribution of manufactured product, supplies and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

**VETERINARY CLINIC** — a facility used for the treatment of domestic animals for pay with health treatment provided by a licensed veterinarian.

**YARD** — that portion of a lot which is occupied and open to the sky and extends from the lot line to the yard line.

**YARD LINE** — a line within a lot defining the minimum distance between any building or structure or portion thereof and an adjacent lot line. Such line shall be measured at right angles from and parallel to the corresponding lot line.

**YARD, FRONT** — a yard between an adjacent right-of-way and the building line and extending for the full width of the lot.

**YARD, REAR** — a yard between the rear lot line and a line drawn parallel thereto at such distance therefrom as may be specified herein for any zoning district and extending for the full width of the lot.

**YARD, SIDE** — an open yard space between the side lot line and parallel thereto extending from the front lot line to the rear lot line.

**ZONING OFFICER** — the Zoning Officer of the Township of Slippery Rock or his/her authorized representative.



## PART 3

### District Regulations

#### **§301. Zoning Map.**

A map entitled the Slippery Rock Township Zoning Map is hereby adopted as part of this Chapter. The Zoning Map shall be kept on file and available for examination at the Township offices.

#### **§302. Zoning Districts.**

The Township is hereby divided into the districts set forth by this Chapter and as shown by the district boundaries on the Zoning Map. These districts are:

- A. **Agricultural Conservation District (AC-1).** This district is primarily intended to allow agricultural operations to flourish in the Township. Compatible nonagricultural uses are permitted to the extent they do not adversely impact farming practices.
- B. **Rural Conservation District (RC-1).** This district is intended for low density, residential and other suitable uses as well as Agricultural operations. Uses requiring large lots of land will be accommodated in this zone. In these areas, community sewer and water will probably not be available. A variety of uses may be permitted because low density will alleviate conflict.
- C. **Village District V-1.** This district is intended to protect the unique character of densely occupied rural hamlets and villages in the Township. Residential, limited commercial and institutional uses will be allowed providing they are of compatible scale and do not adversely impact residential uses.
- D. **Highway Commercial District C-1.** This district is established to facilitate economic growth in the Township. A variety of intense commercial uses will be permitted to flourish here.
- E. **Light Industrial District I-1.** Like the C-1, this district is intended to permit future economic growth. Light industries and heavy districts meeting certain performance standards are permitted.
- F. **Residential Districts.** Districts designated for residential use are for dwellings and uses normally associated with residential neighborhoods. The specific purpose for each residential district is as follows:
  - (1) **R-1 Low Density Residential Districts.** These zones are for single-family dwellings and related uses.
  - (2) **R-2 Medium Density Residential District.** Is designed to accommodate single, two-family and multi-family residences where utilities, road access and location warrant such development.

- G. **Educational/Institutional District (E-1).** The purpose of this district is to create an atmosphere where learning, scholarship and research can flourish at all levels. Uses which would enhance such an environment will be permitted by right.
- H. **Economic Development Corridor (EDC).** The purpose of the EDC is to promote job-generating facilities in a park-like setting.
- I. **U-1 University Related District.** The purpose of this district is to provide for multiple family housing and limited commercial business which relate to the housing and service needs of the Slippery Rock University off campus community.

**§303. Annexed Areas.**

Any territory hereafter annexed by the Township of Slippery Rock will be automatically zoned R-1 Residential District until otherwise classified by the Township.

**§304. District Boundaries.**

District boundaries that are shown between the lines of streets, streams and transportation rights-of-way shall be deemed to follow the centerline. The vacating or abandonment of streets shall not affect the locations of such district boundaries. When the Zoning Officer cannot definitely determine the location of a district boundary by such centerlines, by the scale of dimensions stated on the Zoning Map or by the fact that it clearly coincides with a property line he shall refuse action. The Zoning Hearing Board, upon appeal, shall interpret the location of the district boundary with reference to the scale of the Zoning Map and the purpose set forth in all relevant provisions of this Chapter.

**§305. Zoning District Changes.**

All approved changes to zoning districts shall be promptly recorded on the Zoning Map by the Zoning Officer.<sup>1</sup>

**§306. Permitted Uses, Conditional Uses and Special Exceptions.**

A. The permitted uses, conditional uses and special exceptions for each district are shown in the following Tables under Section 306 and are considered principal uses unless clearly noted. Conditional uses may be granted or denied by the Board of Township Supervisors with the advice of the Planning Commission in accordance with the express standards and criteria of this Chapter. In granting a conditional use the Supervisors may attach reasonable conditions as they may deem necessary to implement the purposes of this Chapter and safeguard the neighborhood. Special exceptions may be granted or denied by the Zoning Hearing Board in Accordance with the express standards and criteria of this Chapter. In granting a special exception, the Board may attach reasonable conditions and safeguards as it may deem necessary to implement the purpose of this Chapter and protect the

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<sup>1</sup> Editor's Note: A list of Zoning Map Amendments is included in Part 8 of this chapter.

neighborhood. Uses in each category shall be according to the common meaning of the term or according to definitions set forth in Part 2.

B. Forestry shall be a permitted use in all districts provided it is conducted in conformity to all other laws and does not include erection of a structure.

C. No Impact Home Based Businesses are a permitted use where dwelling are otherwise permitted in all Districts.

D. Essential Service Utilities subject to Pennsylvania Public Utility Commission regulation shall be exempt from requirements of this ordinance with regards to safety signs, essential service structures no greater than one hundred (100) square feet in size and four (4) feet in height, poles for electric, telephone, and fiber optic line, subsurface wire and conduit, and underground piping. Other public utility structures and buildings, including but not limited to sewage treatment plants and electrical substations, must comply with all specific use and setback requirements for the applicable zoning district.

E. If the zoning officer determines that a proposed use of land is not provided for within any districts within the bounds of the Township (or subject to an intergovernmental agreement providing for same) and the use is not substantially similar to any defined use; he shall refuse action. The Zoning Officer shall refer the application to the Zoning Hearing Board, which shall have the authority to permit or deny the proposed use as a special exception in the I-1 Light Industrial District, pursuant to all other regulations of said district and with the imposition of any reasonable additional conditions and safeguards as may be imposed pursuant to Section 309

F. The minimum lot area, minimum lot area per family, maximum lot overage by buildings and structures, minimum depth of front yard, minimum depth of rear yard, side yard requirements, maximum height of structures and number of stories for each district shall be as specified for each District and Overlay.

**TABLE 306.1 AC-1 Agricultural Conservation District**

<b>Permitted Uses</b>	<b>Conditional Uses</b>	<b>Special Exceptions</b>
Agriculture	Mineral Excavation (§308.23)	Exotic Animal Raising/Care (§308.28)
Agricultural Services	Sawmills (§308.16)	Nursing Homes, Personal Care Homes and Assisted Living (§308.13)
Places of Worship and Assembly	Planned Residential Development (§309) [A.O.]	Bed and Breakfast (§308.15)
Accessory Uses		Repair/Service Businesses (§308.12)
Accessory Buildings		Limited Commercial (§308.5)
Family Day and Group Day-Care Homes (§308.14)		Mini Storage Facilities (§308.17)
Professional Offices		Bill Boards (308.29)
Veterinary Clinics		Communication Towers (§308.34)
Single Family Dwelling		
Public Utilities Building (§308.2)		
Home Occupations (§308.21)		
Kennels (§308..41)		

**Table 306.2 AC-1 Agricultural Conservation District Lot, Yard, and Height Requirements**

<b>Zoning District AC-1 Agricultural</b>	<b>Min. Lot Area</b>	<b>Min Lot Width</b>	<b>Min Front Yard</b>	<b>Min. Side Yard</b>	<b>Min. Rear Yard</b>	<b>Max Height</b>	<b>Max Coverage</b>
Single Family Residences	2 Acres	200 ft.	30 ft.	35ft.	70ft.	35ft.	15%
All Other Uses	2 Acres	200 ft.	40 ft.	35 ft.	60 ft.	45 ft.	20%

**Table 306.3 RC-1 Rural Conservation District**

<b>Permitted Uses</b>	<b>Conditional Uses</b>	<b>Special Exceptions</b>
Single-Family Dwellings	Mobile Home Parks (\$308.26)	Nursing Homes, Personal Care Homes and Assisted Living. (\$308.13)
Two-Family Dwellings	Outdoor/Intensive Commercial Recreation (\$308.22)	Repair/Service Businesses (\$308.12)
Agriculture	Mineral Excavation (\$308.23)	Recreational Campgrounds (\$308.3)
Agricultural Services	Multifamily Dwellings (\$308.25)	Eating/Drinking Places (\$308.12)
Place of Worship and Assembly	Sawmills (\$308.16)	Convenience Stores & Service Stations (\$308.12)
Home Occupations (\$308.21)	Light Manufacturing (\$308.30)	Cemeteries (\$308.24)
Accessory Uses	Planned Residential Development (\$309) [A.O.]	Bed and Breakfast (\$308.15)
Accessory Buildings	Private Clubs and Lodges (\$308.3)	Exotic Animal Raising and Care (\$308.28)
Family and Group Day-Care Homes (\$308.14)		Mini Storage Facilities (\$308.17)
Professional Offices		Limited Commercial (\$308.5)
Veterinary Clinics		Communication Towers (\$308.34)
Public Utilities Building (\$308.2)		
Kennels (\$308.41)		

**Table 306.4 RC-1 Rural Conservation District Lot, Yard and Height Requirements**

<b>Zoning District RC-1 Rural Conservation</b>	<b>Min Lot Area</b>	<b>Min Lot Width</b>	<b>Min Front Yard</b>	<b>Min Side Yard</b>	<b>Min Rear Yard</b>	<b>Max Height</b>	<b>Max Coverage</b>
Single Family Residential	1 Acre	150 ft.	50 ft.	25 ft.	50 ft.	35 ft.	15%
Multi-Family	See Table 307						
All Other Uses	2 Acres	200 ft.	50 ft.	35 ft.	50 ft.	45 ft.	20%

**Table 306.5 V-1 Village District**

<b>Permitted Uses</b>	<b>Conditional Uses</b>	<b>Special Exceptions</b>
Agriculture	Group Day-Care Homes (§308.14)	Service Stations (§308.12)
Single-Family Dwellings	Primary and Secondary Schools Recognized by the Commonwealth (§308.1)	Repair/Service Businesses (§308.12)
Places of Worship and Assembly	Planned Residential Development (§309) [A.O.]	Limited Commercial (§308.5)
Home Occupations (§308.21)		Funeral Parlors (§308.9)
Accessory Uses		Public Utilities Building (§308.2)
Accessory Buildings		Bed and Breakfast (§308.15)
Family Day Care Homes (§308.14)		Professional Offices (§308.4)
Public Parks and Playgrounds		Nursing Homes, Personal Care Homes and Assisted Living (§308.13)
Kennels (§308.41)		Convenience Stores (§308.12)

**Table 306.6 V-1 Village District Lot, Yard, and Height Requirements**

<b>Zoning District R-1 Residence – V-1 Village</b>	<b>Min. Lot Area</b>	<b>Min. Lot Width</b>	<b>Min. Front Yard</b>	<b>Min. Side Yard</b>	<b>Min. Rear Yard</b>	<b>Max. Height</b>	<b>Max. Coverage</b>
Single-Family Residential (With public Sewer)	25,000 sq. ft.	100 ft.	35 ft.	20 ft.	40 ft.	35 ft.	25%
Single-Family Residences (With approved on lot sewer systems)	1 Acre	150 ft.	50 ft.	25 ft.	50 ft.	35 ft.	15%
All Other uses	2 Acres	200 ft.	50 ft.	35 ft.	50 ft.	35 ft.	15%

**Table 306.7 R-1 Low Density Residential District ( Single Family)**

Permitted Uses	Conditional Uses	Special Exceptions
Agriculture	Primary and Secondary Schools Recognized by the Commonwealth (§308.1)	Home Occupations (§308.21)
Single-Family Housing		Public Utilities Building (§308.2)
Public Parks and Playgrounds		Nursing Homes, Personal Care Homes and Assisted Living (§308.13)
Places of Worship and Assembly		
Accessory Uses		
Accessory Buildings		
Family Day Care Homes (§308.14)		

**Table 306.8 R-1 Low Density Residential District Lot, Yard and Height Requirements.**

Zoning District	Min Lot Area	Min Lot Width	Min Front Yard	Min Side Yard	Min Rear Yard	Max Height	Max Coverage
R-1 Residence							
V-1 Village							
Single-Family Residential (With public Sewer)	25,000 sq. ft.	100 ft.	35 ft.	20 ft.	40 ft.	35 ft.	25%
Single Family Residences (With approve on-lot Sewer Systems)	1 Acre	150 ft.	50 ft.	25 ft.	50 ft.	35 ft.	15%
All Other Uses	2 Acres	200 ft.	50 ft.	35 ft.	50 ft.	35 ft.	15%

**Table 306.9 R-2 Medium Density Residential District (Multi-Family)**

Permitted Uses	Conditional Uses	Special Exceptions
Agriculture	Bed and Breakfast (§308.18)	Home Occupations (§308.21)
Single-Family Dwellings	Primary and Secondary Schools recognized by the Commonwealth (§308.1)	Group Day Care Homes and Day Care Centers (§308.14)
Multifamily Dwellings	Planned Residential Development (§309) [A.O.]	Transitional Housing Facility (§308.37)
Two-Family Dwellings	Private Parks and Playgrounds (§308.36)	Nursing Homes, Personal Care Homes and Assisted Living (§308.13)
Places of Worship and Assembly	Mobile Home Parks (§308.26)	Public Utilities Building (§308.2)
Schools		
Accessory Uses		
Accessory Buildings		
Family Day-Care Homes (§308.14)		
Public Parks and Playgrounds		

**Table 306.10 R-2 Medium Density Residential District Lot, Yard, and Height Requirements**

R-2 Residential	Min Lot Area	Min Lot Width	Min Front Yard	Min Side Yard	Min Rear Yard	Max Height	Max Coverage
Single Family Residential (With Public Sewer)	25,000 sq. ft	100 ft.	35 ft.	20 ft.	40 ft.	35 ft.	25%
Single Family Residences (With approved on-lot sewer systems)	1 Acre	150 ft.	50 ft.	25 ft.	50 ft.	35 ft.	15%
Two – Family/Multifamily	See	Table	307				
All Other uses	2 Acres	200 ft.	50 ft.	35 ft.	50 ft.	35 ft.	15%

**Table 306.11 I-1 Light Industrial District**

Permitted Uses	Conditional Uses	Special Exceptions
Agriculture	Sanitary Landfills (§308.19)	Heavy Manufacturing (§308.11)
Light Manufacturing	Junkyards (§308.20)	Billboards (§308.29)
Research Laboratory	Sexually Oriented Business (§308.18)	Communication Towers (§308.34)
Automobile and Equipment Sales/Rental	Bottle Club (§308.32)	
Places of Worship and Assembly	Correctional Facility or Halfway House (§308.33)	
Agricultural Services	All C-1 Highway Commercial Permitted Uses, Conditional Uses and Special Exceptions (§308.38)	
Accessory Uses	Mineral Excavation (§308.23)	
Accessory Structures		
Public Utilities Building		
Professional Offices		
Truck Terminals Warehousing and Distribution (§308.6)		
Building Supply/Material Yards (308.10)		

**Table 306.12 I-1 Light Industrial District Lot, Yard, and Height Requirements**

Zoning Dist. I-1 Industrial	Min Lot Area	Min Lot Width	Min Front Yard	Min Side Yard	Min Rear Yard	Max Height	Max Coverage
	1 Acre	150 ft.	50 ft.	25 ft.	50 ft.	45 ft.	20%

**Table 306.13 C-1 Highway Commercial District**

Permitted Uses	Conditional Uses	Special Exceptions
Automobile and Equipment Sales/Rentals	Day-Care Centers (§308.14)	Mini Storage Facilities (§308.17)
Agriculture	Hospitals and Clinics (§308.7)	Nursing Homes, Personal Care Homes and Assisted Living (§308.13)
Eating/Drinking Places	Indoor/Outdoor Commercial Recreation (§308.22)	Flea Market (§308.35)
Convenience Stores	Retail Liquor Store (§308.40)	Funeral Parlors (§308.9)
Retail Businesses	Private Parks and Playgrounds (§308.36)	Billboards (§308.29)
Agricultural Services	Commercial Schools (§308.39)	Communication Towers (§308.34)
Hotels/Motels		
Theaters		
Places of Worship and Assembly		
Personal Services		
Service Stations		
Accessory Uses and Accessory Structures		
Banks		
Public Utilities Buildings (§308.2)		
Professional Offices		
Building Material and Supply Yards (§308.10)		
Kennels and Veterinary Clinics (§308.41)		
Light Manufacturing		
Repair /Service Business		
Research Laboratory		

**Table 306.14 C-1 Hwy. Commercial Lot, Yard, and Height Requirements**

Zoning District C-1 Highway Commercial	Min. Lot Area	Min. Lot Width	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Max. Height	Max. Coverage
	25,000 sq. ft.	100 ft.	20 ft.	20 ft.	20 ft.	45 ft.	25%

**Table 306.15 E-I Educational/Institutional District**

<b>Permitted Uses</b>	<b>Conditional Use</b>	<b>Special Exceptions</b>
Agriculture	Planned Residential Development (§309)	Fraternity/Sorority House (§308.27)
Primary and Secondary Schools Recognized by the Commonwealth		Communication Towers (§308.34)
Places of Worship and Assembly		
Colleges and Universities, including, Accessory: <ul style="list-style-type: none"> <li>• Recreational Facilities</li> <li>• Residential Facilities</li> <li>• Administrative Facilities</li> </ul>		
Public Parks and Playgrounds		
Accessory Uses		
Accessory Buildings		
Public Utilities Buildings (§308.2)		
Single-Family Dwellings		

**Table 306.16 E-I Educational/Institutional District Lot, Yard, and Height Requirements.**

Educational/Institutional	Min Lot Area	Min Lot Width	Min Front Yard	Min Side Yard	Min. Rear Yard	Max Height	Max Coverage
	1 Acre	150 ft.	50 ft.	25 ft.	50 ft.	45 ft.	20%

**Table 306.17 EDC Economic Development Corridor District**

<b>Permitted Uses</b>	<b>Conditional Uses</b>	<b>Special Exceptions</b>
Professional Offices	All C-1 Highway Commercial Permitted Uses, Conditional Uses and Special Exceptions (§308.38)	Communication Towers (§308.34)
Places of Worship and Assembly	Mineral Excavation (§308.23)	Billboards (§308.29)
Light Manufacturing		
Banks		
Truck Terminals, Warehousing and Distribution (§308.6)		
Retail Businesses		
Accessory Uses		
Accessory Structures		
Research Laboratory		
Public Utilities Building (§308.2)		
Single Family Dwellings		
Agricultural		
Home Occupations (§308.21)		

**Table 306.18 EDC Lot, Yard, and Height Requirements**

<b>Zoning District EDC</b>	<b>Min Lot Area</b>	<b>Min Lot Width</b>	<b>Min Front Yard</b>	<b>Min Side Yard</b>	<b>Min Rear Yard</b>	<b>Max Height</b>	<b>Max Coverage</b>
	1 Acre	150 ft.	50 ft.	25 ft.	50 ft.	45 ft.	20%

**Table 306.19 U-1 University Related District**

Permitted Uses	Conditional Uses	Special Exceptions
Single Family Dwellings	Day Care Centers (§308.14)	Nursing Homes, Personal Care Homes and Assisted Living (§308.13)
Two Family Dwellings	Fraternity/Sorority Houses (§308.27)	Transitional Housing Facility (§308.37)
Multifamily Dwellings	Mixed Commercial Residential Buildings (§308.31)	Boarding and Rooming Houses (§308.8)
Places of Worship and Assembly	Planned Residential Development (§309(A.Q.))	Mini Storage Facilities (§308.17)
Schools	Indoor/Outdoor Commercial Recreation (§308.22)	
Agriculture		
Home Occupations (§308.21)		
Eating/Drinking Places		
Personal Services		
Convenience Stores		
Banks		
Professional Offices		
Retail Businesses		
Research Laboratory		
Hotel/Motel		
Theatre		
Office Suppliers		
Accessory Uses		
Accessory Structures		
Public Utilities Buildings (§308.2)		

**Table 306.20 U-1 University Related Lot, Yard, and Height Requirements**

Zoning District	Min Lot Area	Min Lot Width	Min Front Yard	Min Side Yard	Min Rear Yard	Max Height	Max Coverage
U-1 University Related	25,000 sq ft.	100 ft.	20 ft.	20 ft.	20 ft.	45 ft.	25%

***TABLE 307 Overlay Districts and Density Requirements for Multifamily Housing*****MULTIFAMILY LOT, YARD AND HEIGHT AND COVERAGE REQUIREMENTS**

Where multi-family dwellings are otherwise permitted in Section 306, their density is governed by table 307 which establishes three overlay districts to govern density. After determining the base zoning district, developers shall consult the zoning map and determine the multi-family density overlay zone designation of their proposed development. All areas outside the designated Urban Density Overlay or the Suburban Density Overlay are a part of the Rural Density Overlay area.

<b>District</b>	<b>Suburban Density Overlay Area</b>	<b>Rural Density Overlay Area</b>	<b>Urban Density Overlay Area (All Multiple Family Dwellings in this District must be served by Public Sewer)</b>
Maximum Dwelling Units per Acre/Minimum Lot Area	Maximum of four (4) dwelling units per acre. No Multiple Family Development may be constructed on a site of less than One (1) Acre	Two (2) Acres for the first unit plus one(1) acre per unit thereafter	Maximum of eighteen (18) dwelling units per acre. No Multiple Family Development may be constructed on a site of less than One (1) Acre.
Maximum Dwelling Units per Building	Eight (8)	Four (4)	No Maximum
Minimum Lot Width	125 Feet	200 Feet	100 Feet
Minimum Front Yard	35 Feet	35 Feet	25 Feet
Minimum Side Yard	25 feet for the first unit plus 3 feet per unit thereafter to a maximum of 60 feet.	25 feet for the first unit plus 3 feet per unit thereafter to a maximum of 100 feet	25 Feet
Minimum Distance between buildings within a single development.	Twenty (20) feet between multiple buildings within a development	Thirty (30) feet between multiple buildings within a development	Twenty (20) feet between multiple buildings within a development
Minimum Rear Yard	40 feet plus 1 foot per unit thereafter to a maximum of 60 feet	50 feet plus 1 foot per unit thereafter to a maximum of 100 feet	40 Feet
Maximum Height	35 Feet	35 Feet	45 Feet
Maximum Coverage	30 Percent	20 Percent	30 Percent

**Section 307.1 Access Management (AM) Overlay District.**

A. Establishment and Boundaries

The Urban Density Overlay and Suburban Density Overlay areas as depicted on the Slippery Rock Township Zoning Map are hereby designated as the AM Access Management Overlay District

B. Purpose

1. To prevent the encroachment of future development upon existing rights-of-way for major transportation corridors within the Township.
2. To prevent the enjoyment of use by future development which may be comprised through proximity to increased traffic on major corridors.
3. To provide for greater coordination and consistency between subdivision and land development plans and zoning.
4. To foster greater interconnectivity between development and facilitate the separation of local destination traffic from traffic passing through the Township.
5. To reduce the proliferation of access points on to principal roads in the Township.
6. To protect the capability of principal roads to conduct traffic smoothly and efficiently.
7. To implement the Northwestern Butler County Multimunicipal Comprehensive Plan and associated studies.

C. Alternative Access Management or Corridor plan.

To preserve capacity and traffic flow within A-M Access Management Overlay, the developer may have the option of preparing a coordinated access management plan as a part of land development, subdivision or zoning submittal in lieu of meeting minimum standards of this ordinance. This alternative access management plan shall include the following as applicable to the sites or Corridor:

1. A build-out scenario;
2. Possible intersection configurations;
3. Signalization alternatives;
4. Potential access road alignments;
5. Turn lane locations;
6. Deceleration or acceleration lanes;
7. Traffic control measures;
8. Future land use concepts;
9. Coordinated signage alternatives; and
10. Landscaping designs.

When a corridor plan is approved, it shall provide the controlling public policy for development issues along that corridor and shall demonstrate the basis for required improvements associated with the AM Overlay District.

D. Review and approval procedures. All requirements contained in this AM Overlay District shall be enforced as part of the site plan review process as specified in the Township Subdivision and Land Development, and/or as part of the typical zoning permit approval process as specified for planned residential developments, conditional uses or special exceptions.

E. Access control.

The approval of access as part of the site plan review process shall be based on the goal of reducing the total number of driveways along the AM and locating future access points at optimum locations to serve multiple uses. A site plan for property in the AM Overlay District shall address access issues raised by a traffic impact study, any applicable corridor plans, and in terms of general requirements of this chapter. The following specific requirements shall also be considered:

F. Number of driveways. Each lot existing at the time of adoption is permitted to have a single, two-way driveway, except in cases where a traffic impact study clearly demonstrates the benefits of an additional driveway from the standpoint of traffic movement. Examples of where a second drive may be justified include large corner lots where driveways on both streets may be desirable and instances where two one-way drives are preferred more than one two-way drive.

G. Driveway alignment. New driveways shall be aligned with existing driveways across a street unless such alignment is shown to be undesirable in a traffic impact study. Where such alignments are shown to be undesirable, the center lines of opposing driveways shall be offset at least 100 feet.

H. Conditional approval of driveways. As part of the site plan review process, a site plan may be approved with a specific driveway location under the condition that an agreement be reached between the property owner and the municipality requiring that such driveway(s) be closed when specific circumstances are met. Such circumstances may include the future construction of a service road on adjacent property, the opportunity for a shared driveway with development of adjacent property, or other site-specific circumstances. This conditional approval may be required even if the driveway(s) conforms to all other requirements of this subsection.

I. Abutting or adjoining lots in the same ownership shall present a plan to minimize the number of driveways.

J. Traffic impact study.

A traffic impact study prepared by a qualified professional engineer may be required at the developer's expense as part of a proposed site plan, in accordance with Chapter 22 Subdivision and Land Development.

The traffic impact study must investigate the feasibility and benefits of improvements, such as traffic signals, turn lanes, and driveway movement limitations to protect the safety and welfare of the traveling public, and shall include the following elements:

1. A description of the site and study area;
2. Anticipated development of adjacent parcels;
3. Trip generation and distribution, including a description of all assumptions used to generate findings of trip distributions;
4. Traffic assignment resulting from the development;
5. Projected future traffic volumes;
6. An assessment of the impact that would result from driveway alternatives;
7. Recommendation for site access and transportation improvements needed to maintain traffic flow within and past the site at an acceptable and safe level of service; and
8. An evaluation of the effects that the proposed development will have on the level of service and roadway capacity.

The traffic impact study preparer shall be an individual with extensive background and experience in traffic analysis and must be a registered professional engineer (PE) licensed to practice in the State of Pennsylvania. The traffic impact study must include the signature of the preparer and associated information regarding the involved consulting firm or organization.

**§308. Conditional Uses, Special Exceptions and Specific Conditions upon Permitted Uses**

The criteria for Permitted Uses with conditions, Conditional Uses and Special Exceptions are listed within this article. In granting a Special Exception or Conditional Use, the Zoning Hearing Board or Board of Supervisors (as appropriate) may attach reasonable conditions and safe-guards, in addition to those expressed in this Ordinance, as it may deem necessary to implement the purposes of the Pennsylvania Municipalities Planning Code and this Ordinance. Such Conditions may include but are not limited to:

- A. Establishment of screening and buffering or an increase in screening and buffering normally required.
- B. Limitations upon hours of operation.
- C. Establishment of fencing for purposes of security, limiting vehicular access, or control of windblown trash.
- D. Limits upon future subdivision of property to prevent the creation of a lot too small for the approved use.
- E. Changes in the proposed location or design of access drives or parking areas to prevent traffic hazards, congestion, or the impacts of increased traffic upon local access and residential streets.

- F. Any compressors shall be so enclosed as to baffle their sound from surrounding uses.
- G. All dumpsters and or garbage/trash storage areas shall be enclosed and placed in a rear or side yard, or similar requirement to prevent noise and malodorous nuisance.

The applicant will be notified in writing of any such reasonable additional conditions and safeguards imposed by the applicable Board as part of an approval.

Permitted Uses that have conditions attached will be granted or denied by the Zoning Officer based solely upon the criteria set forth in this section as well as other appropriate sections of this Ordinance. The Zoning Officer does not have the authority to attach any conditions to such approvals, but conditions may be attached to a land development plan approval where required by Chapter 22 of the Township Code of Ordinances.

**308.1. Primary and Secondary Schools, Recognized by the Commonwealth**

- (1) Shall provide all parking and loading/unloading requirements as required by this Chapter.
- (2) Shall be located on a paved public street with a minimum cartway width of 20 feet.
- (3) The design and landscaping shall be compatible with and preserve the character of adjoining residential uses.
- (4) All parking and recreation/play areas which abut residential uses shall provide screen planting.
- (5) Any outdoor lighting shall be designed to prevent glare to adjoining properties.
- (6) Such uses shall have, and present, all needed local, County, State or Federal permits or applications for needed permits. If needed permits are in the application stages, the final approval for same shall be a condition prior to issuing a certificate of occupancy.

**308.2 Public Utilities. Lots containing structures or buildings for public utilities shall:**

- (1) Be landscaped to present a minimum intrusion upon the neighborhood.
- (2) Be enclosed by a security fence. Notwithstanding any other Section of this Chapter, the height of this fence shall be adequate to provide proper security for the installation eight (8) feet.

- (3) No outdoor storage shall be permitted.

**308.3 Recreational Campgrounds.** Such uses are commercial in nature, normally seasonal but do have a high impact potential. Such uses shall:

- (1) Be at least Five (5) acres in size.
- (2) Provide planted or natural forest buffer yards of at least fifty (50) feet width along all side and rear lot lines.
- (3) Provide evidence of compliance with Department of Environmental Protection standards for water and sanitary sewer facilities.
- (4) If indoor lodging or overnight cabins are proposed, buildings devoted to such purpose shall cover no more than ten percent of the site.
- (5) Provide evidence of approved solid waste removal.

**308.4 Professional Offices.** Shall adhere to the following criteria:

- (1) All parking requirements of this Chapter shall be followed.
- (2) All parking lots which abut residential uses or districts shall use screen planting as a buffer conforming to Section 414.
- (3) Shall not exceed 5,000 square feet in building size.

**308.5 Limited Commercial.** The purpose of this use is to allow smaller retail operations in a rural or village environment. Such uses shall:

- (1) Provide all parking as required by this Chapter on lot.
- (2) Provide screening along lot lines which abut residential uses.
- (3) All compressors shall be so enclosed as to baffle their sound from surrounding uses.
- (4) All dumpsters and or garbage/trash storage areas shall be enclosed.
- (5) Total building size shall not exceed five-thousand, (5,000) square feet.
- (6) All signage shall be lit by indirect means.

**308.6 Warehousing and Distribution Truck Terminals.** Such uses are permitted

subject to the following requirements:

- (1) Lot size shall be at least two acres.
- (2) For new construction, Side and rear yards shall be increased by 20 feet.
- (3) All outdoor storage shall be in side yards (behind the front lot line) or in the rear yard.
- (4) Access to roads and highways shall be clearly defined.
- (5) All parking, loading and unloading facilities shall be clearly designed so motor vehicles will not be required to back into or from streets or roads when parking or leaving the premises.

**308.7 Hospitals and Medical Clinics.**

- (1) Such facilities shall exclude the primary use quartering persons adjudicated by a court as dangerous to others, which shall be considered as correctional facilities.
- (2) All required parking, loading and unloading shall be contained entirely on lot, including sufficient maneuvering room so that vehicles will not back onto a public street.
- (3) All lighting shall be so arranged to prevent glare to adjoining properties.
- (4) Any parking area next to a residential use shall be screened (see “screening”).

**308.8 Boarding and Rooming Houses.**

- (1) May not house more than six (6) boarders.
- (2) Shall not adversely affect the character of the surrounding neighborhood.
- (3) Shall provide off-street parking for all tenants.

**308.9 Funeral Parlors.**

- (1) There shall be no receiving vault, preparation room or display of merchandise visible from outside the principal building.
- (2) There shall be a minimum of five-thousand (5,000) square feet of

off-street parking, but in no event less than required by Part 4 of this Chapter.

**308.10 Building Supply and Material Yards.**

Supply and contractor's yards shall effectively screen the yards facing surrounding properties. Such screening shall be via fencing or screen planting.

**308.11 Heavy Manufacturing.**

Heavy manufacturing shall be located where the emission of objectionable gases, fumes, smoke or dust will not be objectionable to established permitted uses nearby or is controlled by the installation of special equipment. Outside storage yards abutting or immediately across a street from any "R" District shall be screened. They shall meet all performance standards set forth in §406.

**308.12 Eating/Drinking Places, Service Stations, Service and Repair Businesses, Convenience Stores.**

Shall be permitted subject to the following regulations:

- (1) Any fuel pumps shall be at least thirty (30) feet from the front lot line and at least thirty (30) feet from a side lot line.
- (2) No vehicles will be parked or stored along the front property lines, except on a short-term basis (less than twelve (12) hours).
- (3) Any lot line abutting a residential district or residential use shall be screened using screen plantings.
- (4) There shall be no outdoor storage of new or used parts, scrap parts, unlicensed vehicles, tires, vehicles which lack current Pennsylvania inspection stickers or parts of vehicles. The overnight parking of customer vehicles and the screened storage of the Department of Environmental Protection approved trash containers shall be permitted.
- (5) All lighting shall be indirect or designed to prevent glare to neighboring properties.
- (6) All compressors shall be enclosed to muffle their sound from surrounding uses.
- (7) Within the RC-1 Zoning District, Eating and Drinking Places are further restricted to prevent their size and intensity from creating negative impacts upon surrounding properties.

- a. No portion of an eating or drinking place (including parking and outdoor dining areas) shall be located within 300 feet of a single family dwelling in separate ownership from the owner of the business.
- b. Eating and Drinking Places within 600 feet of a single family dwelling in separate ownership from the owner of the business shall restrict evening hours to no later than 10:00 p.m. Sunday to Thursday and 11:00 p.m. on Friday and Saturday.
- c. Outdoors amplified entertainment or outdoor sound systems are prohibited. This prohibition shall be deemed to include any area not completely enclosed by masonry or insulated walls and a roof. Sound systems are prohibited in any porch area, smoking areas, or outdoor dining area.
- d. Parking area lighting shall be restricted to lighting structures no higher than 12 feet.
- e. Signs shall be illuminated from an exterior downward light of no greater than 75-watt intensity.
- f. The Township may require screening as deemed necessary to shield neighboring properties from light and noise.

**308.13      Nursing Home, Personal Care Home, and Assisted Living Facility**

- (1) There shall be no sign or exterior display beyond the name of the Facility and its use.
- (2) Parking space shall be provided each employee on major shift, each resident with a vehicle and for each Four (4) residents as a guest space.
- (3) No Facility in the V-1 District shall admit more than eight (8) guests/clients at any one time.
- (4) Required local, County and/or State certifications shall be presented to the Board. Specially included are to be applicable permits from the Pennsylvania Departments of Welfare and Labor and Industry.

**308.14      Group Day Care Homes and Day Care Centers.** Day care services for children have three separate types (see Part 2 for definitions): family day care homes, group day care homes and day care centers.

- (1) For Group Day Care Homes and Day Care Centers, Any outdoor play area shall be effectively screened from abutting residential properties.

- (2) For all new construction, and where feasible for existing structures, circular driveways shall be provided to deliver and pick up children. These will be for the safety of the children and the protection of the neighborhood. In any event, there shall be an off-street area for loading/unloading children.
- (3) One (1) parking space for each employee shall be required.
- (4) The operator shall secure and keep current all permits from the Commonwealth or other licensing agencies.

**308.15**      **Bed and Breakfast.** Such uses are intended to provide overnight or short-term accommodations for transient guests in a homelike atmosphere. They must meet the following regulations:

- (1) No signs in excess of four square feet shall be allowed. Only one such sign shall be permitted.
- (2) No more than four (4) guest rooms will be permitted.
- (3) One (1) off-street parking space for each guest room shall be required in addition to spaces otherwise required for the dwelling.

**308.16**      **Sawmills.** Such uses shall:

- (1) Be on lots of at least two (2) acres.
- (2) Sawmills shall be set at least fifty (50) feet from the front lot line and at least seventy-five (75) feet from the side or rear lot lines.
- (3) There shall be no storage of logs or lumber within twenty-five (25) feet of any lot line.

**308.17**      **Mini Storage Facilities.** These structures are also known as self-service storage facilities and consist of one (1) or more larger buildings which are divided into small separate units. These units, often the size of a single garage, are then rented for storage, normally for personal goods. Such uses must adhere to the following regulations:

- (1) There shall be no outdoor storage of any type, at any time.
- (2) In addition to the required side and rear yards, an additional ten (10) foot buffer yard shall be required. This buffer yard is to be planted in evergreen trees to provide a visual buffer to surrounding properties.
- (3) Each such facility shall be serviced by at least two (2) well marked driveways of ten (10) to twelve (12) feet in width.
- (4) The entire complex shall be surrounded by a security fence at least six (6) feet but not greater than eight (8) feet in height. Said fence shall be no closer to any lot line than ten (10) feet.
- (5) The hours of operation shall not begin before 6:30 a.m., nor extend beyond 12:00 a.m., prevailing time.

**308.18 Sexually Oriented Business**

It is not the intent of this Ordinance to suppress any speech activities protected by the First Amendment, but to enact content neutral standards which address the secondary effects of sexually oriented businesses upon other kinds of development. It is not the intent of the Township to condone or legitimize the distribution of obscene material. Sexually Oriented Business, as defined, herein shall be permitted as a conditional use, provided:

- A. The proposed business does not lie within Seven Hundred (700) feet of:
  1. A place of worship;
  2. A public or private pre-elementary, elementary, or secondary school;
  3. A public library;
  4. A child-care facility or nursery school;
  5. A public park adjacent to any residential district;
  6. A child-oriented business.
- B. The proposed business does not lie within five hundred (500) feet of another sexually oriented business or a bottle club.
- C. Compliance with all other applicable local codes and licenses is presented to the Township Supervisors, including an agreement to abide by any annual licensing standards if the conditional use is approved.

**308.19 Sanitary Landfills.** Sanitary landfills shall be permitted only as a conditional use. Plans for sanitary landfills shall be approved and controlled by the Pennsylvania Department of Environmental Protection (PennDEP), the laws and regulations of the Commonwealth and appropriate laws and regulations of the United States of America. Operators of sanitary landfills shall file with the Board written proof that they have met all permit requirements of the State and/or Federal Government as they may apply to a specific development. Local requirements which must be met prior to permit approval by the Board include:

- (1) A buffer yard of two hundred-fifty (250) feet from all public

rights-of-way and four-hundred (400) feet from all dwellings, schools, churches, hospitals and similar residential uses.

- (2) A barrier of natural forestry at a width of one-hundred (100) feet or an eight-foot (8) high cyclone-type fence with panel weaving or similar solid fencing shall parallel all public rights-of-way and adjacent properties for purposes of preventing the passing of windblown litter and preventing direct visibility of the working area from public rights-of-way and adjoining properties,
- (3) The barrier shall be at a minimum distance of seventy-five (75) feet from all operations, and the area between the work area and barrier shall consist of a natural cover of vegetation or forestry. This strip shall not be of barren soil.
- (4) The landfill shall have no more than two (2) access routes unless the landfill property borders three (3) or more public rights-of-way. In such an event, approval by the Township Supervisors will be necessary to secure an additional access route.
- (5) A bond will be filed with the Township Supervisors, in an amount deemed necessary by the Board of Supervisors, to provide for protection of Township roads which may be used for access to this landfill.
- (6) The operator shall submit to the Board for approval a plan for the restoration of the landfill area which shall include anticipated future use of the restored land.
- (7) All such proposed uses shall be on a lot of no less than fifteen (15) acres.

**308.20**      **Junkyards.** Shall comply with the following requirements:

- (1) All lots shall be at least two (2) acres in size.
- (2) There shall be no storage of scrap, machinery or equipment of any kind in the required front, side, or rear yard setback areas.
- (3) All yard spaces shall be increased ten (10) feet.
- (4) The processing or storage of hazardous materials as the same are defined by the Department of Environmental Protection shall not be permitted.
- (5) The facility will obtain an annual license as required by the Township.

**308.21**      **Home Occupations.** Home occupations are a potential intrusion upon residential areas and as such must meet all the requirements listed in this Section:

- (1) **Parking.** In addition to providing the required parking spaces for residents of the dwelling units, off-street parking must be provided for employees and customers in accordance with the criteria set forth by this Chapter.
- (2) **Employees.** No more than one (1) outside employee, other than a family member, shall participate or work in the home occupation.
- (3) **Restrictions.** No home occupation which would cause undue noise, traffic or other intrusion upon the neighborhood shall be allowed. Among the activities excluded shall be kennels, veterinary offices, restaurants, small motor repair, automotive repair, automobile body work and similar undertakings.
- (4) Home occupations may include, but are not limited to, art studios, music studios (limited to one (1) student at a time), professional services, beauty shops and dressmakers.
- (5) The nature of the home occupation shall not change the outward characteristics of the home as a residential unit.
- (6) No more than twenty-five percent (25%) (in aggregate) of the home and accessory buildings may be used for a home occupation.
- (7) One sign no larger than two (2) square feet in any other district may be used to announce the name or purpose of the home occupation.
- (8) Home occupations shall not operate before 8:00 a.m. nor after 9:00 p.m.
- (9) No more than one (1) home occupation per dwelling shall be permitted.
- (10) No exterior storage of materials shall be permitted.

**308.22      Commercial Recreation.**

- (1) These particular uses by their nature can generate noise or excessive activity adversely affecting neighboring properties. Standards shall be based upon the type of activities.

**Outdoor uses shall:**

- (a) Have a lot of not less than six (6) acres in size.
- (b) Present a Plan for the use, time and duration of any Outdoor Speakers. Outdoor Speakers may not be employed for musical performances. Outdoor Speakers may not be employed for

non-emergency use between the hours of 10:00 p.m. and 7:00 a.m.

(2) **Indoor uses shall:**

- (a) Have no outdoor speakers, with the exception of emergency public address speakers.
- (b) Present evidence of compliance with Labor and Industry (PA) building regulations.
- (c) If an indoor shooting range, the Developer shall show adherence to best design practices, such as the National Rifle Association's NRA Range Source Book to ensure safety.

(3) **Intensive uses shall:**

- (a) Maintain a Lot of at least one hundred (100) acres for commercial hunting operations and fifty (50) acres for all other intensive uses.
- (b) No enclosure for commercial hunting shall be erected within four hundred fifty (450) feet of a neighboring residence, any neighboring agricultural building used to house livestock, a school, daycare facility, or playground associated with a school. Other intensive commercial uses shall add two hundred (200) feet to all required setback areas to create a buffer zone where no intensive activities may occur.
- (c) No intensive uses shall directly abut a Village or Residential district or an existing planned residential development (as defined by this ordinance).
- (d) Outdoor Commercial shooting ranges and commercial hunting operations shall not undertake activities between the hours of sunset and sunrise. The Board of Supervisors may limit hours of operations for other intensive uses as a reasonable additional condition of approval.
- (e) Commercial shooting ranges shall illustrate that the design and direction of all firing lanes shall not present a danger to public health and safety. The Developer shall show adherence to best design practices, such as the National Rifle Association's NRA Range Source Book to ensure safety. Other intensive uses shall present a plan to minimize any noise created by activities through buffering, acoustic engineering or topography.

- (f) Any outdoor lighting shall be shielded to prevent glare to neighboring properties.

**308.23 Mineral Excavation.** Mineral extraction and mining, including coal, sand, gravel, limestone, clay and similar open-pit surface mining as well as oil and gas drilling operations shall:

- A. Show compliance with all applicable State and/or Federal regulations. Specifically, all needed permits from the Pennsylvania Department of Environmental Protection shall be presented to the Township prior to issuing a zoning certificate. Said permits must be fully approved and valid.
- B. No surface mining operation shall be conducted within any setback or area which is prohibited under state or federal law or regulations. In the absence of such standards, no operation shall be conducted within:
  - 1. One hundred (100) feet of a property line.
  - 2. One hundred fifty (150) feet of a neighboring residence.
  - 3. One hundred fifty feet (150) of water well on a neighboring property.
- C. Arrangement for road bonding requirements, as applicable, shall be presented to and agreed to with the Township.
- D. Developer shall agree to work to share information with the Township in the event of well water deterioration or loss of supply.
- E. If materials from trucks are spilled upon a public road, all such materials shall be removed from the road within four (4) hours.
- F. The Township may require security fencing, screening or buffering as necessary to mitigate impacts upon surrounding properties.
- G. Regulations for Gas and Oil Drilling
  - 1. In addition to meeting all state and federal requirements under 304V1, oil and gas drilling operation shall also comply with the following:
  - 2. No drilling operation shall be conducted within any limits set forth by the Commonwealth of Pennsylvania or the United States Government. The developer shall provide the Township with evidence that all setbacks required by other agencies have been met.
  - 3. Drilling rigs shall be located a minimum setback distance of 1.5 times their

height from any property line, public or private street, or building not related to the drilling operations on either the same lot or an adjacent lot.

4. The drilling pad for the oil or gas well site shall comply with all setback and buffer requirements of the zoning district in which the oil or gas well site is located.
5. When drilling is begin conducted with 500 feet of a dwelling in separate ownership from the property upon which the drilling proposed, the developer shall mitigate light and noise through the following standards:
6. Lighting at the oil or gas well site, or other facilities associated with oil and gas drilling development, either temporary or permanent, shall be directed downward and inward toward the activity, to the extent practicable, so as to minimize the glare on public roads and nearby buildings within 100 feet of the oil or gas well development.
7. Noise. The applicant shall take the following steps to minimize, to the extent possible, noise resulting from the oil or gas well development.
8. Prior to drilling of an oil or gas well the applicant shall establish by generally accepted testing procedures, the continuous seventy-two (72) hour ambient noise level at the nearest property line of a residence or public building, school, medical, emergency or other public facility, or one-hundred (100) feet from the nearest residence or public building, medical, emergency or other public facilities, whichever point is closer to the affected residence or public building, school medical, emergency or other public facility. In lieu of the establishment of the ambient noise level established by the continuous seventy-two hour test the applicant may assume and use, for the purpose of compliance with this ordinance, a default ambient noise level of 55 dBa. The sound level meter used in conducting any evaluation shall meet the American National Standard Institute's standard for sound meters or an instrument and the associated recording and analyzing equipment, which will provide equivalent data.
9. The applicant shall provide the township documentation of the established ambient noise level prior to starting oil or gas drilling and/or production operations.
10. The noise generated during the oil and gas operations or the natural gas compressor station or the natural gas processing plant shall not exceed the average ambient noise level established in subsection (2) by more than 5 decibels during drilling activities or 10 decibels during hydraulic fracturing operations.
11. Effective sound mitigation devices shall be installed to permanent facilities to address sound levels that would otherwise exceed the noise level standards when located near a residence, public building, school, medical, emergency or other public facilities.
12. Exemption from the standards established in this subsection may be granted by the Township during the drilling stage or at the oil or gas well site, or the gas

compressor station, or at the natural gas processing plant for good cause shown and upon written agreement between the applicant and the township.

13. Complaints received by the township shall be addressed by the applicant, within 24 hours following receipt of notification by continuously monitoring for a period of forty-eight hours at the nearest property line to the complainant's residential or public building or one hundred feet from the complainant's residential or public building, school medical, emergency or other public facilities, whichever is closer. The applicant shall report the findings to the township and shall mitigate the problem to the allowable level if the noise level exceeds the allowable rate.
- H. Additional regulations for natural gas compressor stations, and natural gas processing plants, which shall fall under the conditional use for Oil and Gas Drilling.
  1. No Natural Gas Processing Plant or Natural Gas compressor station shall be located within two thousand (2,000) feet of the boundary of an R-1, R-2, U-1, V-1, E-1, or C-1 zoning district, or one thousand (1,000) feet of a principle structure on an adjoining parcel in separate ownership from the one proposed to the station or plant.
  2. Lighting at a natural gas compressor station or a natural gas processing plant shall, when practicable, be limited to security lighting.
  3. Noise regulations under section 308.23 G.8 shall be met as a performance standard.

**308.24 Cemeteries.** The purpose of cemeteries, under this Chapter, is to provide a proper burial ground for persons. All uses and activities must be clearly and customarily incidental to this use. Prior to the establishment of a new facility or expansion of an existing cemetery, the owner shall:

- (1) File a site plan to demonstrate the design and layout of the proposed cemetery or cemetery expansion and specifically illustrating: the proposed drainage plan, the internal circulation plan and the location of accessory building(s).
- (2) Connections to existing Township streets will be no closer than fifty (50) feet to a street intersection, fifteen (15) feet to a fire hydrant, thirty (30) feet to a driveway on the same side of the street and shall avoid streets or driveways opposite proposed means of ingress and egress.
- (3) Shall demonstrate compliance with applicable State laws.
- (4) All accessory uses must be clearly incidental and subordinate to the function of the cemetery.

- (5) All new facilities shall have a size of at least two (2) acres.

**308.25 Multifamily Dwelling.**

- (1) Meet lot requirements as listed in Table 307 for areas lacking public sewage.
- (2) Provide evidence they have passed all applicable regulations for on-lot sewage disposal.
- (3) Sufficient enclosed space is provided for the resident's solid waste in approved receptacles which cannot be upset. All receptacles would be surrounded by a wooden screen. It shall be the responsibility of the developer to show that adequate space is provided for the number of units and that the developer has a waste pick-up contract with a licensed hauler.
- (4) Unless comprised wholly of one (1) bedroom or efficiency apartments, the development shall devote a minimum of five percent (5%) of its yard area to play areas. Such play areas shall be shielded from any abutting commercial uses by a safety fence at least four (4) feet in height. [A.O.]
- (5) Unless occupied by persons related by blood, marriage or adoption, or comprising family like living arrangements for the handicapped, as defined by this Chapter, the total occupancy of each unit shall not exceed four (4) persons per household.
- (6) The developer shall meet all parking requirements of this Chapter. However, in the case of multifamily dwellings of more than two (2) bedrooms per unit, the developer shall provide a minimum of three and one-half (3.5) parking spaces per each dwelling.

**308.26 Mobile Home Parks.** The proposed park shall meet all applicable requirements of the Township Subdivision and Land Development Ordinance [Chapter 22] applied to mobile home parks. In addition, the park shall:

- (1) Show evidence of compliance with Department of Environmental Protection, Chapter 7, regulations.
- (2) Be screened from abutting residential uses.
- (3) All mobile homes within the park must meet the following standards for tie downs/anchoring. Three (3) types of foundation will be acceptable:
  - (a) A foundation similar to that of traditional homes (footers below the frost line).

- (b) Concrete block leveled and installed per the mobile home manufacturer's instructions.
  - (c) Cylinder jack piers bolted to the mobile home's I-beams and set into reinforced concrete pads.
- (4) If either foundation in subsections (3)(b) or (3)(c) is employed, the unit shall have skirting continuously in that area between ground level and the mobile home. This skirting will be of a type and material suitable for such a purpose and shall be maintained in a workmanlike manner.

**308.27 Fraternity/Sorority Houses.** This conditional use is potentially intrusive upon both single and multifamily neighborhoods. Such houses shall:

- (1) Meet all lot requirements for multifamily dwellings, substituting "room" for "unit" in minimum lot size standards. In no event shall such a development be less than two (2) acres.
- (2) Provide appropriate screening where they abut other residential uses.
- (3) Meet the parking requirements of multifamily dwellings, again substituting "room" for "unit."
- (4) Solid waste storage facilities shall be located in an enclosed structure in the rear yard.

**308.28 Exotic Animal Raising and Care** Such facilities shall:

- (1) Have a minimum space of Five (5) acres.
- (2) No pens or runs shall be closer than seventy-five (75) feet from neighboring lot lines.
- (3) If containing runs for more than seventy-five (75) birds or mammals, provide evidence that waste products or manure will not create a malodorous nuisance.

**308.29 Billboards.** Billboards shall be permitted as a special exception; provided:

A. Billboards may be considered as an accessory to another business or farm upon the same property.

B. No Billboard, as defined by his ordinance, may be placed within six hundred (600) feet of another Billboard. .

C. Such signs shall not be placed within two hundred fifty (250) feet of any residence, church, public or accredited private school, or any area zoned R-1 Low Density Residential or V-1 Village.

D. Such signs shall not be placed at any road intersection, or at a curve or at any place where vehicular line-of-sight could be partially or completely obstructed. The applicant shall show sufficient sight distance is preserved.

E. Billboard Sizes shall not exceed the standards on the following table. For the purpose of this section, a single face billboard may have advertising content on only one side. A multiple face billboard may have advertising content on both sides, in order to be visible from traffic in both directions.

District	Billboard Type	Maximum Size	Setback from Property Line
AC-1 Agricultural Conservation	Multiple Face	300 Square feet when viewed from widest silhouette	15 Feet front 50 Feet Side
I-1 Industrial/C-1 Commercial	Single Face	672 Square Feet of signage area	15 Feet Front 25 Feet Side

G. Show evidence of compliance with all applicable regulations of the Pennsylvania Department of Transportation.

308.30 **Light Manufacturing.** Shall be permitted as a conditional use; provided:

- A. No such facility shall occupy lot area of less than five (5) acres.
- B. Shall provide evidence of meeting the parking and paving requirements of this Chapter.
- C. Shall provide appropriate opaque screening per Section 414 on all sides which abut nonindustrial uses.
- D. Shall provide a fifteen (15) foot buffer yard, appropriately maintained and landscaped.
- E. Shall increase all side and rear yards by twenty-five (25) feet in those instances where they abut residential uses.

308.31 **Mixed Commercial/Residential Buildings.**

- A. All entrances for residential and commercial uses within the building shall be clearly separated and identified.

- B. Parking shall be provided in sufficient number to serve all uses per parking standards of this ordinance.

**308.32 Bottle Clubs**

- A. Shall present the Township with a security plan that prevents uncontrolled activities from moving outdoors or threatens the safety of the neighborhood.
- B. Shall employ no outdoor sound systems.

**308.33 Correctional Facility or Halfway House**

- A. Shall present the Township Supervisors with a security plan that takes into account the safety of Township residents.
- B. The building shall not be located within Seven Hundred (700) feet of:
  - 1. A church;
  - 2. A public or private pre-elementary, elementary, or secondary school;
  - 3. A public library;
  - 4. A child-care facility or nursery school;
  - 5. A public park adjacent to any resident district; or
  - 6. A child-oriented business.
- C. No building or fence shall lie within three hundred (300) feet of the property line of a pre-existing residential dwelling.

**308.34 Communication Towers**

- A. The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a communications tower, if applicable, and communication antennas.
- B. The applicant shall demonstrate that the proposed communications tower and communications antennas proposed to be mounted thereon comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
- C. Zoning Regulations. Towers must comply as applicable, with the Township Subdivision and Land Development Ordinance as a subdivision for lease/Land Development.
- D. Access shall be provided to the communications tower and communications equipment building by means of a public street or easement to a public street. The easement shall be a minimum of twenty (20) feet in width and shall be improved to a width of at least ten (10) feet with a dust-free, all weather surface for its entire length.

- E. The applicant shall demonstrate that the proposed height of the communications tower is the minimum height necessary to perform its function. The maximum height of any communications tower shall be two hundred fifty (250) feet; provided, however, that such height may be increased to no more than three hundred (300) feet, provided the required setbacks from adjoining property lines (not lease lines) are increased by one (1) foot for each one (1) foot of height in excess of two hundred fifty (250) feet, plus an additional twenty five (25) feet.
- F. The foundation and base of any communications tower shall be set back from a property line by an amount equal to at least the height of the proposed tower.
- G. The base of a communications tower shall be landscaped so as to screen the foundation and base and communications equipment building from adjacent properties.
- H. The communications equipment building shall comply with the required yards and height requirements of applicable zoning district for an accessory structure.
- I. The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed communications tower will be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Telecommunications Industry Association.
- J. The applicant shall submit a copy of its current Federal Communications Commission license; the name, address and emergency telephone number for the operator of the communications tower; and a Certificate of Insurance evidencing general liability coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence and property damage coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence covering the communications tower and communications antennas.
- K. It is the responsibility of the Developer to notify the Township of any changes in insurance coverage within sixty (60) days of such change.
- L. All guy wires associated with guyed communication towers shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.
- M. The site of a communications tower shall be secured by a fence with a minimum height of ten (10) feet to limit accessibility by the general public.
- N. No signs or lights shall be mounted on a communications tower, except as may be required by the Federal Communications Commission, Federal Aviation Administration or other governmental agency that has jurisdiction.

- O. If a communications tower remains unused and unleased for a period of twelve (12) consecutive months, the owner or operator shall dismantle and remove the communications tower within six (6) months of the expiration of such twelve (12) month period.

**308.35 Flea Market**

- A. The operator of the flea market shall either be the property owner, or provide evidence of written permission (such as a lease agreement) to utilize the property.
- B. The operator shall submit a plan that details public parking areas, and the number and location of proposed seller stalls. The plan shall detail areas to allow vendors selling from cars to enter and exit while avoiding pedestrian areas.
- C. The operator shall have a contract with an approved waste hauler, and a minimum of one (1), fifty (50) gallon capacity solid waste receptacle (or equivalent dumpster capacity) for every four (4) proposed sellers. The operator shall agree to dispose of all unsold items left on site by vendors.
- D. The operator shall have adequate lavatory facilities. This may be provided by a contract with a portable toilet company with a ratio of toilets sized to anticipated sellers and attendees.

**308.36 Private Parks and Playgrounds**

- A. The Applicant shall prove to the Township that the proposed uses of the active private park are not those of an indoor, outdoor or intensive commercial recreation character, as defined by this ordinance.
- B. The applicant shall provide parking on the site sufficient to accommodate the maximum patronage by providing one (1) parking space for every three (3) patrons. All parking lots that abut existing residential structures shall be set back a minimum of 50 feet from the lot or property line. Where parking is located closer than 100 feet to the abutting property line it shall be appropriately screened. Where existing vegetation is sufficient to minimize the impact of parking no additional screening will be required.
- C. All dumpsters and/or garbage/trash storage areas shall be appropriately located and/or screened so as to minimize impact to adjoining properties
- D. Temporary structures erected in conjunction with outdoor activities (i.e. tents or shelters, etc.) shall be located a minimum of one hundred fifty (150) feet from any lot line
- E. The applicant shall detail a plan for traffic management for any special event that is anticipated to produce more than 150 vehicle trips on a Township Road accessing the park. This plan shall include a means to ensure that special event traffic

does not preclude normal access to area residents and shall meet any other Township ordinances regarding traffic control.

- F. No more than ten percent of the land area of any private park shall be devoted to over- night lodging or camping. If indoor lodging or overnight cabins are proposed, buildings devoted to such purpose shall cover no more than ten percent of the site.

**308.37      Transitional Housing Facility**

A. The facility operator shall present to the Township applicable information about any and all limits upon residency to determine the facility will not operate as a halfway house or correctional facility.

B. If the facility is located in a former single family dwelling, no more than eight (8) residents are permitted at any one time. Maximum residency of other building types is limited to sixteen (16) persons.

C. No transitional housing facility shall be located within three hundred (300) Feet of another transitional housing facility or two hundred (200) Feet of a pre-existing single family.

**308.38      C-1 Uses in I-1 Districts**

C-1 Conditional uses and special exceptions shall meet all applicable standards of the C-1 District. Permitted uses shall show they will not create negative impacts upon abutting or adjoining lands for industrial uses

**308.39      Commercial Schools**

- A. The school shall present a plan that details any outdoor activities, and noise of other impacts that may be generated.

**308.40      Retail Liquor Store.**

A. No Retail Liquor Store shall be located within five hundred (500) Feet of another Retail Liquor Store, a halfway house, correctional facility, bottle club or sexually oriented business.

B. The Township may limit the hours of operation of the Retail Liquor Store as a reasonable additional condition and safeguard.

**308.41      Kennels**

Kennels are permitted; provided that the following conditions are met.

- (a) Minimum lot size shall be Five (5) acres.
- (b) No structure to harbor animals shall be located closer than three hundred (300) feet to any residential building other than the owner's or closer than 100 feet to the property line.
- (c) The kennel shall be constructed so that the animals cannot stray therefrom.
- (d) All animals must be kept indoors within a principle or accessory building between 10:00 p.m. and 7:00 a.m.
- (e) The total number of animals shall not exceed ten (10) dogs and twenty- five (25) domestic cats per acre, not including dogs under six months old.

- (f) Any exercise yards shall be surrounded by a six foot, opaque fence
- (g) The applicant must submit a written plan to explain all measures to be used to ensure all animal wastes shall be regularly cleaned up and properly disposed of to prevent odors and unsanitary conditions, which plan will be kept on file at the Township.
- (h) The applicant must submit a written plan for the storage and disposal of deceased animals, which disposal shall occur within 24 hours of an animal's death, and which plan will be kept on file at the Township

**§309. Planned Residential Development.**

The purpose of the planned residential development regulations is to encourage the flexibility in the design and development of land in order to promote its most appropriate use; to encourage grouping of housing and a mixture of housing types in alternative patterns and in a variety of ways; to facilitate the adequate and economical provision of streets and utilities; to conserve valuable agricultural land to promote farming in the Township; and to preserve the natural and scenic qualities of open areas. Planned residential developments are permitted in the A-1, RC-1, V-1, R-2 and E-I Districts as conditional uses.

**A. Development Objectives.**

- (1) Extend greater opportunities for traditional community living, working, housing and recreation to all citizens and residents of the Township.
- (2) Encourage a more efficient use of land and public services and to reflect changes in technology of land development and by directing new development in a traditional pattern of mixed and multiple-use and varied housing types.
- (3) Provide a procedure which can relate the type, design and layout of residential development to the particular site, the particular demand for housing existing at the time of development and to the Township's goal of encouraging residential/mixed use development in a manner consistent with the preservation or enhancement of property values within existing zoning districts.
- (4) Insure that the increased flexibility and design specificity of regulations over land development authorized herein is carried out under such administrative standards and procedures as shall encourage the disposition of proposals for land development without undue delay.
- (5) Preserve the remaining rural, historic and natural character of the community by directing new development to appropriate locations and minimizing the visual impact of development upon the viewsheds from the public roadway.
- (6) Promote the creation of developments that are identifiable in the landscape, surrounded by open space and help preserve sensitive natural features.

- (7) Preserve the existing agricultural base of the Township by allowing irreplaceable farmland to be protected from permanent development to other uses.
- (8) Allow future development to replicate the best from the Township's historic patterns of settlement.

B. **Applicability of Part.** The provisions of this Part are a furtherance of the land use and development controls of land in the Township. This Part shall not affect any of the provisions of the Township Subdivision and Land Development Ordinance [Chapter 22] or this Chapter as they apply to the Township as a whole. After a development plan is duly filed, approved and recorded under the provisions of this Part, the land area included in the development plan shall be governed entirely by the provisions of this Part with the exception that provisions of the Township Subdivision and Land Development Ordinance [Chapter 22] and this Chapter specifically referenced within this Part shall also apply.

C. **Basis for Consideration.**

- (1) Consideration for approval or disapproval of a planned residential development shall be based on and interpreted in light of the effect of the development on the Comprehensive Plan of the Township and in light of the effect of the development on the use of the property adjacent to and in the areas close to the Planned Residential Developments.
- (2) This Part shall not be construed to mean the developer of a planned residential development can merely meet the standards set herein and develop a planned residential development as a permitted use. These standards and requirements are minimums only. The Supervisors may require more stringent standards, based on the specific and unique nature of the site and the surrounding areas in order to protect the health, safety and welfare of the citizens of the Township. In cases where additional standards are necessary for a specific site, this Chapter and the Township Subdivision and Land Development Ordinance [Chapter 22] shall apply towards the site until the proposed development plan has been filed, approved and recorded having met these additional standards.

D. **Modifications.** The Supervisors may, by conditional use approval, permit the modification of the provisions of this Part including, but not limited to, provisions relating to the percentage of types of dwelling units and the amount of increases in density or similar modifications in order to encourage planned residential developments. Any modification of the requirements of this Part shall be subject to the following standards:

- (1) The design and improvement of the Planned Residential Developments shall be in harmony with the purpose and intent of this Part.
- (2) The design and improvement of the planned residential developments shall generally enhance the development plan or in any case not have an adverse impact on its physical, visual or spatial characteristics.

- (3) The design and improvements of the planned residential developments shall generally enhance the streetscape and neighborhood, or in any case not have an adverse impact on the streetscape and neighborhood.
- (4) The modification shall not result in configurations of lots or street systems which shall be impractical or detract from the appearance of the proposed planned residential development.
- (5) The proposed modification shall not result in any danger to the public health, safety or welfare by making access to the dwellings by emergency vehicles more difficult, by depriving adjoining properties of adequate light and air or by violating the other purposes for which zoning ordinances are to be enacted.
- (6) Landscaping and other methods shall be used to insure compliance with the design standards and guidelines of this Part.
- (7) The landowner shall demonstrate that the proposed modifications will allow for equal or better results and represents the minimum modification necessary.

If the Board of Supervisors determines that the landowner has met his burden, it may grant a modification of the requirements of this Part. In granting modifications, the Board of Supervisors may impose such conditions as will, in its judgment, secure the objectives and purposes of this Part.

- E. **Minimum Development Size.** Because a planned residential development may be permitted in a wide variety of zoning districts, no planned residential development may include less than 20 (twenty) acres of contiguous land.
- F. **General Standards.** The planned residential development must meet all of the following general standards:
  - (1) The planned residential development is consistent with the Comprehensive Plan and this Chapter's "Statement of Community Development Objectives" [§103].
  - (2) The planned residential development is an effective and unified treatment of the development possibilities on the project site, and the development plan makes appropriate provision for the preservation of streams and stream banks, wooded cover, rough terrain and similar areas.
  - (3) The planned residential development shall be planned and developed to harmonize with any existing or proposed development in the area surrounding the project site.
  - (4) Performance bond for all public improvements in the development must be posted as required in the Township Subdivision and Land Development Ordinance [Chapter 22].

- G. **Utility Services.** Planned residential development of over 35 (thirty-five) housing units shall provide community sewer. This may be provided by connection to the Slippery Rock Municipal Authority system, another municipal system, a shared system for all housing units or any combination thereof. Approval of the planned residential development shall be contingent upon the Pennsylvania Department of Environmental Protection's approval of any non-municipal system. Means for the maintenance of any non-municipal system shall also be provided.
- H. **Common Open Space.** A minimum portion of the planned residential development must be devoted to open space uses. These uses may be any combination or single use listed below:
- (1) Timber management and forestry.
  - (2) Agriculture.
  - (3) Equestrian activities by community residents.
  - (4) Cemeteries (with approval of the Supervisors).
  - (5) Golf courses.
  - (6) Scenic areas and vistas.
  - (7) Fishing, hunting, wildlife observation and similar outdoor recreational pursuits.
  - (8) Developed parklands.
  - (9) Airstrips.
- I. **Peripheral Open Space.** To minimize conflicts with neighboring uses, all setbacks as normally required by the zoning district in which the planned residential development is proposed shall be reserved as peripheral open space where the planned residential development borders other developments or uses. This space shall surround the entire development. It may be owned by a single party, land trust, government, homeowners' association or individual homeowners; provided, that means are emplaced to ensure this peripheral area remains undeveloped or utilized for agriculture in perpetuity. If the lands are to be developed as parklands or golf courses or airstrips, the developer shall submit a plan for a homeowners' association or similar management structure to assure maintenance in perpetuity. Unless devoted to agriculture, or containing natural vegetation of suitable size, this peripheral open space shall be planted with a buffer/screening yard of at least ten (10) feet in width. Planting shall meet minimum standards as contained in §414 of this Chapter.
- J. **Interior Open Space.** Certain lands shall also be reserved as interior open space for any of the uses outlined in subsection (H). Unless devoted to agriculture, these areas must be owned by a land trust, government, homeowners' association or similar responsible body to ensure maintenance or proper manage-

ment in perpetuity. If devoted to agriculture, means for appropriate permanent dedication to prevent its development must be included.

- (1) **Minimum Area for Interior Open Space.** When added with peripheral open space, the interior open space shall be of a percentage so that at least fifty percent (50%) of the total planned residential development shall be retained as open space.
- (2) To promote flexibility in design, and to protect the health and safety of community residents at higher densities allowed by this conditional use, portions of the interior open space may be utilized for onsite sewage disposal by any means approved by the Pennsylvania Department of Environmental Protection.

**K. Standards for Residential Development Within a Planned Residential Development.**

- (1) The density of residential units shall generally decrease from the interior of the planned residential development. Peripheral areas shall only be devoted to single-family dwellings, open space, agriculture or nonresidential uses.
- (2) Institutional uses, such as churches and community centers, may be freely spaced throughout the development as long as such facilities are reasonably accessible through the planned residential development's street system.
- (3) To the maximum extent possible, the residential street system shall parallel existing fence rows, tree lines and similar natural features.
- (4) **Area and Bulk Regulations.** To meet the minimum peripheral open space required, the following side, front and rear yard regulations shall apply to the entire planned residential development and those individual lots or buildings which abut the boundaries of the proposed planned small development.

Districts	Minimum Front Open Space	Minimum Side Open Space	Minimum Rear Open Space
A-1	30'	35'	70'
RC-1	50'	25'	50'
V-1/R-2	50'	25'	50'
E-I	50'	25'	50'
U-1	50'	25'	50'

- (5) Maximum building height shall be three (3) stories, exclusive of church steeples, bell towers and similar protuberances.
- (6) The allowed density of dwellings and other uses shall be calculated by dividing the maximum density or minimum single family lot size normally

allowed for the district in which the development is proposed into the total land area of the proposed planned residential development. This total shall be the maximum number of units which can be constructed within the total buildable area (total area, less required peripheral and interior open space). Buildings containing multifamily units shall have no more than four (4) units/dwellings.

L. **Additional Uses Permitted.** Planned residential development may include the following additional uses: multifamily dwellings, community clubs, churches and related uses. With the exception of churches, such nonresidential uses shall be allowed only to the extent that the Township finds them to be designed to serve primarily the residents of the planned residential developments or are compatibly and harmoniously incorporated into the design of the planned development. Mobile home subdivision and mobile home parks are excluded from the planned residential development.

M. **Application for Tentative Approval of Planned Residential Developments.** In order to provide an expeditious method for processing a development plan for a planned residential development under the provisions of this Chapter, and to avoid the delay and uncertainty which would arise if it were necessary to secure approval, by a multiplicity of procedures, of a plat of subdivision as well as approval of a change in the zoning regulations otherwise applicable to the property, it is hereby declared to be in the public interest that all procedures with a planned residential development and the continuing administration thereof shall utilize the following provisions:

- (1) An application for tentative approval of the development plan for a planned residential development shall be filed by or on behalf of the landowner.
- (2) The application for tentative approval shall be filed by the landowner in such form upon the payment of such a reasonable fee as is specified by the Township. The application shall be filed with the Zoning Officer.
- (3) All planning, zoning and subdivision matters relating to the platting, use and development of the planned residential development and subsequent modifications of the regulations relating thereto, to the extent such modification is vested in the Township, shall be determined and established by the Supervisors with the advice of the Planning Commission.
- (4) The provisions shall require only such information in the application as is reasonably necessary to disclose to the Township:

(a) **General Data.**

- 1) Name of proposed planned residential development.
- 2) North point.
- 3) Graphic scale and legend describing all symbols shown on the plan.

- 4) Day, month and year the plan was prepared and date and description of revisions to the plan occurring after formal submission.
  - 5) Name and address of the owner and deed book and page numbers of the deeds conveying the property to the owner. Name of the developer and their billing address (if different).
  - 6) Name, address and seal of the individual or firm preparing the plan.
  - 7) Names of abutting property owners, tax parcel numbers and their deed book and page numbers.
  - 8) Key map showing the location of the proposed planned residential development and all roads within five thousand (5,000) feet there from.
  - 9) Butler County tax parcel numbers of all parcels included in the planned residential development.
  - 10) A certification of ownership and plan acknowledgment signature block.
  - 11) An offer of dedication signature block.
  - 12) Township approval signature block.
  - 13) Recorder of Deeds signature block.
- (b) **Existing Features.**
- 1) Perimeter boundaries of the total property showing bearings to the nearest minute and distances to the nearest hundredth of a foot.
  - 2) Total acreage of the property and total square feet within each lot of the development.
  - 3) Natural feature, including sinkholes, watercourses, tree masses and unique vegetation or natural features; floodplain, steep slopes and critical groundwater recharge areas; topographic contour lines at vertical intervals of ten (10) feet.
  - 4) Existing features, including sewer lines and laterals, water mains and fire hydrants, electrical lines and poles, culverts and bridges, railroads, buildings, streets, including right-of-way and cartway widths and approximate grades, development of abutting properties, including local and types of uses.

- 5) Land under current agricultural uses, including cultivated fields, orchards, pastures and similar uses.
- (c) **Proposed Development.** The planned residential development is envisioned as an area in which an integrated development will occur which incorporates a variety of residential and related uses permitted within the conditional use. The respective areas of the master plan devoted to specific residential, commercial and institutional uses should be shown, and within each area the following should be included.
- 1) The appropriate location and use of buildings and other structures (all area dimensions shall be indicated in square feet.)
  - 2) The approximate location and area of driveways and parking and loading areas.
  - 3) The approximate property lines of lot to be subdivided, measured to the nearest foot.
  - 4) The approximate location of sidewalks and bike or foot paths.
  - 5) The approximate location of utility and drainage easements.
  - 6) The approximate location and pipe diameter of sewer and water mains.
  - 7) The approximate location of fire hydrants.
  - 8) Perimeter setbacks and required buffer yards.
  - 9) Street information, including: location and width of right-of-way and cartway, proposed street names, approximate road profiles along the centerline of each proposed street, showing finished grade at a scale of one (1) inch equals fifty (50) feet horizontal and one inch equals five (5) feet vertical.
  - 10) A conceptual landscaping plan indicating the treatment of materials and landscaping concepts used for private and common open space.
  - 11) A general grading plan showing any major alterations to the topography of the site.
  - 12) The approximate location and area of proposed common or dedicated open space, including: the proposed use and improvements of common open space, the approximate location and use of common recreational facilities, and the approximate location and area of land to be dedicated for public purposes.

- 13) A table shall be included on the plan describing each phase or section with quantitative data, including the total area of the development and approximate area of each phase.
  - 14) The total area devoted to each use, the number of residential units, the percentage of each type of use and the total floor area in the development and in each phase.
  - 15) Floor area ratio (F.A.R.) in the development and each phase.
  - 16) The area of streets, parking, sidewalks and walkways and the total area paved and percent of area paved or covered by the structures in the development and each phase or section.
  - 17) The total area devoted to planned recreational or open space used throughout the entire development and in each phase.
  - 18) The calculations of impervious surface in the development and in each phase.
- (d) **The following information should be included with a narrative statement submitted with the master plan:**
- 1) A statement of the ownership of all of the land included within the master plan.
  - 2) An explanation of the design pattern of the planned residential development.
  - 3) A statement describing any proposed innovative design concepts included in the plan.
  - 4) The substance of covenants, grants of easements or other restrictions proposed to be imposed on the use of land, buildings and structures, including proposed easements or grant for public use or utilities. The covenant should specifically indicate that any land proposed for parks, recreation or open space will be used for such purposes in perpetuity.
  - 5) A description of the form of organization proposed to own and maintain the common open space, recreational facilities or other common facilities.
  - 6) A statement of the proposed use and improvement of common open space and recreational facilities and prime or active farmlands.
  - 7) A description of proposals to preserve natural features and existing patterns and detention pond areas. The plan should include preliminary pond sizing calculations.

(e) **Development Schedule.**

- 1) When it is anticipated that development pursuant to an approved master plan will occur in phases over a period of years, the following shall be included with the application for master plan approval:
  - a) The phases in which the land development will be submitted for final land development approval and the approximate date when each phase will be submitted for final plan approval.
  - b) The approximate date when each phase will be completed.
- 2) Any phase of development pursuant to an approved master plan shall be able to function independently of the undeveloped phases while being compatible with adjacent or neighboring land use.
- 3) If development pursuant to a master plan is to be done in phases, over a period of years and according to an approved schedule, the gross density of any phase, or in combination with previously developed phases, shall be in general proportion to residential and nonresidential density requirements.
- (4) The application for tentative approval of a planned residential development shall include a written statement by the landowner setting forth the reasons why, in his opinion a planned residential development would be in the public interest and would be consistent with the comprehensive plan for the development of the Township.
- (5) The application for tentative approval shall be forwarded to the Slippery Rock Township Planning Commission for their review and comments. The Planning Commission shall have thirty-five (35) days, from the date of filing, to complete their review and make their recommendations to the Supervisors.

N. **Public Hearings.**

- (1) Within sixty (60) days after the filing of an application for tentative approval of a planned residential development pursuant to this Chapter, a public hearing pursuant to public notice of said application shall be held by the Township of Slippery Rock in the manner prescribed in the Pennsylvania Municipalities Planning Code.
- (2) The Supervisors may continue the hearing from time to time, and where applicable, may refer the matter back to the Planning Commission for additional review; provided, however, that in any event, the public hear-

ing or hearings shall be concluded within sixty (60) days after the date of the first public hearing.

O. **The Findings.**

- (1) The Supervisors, within sixty (60) days following the conclusion of the public hearing provided for in this Part shall, by official written communication, to the landowner, either:
  - (a) Grant tentative approval of the development plan as submitted.
  - (b) Grant tentative approval subject to specified conditions not included in the development plan as submitted.
  - (c) Deny tentative approval to the development plan.

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, the tentative approval is granted subject to conditions, the landowner may, within thirty (30) days after receiving a copy of the official written communication of the Township notify such Supervisors of his refusal to accept all said conditions, in which case, the Township shall be deemed to have denied tentative approval of the development plan. In the event the landowner does not, within said period, notify the governing body of his refusal to accept all said conditions, tentative approval of the development plan, with all said conditions, shall stand as granted.

- (2) The grant or denial of tentative approval by official written communication shall include not only conclusions but also findings of fact related to the specific proposal and set forth the reasons for the grant, with or without conditions, or for the denial, and said communication shall set forth with particularity in what respects the development plan would or would not be in the public interests including, but not limited to, findings of fact and conclusions on the following:
  - (a) In those respects in which the development plan is or is not consistent with the comprehensive plan for the development of The Township of Slippery Rock.
  - (b) The extent to which the development plan departs from zoning and subdivision regulations otherwise applicable to the subject property including, but not limited to density, bulk and use and the reasons why such departures are or are not deemed to be in the public interest.
  - (c) The purpose, location and amount of the common open space in the planned residential development, the reliability of the proposals for maintenance and conservation of the common open space and the adequacy or inadequacy of the amount and purpose of the common

open space as related to the propose density and type of residential development.

- (d) The physical design of the development plan and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic and further the amenities of light and air, recreation and visual enjoyment.
  - (e) The relationship, beneficial or adverse, of the proposed planned residential development to the neighborhood in which it is proposed to be established.
  - (f) In the case of a development plan which proposed development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public and of the resident of the planned residential development in the integrity of the development plan.
- (3) In the event a development plan is granted tentative approval, with or without conditions, the Township may set forth in the official written communication the time within which an application for final approval of the development plan shall be filed or, in the case of a development plan which provides for development over a period of years, the periods of time within which applications for final approval of each part thereof shall be filed. Except upon the consent of the landowner, the time so established between grant of tentative approval and an application for final approval shall not be less than twelve (12) months and, in the case of developments over a period of years, the time between applications for final approval of each part of a plan shall not be less than twelve (12) months.

**P. Status of Plan After Tentative Approval.**

- (1) The official written communication provided for in this Part shall be certified by the Township Secretary of the Supervisors and shall be filed in the Township office, and a certified copy shall be mailed to the landowner. 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.
- (2) Tentative approval of a development plan shall not qualify a plat of the planned residential development for recording nor authorize development or the issuance of any building permits. A development plan which has been given tentative approval as submitted, or which has been given tentative approval with conditions which have been accepted by the landowner (and; provided, that the landowner has not defaulted nor violated any of the conditions of the tentative approval), shall not be modified or revoked nor otherwise impaired by action of the Township pending an application or applications for final approval, without the consent of the landowner; provided, an application or applications for final approval is filed or, in the case of development over a period of years; provided, appli-

cations are filed within the period time specified in the official written communication granting tentative approval.

- (3) In the event that a development plan is given tentative approval and thereafter, but prior to final approval, the landowner shall elect to abandon said development plan and shall not notify the governing body in writing, or in the event the landowner shall fail to file application or applications for final approval within the required period of time or times, as the case may be, the tentative approval shall be deemed to be revoked and all that portion of the area included in the development plan for which final approval has not been given shall be subject to those local ordinances otherwise applicable thereto as they may be amended from time to time, and the same shall be noted on the zoning map and in the records of the Secretary of the Township.

**Q. Application for Final Approval.**

- (1) An application for final approval may be for all the land included in a development plan or, to the extent set forth in the tentative approval, for a section thereof. Said application shall be made to the Zoning Officer of the Township designated by this Chapter within one (1) year of the official written communication granting tentative approval. The application shall include any drawings, specifications, covenants, easements, performance bond and such other requirements as may be specified by this Chapter, as well as any conditions set forth in the official written communication at the time of the tentative approval. A public hearing on an application for final approval of the development plan, or the part thereof, submitted for final approval, shall not be required; provided, the development plan, or the part thereof submitted for final approval is in compliance with the development plan theretofore given tentative approval and with any specified conditions attached thereto. The submission shall be reviewed by the Zoning Officer and the Planning Commission for compliance prior to being forwarded to the Supervisors. This review is to take place within thirty-five (35) days.
- (2) In the event the application for final approval has been filed, together with all drawings, specifications and other documents in support thereof, and as required by this Chapter and the official written communication of tentative approval, by the Township shall, within forty-five (45) days of such filing, grant such development plan final approval.
- (3) In the event the development plan as submitted contains variations from the development plan given tentative approval, the Township may refuse to grant final approval and shall, within forty-five (45) days from the filing of the application for final approval, so advise the landowner in writing of said refusal, setting forth in said notice the reasons why one or more of said variations are not in the public interest. In the event of such refusal, the landowner may either:
  - (a) Refile his application for final approval without the variations objected.

- (b) File a written request with the approving body that it hold a public hearing on his application for final approval.
- (4) If the landowner wishes to take either such alternate action he may do so at any time within which he shall be entitled to apply for final approval, or within thirty (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. In the event the landowner shall fail to take either of these alternative actions within said time, he shall be deemed to have abandoned the development plan. Any such public hearing shall be held pursuant to public notice within the thirty (30) days after 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 applications for tentative approval. Within thirty (30) days after the conclusion of the hearing, the Township shall by official written communication either grant final approval to the development plan or deny final approval. The grant or denial of final approval of the development plan shall, in cases arising under this Section, be in the form and contain the findings required for an application for tentative approval set forth in this Chapter.
- (5) A development plan, or any part thereof, which has been given final approval shall be so certified without delay by the Township and shall be filed of record forthwith in the office of the Recorder of Deeds before any development shall take place in accordance therewith. Upon the filing of record of the development plan the zoning and subdivision regulations otherwise applicable to the land included in such plan shall cease to apply thereto. Pending completion, in accordance with the time provisions stated in §508 of the Pennsylvania Municipalities Planning Code, of said planned residential development or of that part thereof, as the case may be, that has been finally approved, no modification of the provisions of said development plan, or part thereof, as finally approved, shall be made except with the consent of the landowner. Upon approval of a final plat, the developer shall record the plat in accordance with the provisions of §513(a) of the Pennsylvania Municipalities Planning Code and post financial security in accordance with §509 of the Pennsylvania Municipalities Planning Code.
- (6) In the event that a development plan, or a section thereof, is given final approval and thereafter the landowner shall abandon such plan or the section thereof that has been finally approved, and shall so notify the Township in writing; or, in the event the landowner shall fail to commence and carry out the planned residential development in accordance with the time provisions stated in §508 of the Pennsylvania Municipalities Planning Code after final approval has been granted, no development or further development shall take place on the property included in the development plan until after the said property is reclassified by enactment of an amendment to this Chapter in the manner prescribed for such amendments in Part 7 of this Chapter.



**PART 4****Supplementary Regulations****§401. Nonconforming Uses and Structures.**

The following provisions shall apply to all nonconforming uses and structures. It is the intention of Slippery Rock Township that all legal nonconforming uses and structures shall be able to continue; however, all changes in such uses shall only be as allowed in this Part.

- A. Any nonconforming use may be continued, or may be changed to a use of the same or a more restrictive classification, but may not be extended or expanded unless to a conforming use, except as permitted by the Board of Supervisors in accordance with the provisions of this Chapter.
- B. Any nonconforming building which has been damaged or destroyed by fire or any other means may be reconstructed and used as before by permitted use, if such reconstruction is performed within twelve (12) months of discontinuance of use and if the restored building covers no greater area and contains no greater cubic content. If approved by the Board of Supervisors through conditional use, a reconstructed structure may exceed its original lot coverage and cubic content but must meet the minimum yard requirements of the district in which the structure is located, and in such cases it must meet the off-street parking and loading requirements of this Chapter.
- C. In the event that any nonconforming use, conducted in a structure or otherwise voluntarily ceases, for whatever reasons, for a period of one-year, such nonconforming use shall not be resumed and any further use shall be in conformity with the provisions of this Chapter.
- D. The nonconforming use of a building may be extended throughout those parts thereof which were manifestly arranged or designed for such use at the time of adoption of this Chapter. A nonconforming use, building or structure may, with the approval of the Board of Supervisors through conditional use, be extended, enlarged or replaced if such expansion does not occupy an area greater than fifty percent (50%) more than the use or structure occupied prior to such expansion, enlargement or reconstruction. Furthermore, such structures must meet the minimum yard regulations and height restrictions of the district in which the structure is located and must meet all off-street parking and loading requirements of this Chapter.
- E. Standards for change, conversion, or expansion of nonconforming uses by Conditional Use:
  - 1. If the nonconforming use is a residential nonconformity, no expansion will result in a greater number of dwelling units.
  - 2. The nonconformity may not extend to any property beyond the original lot, parcel or tract upon which it is located.
  - 3. The Township may limit the hours of operation as a reasonable condition and safeguard.

4. The expansion will not increase any unscreened outdoor storage area.
  5. The nonconformity will not increase the intensity of activities from the existing development to an extent that the use classification would change to a less restrictive or more intensive one.
  6. The Township may require screening or buffering to mitigate any effect upon surrounding properties.
- F. A single family dwelling unit that is a nonconforming structure because a portion of it encroaches upon a required yard area may expand after permitted use approval in a manner that only continues that degree of encroachment and it does not further encroach into the required yard.
- G. 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 and required permits have been granted prior to the effective date of this Chapter and where construction is complete within six (6) months from the date of issuance of the permit.
- H. Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use.
- I. Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another of a different classification, this Part shall also apply to any uses which thereby become nonconforming.

**§402. Existing Lots of Record.**

Any lot of record existing at the effective date of this Chapter, and held in separate ownership different from the ownership of adjoining lots, may be used for the erection of a structure conforming to the use regulations of the district in which it is located even though its lot area and width are less than the minimum required by this Chapter; however, such lot must comply with the yard, height and coverage standards of the zoning district wherein it is located. Where two or more adjoining lots of record with less than the required area and width are held by one owner, on or before the date of enactment of this Chapter, Township shall require replatting to fewer lots which would comply with the minimum requirements of this Chapter. Approval of the replat as a subdivision shall precede issuance of a zoning permit or certificate.

**§403. Application of Yard Regulations.**

1. Where a structure exists on an adjacent lot and is within one hundred fifty (150) feet of the proposed structure, and the existing structure has a front yard less than the minimum depth required, the minimum front yard shall be the average depth of the front yard of the existing structure on the adjacent lot and the minimum depth required for the district; where structures exist on both adjacent lots, the minimum depth of the front yard shall be the average depth of the front yards of the existing adjacent structures.

2. All structures, whether attached to the principal structure or not, and whether open or enclosed, including porches, carports, balconies or platforms above normal grade level, shall not project into any minimum front, side or rear yards except as noted in subsections (3), (4) and (5).
3. A wall or fence under six (6) feet in height and paved terraces without walls, roofs or other enclosures may be erected within the limits of any yard. Retaining walls and fences required for screening under this Part are not subject to the six (6) foot high limitation. Fences may be permitted in front yard areas; provided, they are no higher than four (4) feet and do not impinge on the required free sight triangle at intersections.
4. Swimming pools shall be permitted in yard areas; provided, that the pool is located not less than ten (10) feet from lot line.
5. Within any district, and for any use, Small garden sheds, storage sheds and similar structures may be permitted in rear and side yard areas; provided, such structure does not exceed 144 square feet and lies no closer than ten (10) feet to an abutting lot line.
6. **Yard Regulations for Unattached Accessory Structures for Single-Family Residential Dwellings.**
  - A. In addition to accessory dwelling side yard encroachments permitted for small buildings by all uses, a single family dwelling may erect an accessory structure in accordance with the following standards:
    - (1) Front yard – fifty (50) feet setback from the right of way of a public road or street. Fifteen (15) feet setback from the right of way of a private road or twenty (20) feet from the cartway of a private road with indeterminate right of way.
    - (2) Side yard (interior lot) – fifteen (15) feet setback from property line.
    - (3) Side yard (corner lot) – same as for principal structure.
    - (4) Rear yard – three (3) feet setback from property line.
    - (5) The accessory building shall not be closer to a principal structure than 10 feet. There shall be no common wall or roof that attaches the encroaching accessory structure to the principle building.
    - (6) An encroaching accessory structure under this article shall not exceed one story in height.
    - (7) If such an encroaching structure is greater than 400 square feet in size the applicant shall illustrate to the zoning officer that roof runoff will not enter a neighboring property. This may be accomplished by showing the direction of any existing grade, proposed grading, proposed use of roof drains, or installation of sumps.

- B. Attached Accessory Structures in R-Districts. When an accessory structure is attached to the principal building, it shall comply in all respects with the requirements of this Chapter applicable to the principal building.

**§404. Temporary Uses and Structures.**

Temporary structures in conjunction with construction work shall be permitted only during the period that the construction work is in progress. Permits for temporary structures shall be issued for a six (6) month period.

**404.1 Temporary Structures and Residences:**

- A. Construction trailers are permitted in all districts for use as offices directly related to the act of construction, and only during the period construction work is covered under a valid building permit; but they may not be used as living quarters or for real estate sales offices.
- B. Mobilehomes may be permitted as living quarters on construction sites only for mineral excavation and oil and gas drilling during the time of actual mining or drilling at the site where the mobilehomes are located. Such uses must meet all sewage disposal regulations.

**404.2 Tent and truck sales, yard and garage sales, and other temporary retail Sales**

- A. Tents erected for community or family events, auctions or residential yard and garage sales are exempt from this section provided that temporary structures are removed within five (5) days of erection, and yard and garage sales do not last more than ten contiguous days or more than 60 days per year. However, no such exempt tent or truck shall block any vehicular line of site on a public street. Where the proposed tent, truck used for retail sales, or other temporary sales event will remain in place for more than five days, a zoning certificate permit for a temporary use must be obtained. Food trailers and food trucks operating as eating or drinking places may remain in place indefinitely, provide they meet all use and setback standards for the zone district and the vehicle or trailer remains licensed for travel upon public roads. In such cases, a temporary use zoning certificate shall be obtained and renewed every six (6) months.
  - 1. The Applicant shall show the location of all temporary signs emplaced in conjunction with the sale, and pay a deposit in an amount established by the Township fee resolution to ensure all signs are removed upon conclusion of the sale.

2. If the property owner is not the sponsor of the sales event, the applicant shall have written permission of the property owner.
3. No part of any operation shall be located within any required yard or setback.
4. The event shall not impede or adversely affect vehicular or pedestrian traffic sight distance, flow or parking maneuver. The driveway shall be clearly delineated and if necessary, show any PennDOT approval and/or adequate site distance.

B. The maximum duration of any tent, garage sale, yard sale or other temporary retail sale shall be fourteen (14) calendar days and no more than thirty days per calendar year. No sale shall be held upon the same property for thirty (30) days after said event, unless conditional use approval as a flea market is obtained. The applicant shall have sufficient secure trash receptacles on site for all waste generated by any temporary sale. All signs, merchandise, equipment used in such sales, and all debris and waste resulting from a temporary sale shall be removed from the premises within three days of the termination date of the permit.

**404.3 Parking, Major Recreational Equipment:**

The outdoor storage of major recreational equipment including, but not limited to, travel trailers, motor homes, tent trailers, pickup campers (designed to be mounted on automobile vehicles), boats and boat trailers as a “accessory activity to a dwelling activity shall be permitted without a zoning permit subject to the following requirements: Equipment must be registered to the owner or resident of the dwelling unless kept for a period of thirty days or less. All such equipment shall be stored in compliance with the following yard or setback requirements:

- A. Front Yard – Not Permitted
- B. Side Yard – 5 feet
- C. Rear Yard – 5 feet
- D. On a corner lot (reverse frontage lot), the front yard prohibition shall be applicable on two lot faces.

- E. No permit is required for keeping major recreational equipment on lot when accessory to a dwelling and compliant with setbacks.
- F. Recreational Equipment shall not be used for temporary residences for more than 14 days in the R-1, C-1 or U-1 Districts, unless within approved recreational campgrounds as defined by this ordinance.

**§405. Height Limitations.**

- 1. When the following conditions are met, height limitations may be increased:
  - A. Structure height, in excess of the height permitted above the average ground level allowed in any district may be increased; provided, all minimum front, side and rear yard depths are increased by one (1) foot for each additional foot of height; however, such increase shall be limited to no more than ten (10) additional feet.
  - B. The following structures are exempt from height regulations; provided, they do not constitute a hazard: communication towers, church spires, chimneys, elevator bulkheads, smoke stacks, conveyors, flag poles, agricultural barns, silos and similar farm structures, standpipes, elevated water tanks, derricks, farm structures and similar structures provided, all minimum front, side and rear yard depths are increased by one (1) foot for each additional foot of height.
- 2. However, for the above structures, all yard and setback requirements must be met; in addition, any structure with a height in excess of fifty (50) feet will be first referred to the Slippery Rock Volunteer Fire Department for a review relative to public safety considerations.

**§406. Performance Standards.**

No use of land or structure in any district shall involve any element, or cause any condition that may be dangerous, injurious or noxious to any other property or person in the Township. Furthermore, every industrial or commercial use of land or structure in any district must observe the following performance requirements:

- A. **Fire Protection.** Fire protection and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive material is carried on.
- B. **Electric Disturbance.** No activity shall cause electrical disturbances adversely affecting radio, television or other communication equipment in the neighboring area.
- C. **Noise.** Noise which is determined to be objectionable because of volume or frequency shall be muffled or otherwise controlled, except for fire sirens and related apparatus used solely for public safety purposes.

- D. **Odors.** In any district, except the Industrial District, no malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.
- E. **Air Pollution.** No pollution of air by fly ash, dust, vapors or other substances shall be permitted which is harmful to health, or to animals, vegetation or other property.
- F. **Glare.** Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.
- G. **Erosion.** No erosion by wind or water shall be permitted which carry objectionable substances onto neighboring properties.
- H. **Water Pollution.** The discharge of all wastewater shall be in accordance with the standards of the Pennsylvania Department of Environmental Protection and/or the Township of Slippery Rock, and comply with any and all applicable regulations of the United States. Wastewater discharge shall be acceptable under the provisions of Pennsylvania Act 537 and other State and Township regulations as the same may be amended from time to time.

**§407. Off-Street Loading and Parking.**

Off-street loading and parking space shall be provided in accordance with the specifications in this Section in all districts whenever any new use is established or an existing one is enlarged.

- A. **Off-Street Loading.** Every use which requires the receipt or distribution, by vehicles, of material or merchandise, shall provide off-street loading berths in accordance with its size per the following table: Berths may be within parking lot access lanes provided that they will not block parked cars or street ingress or egress.

Use	First Berth	Second Berth
<b>Industrial:</b>		
Manufacturing	5,000	50,000
Warehouse	10,000	50,000
Storage	10,000	50,000
<b>Commercial:</b>		
Wholesale	10,000	50,000
Retail	10,000	40,000
Service Establishment	30,000	60,000
Restaurants	40,000	80,000
Office Building	10,000	100,000
Hotel	10,000	100,000
<b>Institutional:</b>		
Schools	10,000	100,000
Hospitals	50,000	100,000

Nursing Homes	50,000	100,000
<b>Public Buildings:</b>		
Auditoriums	30,000	100,000
Arenas	30,000	100,000

Note: All figures are given in gross feet of floor area for each listed use.

- (1) **Size and Access.** Each off-street loading space shall be not less than ten (10) feet in uniform width and sixty-five (65) feet in length. It shall be so designed so the vehicles using loading spaces are not required to back onto a public street or alley. Such spaces shall abut a public street or alley or have an easement of access thereto.

**B. Off-Street Parking.**

- (1) **Size and Access.** Off-street parking spaces shall have an area determined by their use. In the case of multifamily dwellings, mobile home parks, industrial and manufacturing establishments, warehouses, wholesale and truck terminals; each space shall be not less than one hundred forty-four (144) square feet, being at least eight (8) feet wide and eighteen (18) feet long. For all other uses, each space shall have a uniform area of one hundred eighty (180) square feet, being at least ten (10) feet wide and eighteen (18) feet long. These uniform sizes shall be exclusive of access drives or aisles, and shall be in usable shape and condition. Except in the case of single-family dwellings, no parking area shall contain less than three (3) spaces. Parking areas shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto public streets. Where an exiting lot does not abut on a public or private street, alley or easement of access, there shall be provided an access drive leading to the parking or storage area or loading spaces. Such access drive shall not be less than ten (10) feet wide. Access to off-street parking areas shall be limited to well defined locations, and in no case shall there be unrestricted access along a street. Specifically, single-lane driveways shall be at least ten (10) feet but shall not exceed twelve (12) feet, double drives (for ingress and egress) may be up to twenty-four (24) feet wide. There shall be at least fifteen (15) feet between driveways at the street line and at least five (5) feet between a driveway and a fire hydrant, catch basin or street intersection radius.
- (2) **Off-Street Parking.** Off-street parking lots in excess of twenty thousand (20,000) square feet shall meet those standards detailed in §414.
- (1) **Number of Parking Spaces Required.** The number of off-street parking spaces required is set forth below. Handicapped accessible parking spaces, as may be required by applicable State and Federal laws and regulations, are not to be counted in meeting the minimum number of parking spaces required by this Part. The Township of Slippery Rock may require evidence or developers certification of com-

pliance with such laws and regulations. Where the use of the premises is not specifically mentioned, requirements for similar uses shall apply. If no similar uses are mentioned, the parking requirements shall be one (1) space for each two (2) proposed patrons and/or occupants of that structure. Where more than one use exists on a lot, parking regulations for each use must be met.

<i><b>Parking by Use Group</b></i>	<i><b>Parking Spaces Required</b></i>
<b>Residential</b>	
Single-Family Dwelling	2 per dwelling unit
Family and Group Day Care	2 spaces per dwelling and at least 1 additional space
Multi-Family Dwelling	2.5 per dwelling unit, unless limited to persons over the age of 55, or 1 bedroom units, than 1.5 spaces per dwelling unit
Student Dwelling Unit	One (1) space per each occupant in maximum legal occupancy, plus one (1) visitor space per each five (5) occupants, and one (1) space per each employee per shift
Mobile Home Parks	2 per dwelling
<b>Institutional Uses</b>	
Places of Worship and Assembly, Auditoriums, Indoor Assembly Places	1 per each 3 seats or 1 per each 4 persons permitted in maximum occupancy
Stadiums, Sports Arenas and Places of Outdoor Assembly	1 per each 6 seats or 1 per each 4 persons permitted in maximum occupancy
Schools	1 per each teacher and staff 1 for each 4 classrooms plus 1 for each 2 students age 16 and over
Nursing Homes and Personal Care Homes	1 per each staff on the largest shift plus 1 per each 4 beds
Hospitals	1 per each staff on the largest shift plus 1 per each bed
<b>Commercial Uses</b>	
Auto Sales and Service, Trailer Sales, and Similar Outdoor Sales	1 per 5,000 Square Feet developed lot area for vehicle display and 1 per 300 Square feet customer service area; to a required maximum of 30 designated customer parking spaces
Day Care Centers	1 space for every eight (8) children under care and one space for each employee on shift
Convenience Store/Service Stations	1 per 200 Square Feet gross floor area
Hotels/Motels	1 per guest room plus 1 per each employee on the largest shift
Funeral Home and Mortuaries	25 for the first parlor or viewing room, plus 10 per each additional viewing room
Indoor Commercial Recreation	1 per each 3 persons in maximum occupancy
Outdoor Commercial Recreation	1 per each 2,500 of lot area developed and used for the recreational activity
Medical and Dental Office	8 spaces per doctor
Professional Office and Banks	1 per each 250 Square Feet of gross floor area
Furniture Stores, Building Material and Supply Yards	1 per each 800 Feet of gross floor area
Eating and Drinking Places	1 per each 2.5 patron seats
Retail Stores/Shopping Centers	1 per each 400 Square Feet of gross floor area

Fast Food, Drive Through Eating and Drinking	1 per each 2 patron seats
Recreation Campgrounds	2 per campsite
<b>Industrial Uses</b> Business Parks, Light Manufacturing, Heavy Manufacturing, Truck Terminals and Warehouses.	1 per each employee on larges shift plus 1 visitor space per each 10,000 Square Feet gross floor area.

- (4) **Location and Parking.** Required parking spaces shall be located on the same lot with the principal use. The Zoning Hearing Board may permit parking spaces to be located not more than two hundred (200) feet from the lot of the principal use, if located in the same zoning district as the principal use, and the Board finds that it is impractical to provide parking on the same lot with the principal use.
- (5) **Screening and Landscaping.** Off-street parking areas for more than five vehicles, and off-street loading, shall be effectively screened on any side which adjoins a residential district (see definition of “screening”) or use. In addition, there shall be a planting strip of at least five feet between the front lot line and the parking lot. Such planting strip shall be suitably landscaped and maintained.
- (6) **Minimum Distance and Setbacks.** No off-street loading or parking area for more than five (5) vehicles shall be closer than ten (10) feet to any adjoining property line containing a dwelling, residential district, school, hospital or similar institution.
- (7) **Surfacing.** With the exception of single-family and two-family dwellings, all parking and loading areas and access drives shall have a paved or oiled surface graded with positive drainage to dispose of surface water. Parking areas larger than ten thousand (10,000) square feet shall submit a plan, including drainage provisions, to the Township for approval. Lots shall be designed to provide for orderly and safe loading and parking.
- (8) **Lighting.** Any lighting used to illuminate off-street parking or loading areas shall be arranged so as to reflect the light away from the adjoining premises of any residential district or use and away from roads or highways.

**§408. Signs.**

- 1. **The following sign regulations shall be observed in all districts:** It is not the purpose of this section to abridge commercial or non-commercial free speech. The purpose of these regulations is to ensure that the time, place, and manner of sign placement within the Township is conducted with regard to the safety of motorists and pedestrians (especially in avoiding distractions or confusion in high

traffic areas), access to light and air by neighboring properties, and avoidance of negative impact upon neighboring properties, including unnecessary glare.

**1. Exempt Signs:** The following types of signs are permitted in all zoning districts, and are exempt from permitting requirements, but not from performance standards relative to traffic safety or overall sign limitations of any specific sign type or district.

A. Temporary signs announcing a campaign, drive or event of a civic, philanthropic, educational or religious organization, provided such sign shall not exceed thirty two (32) square feet in area and shall be removed upon the completion of the campaign, drive or event.

B. Temporary signs erected in connection with announcing the development or proposed development of the premises or property provided that the area of any such sign shall not exceed thirty two (32) square feet. Not more than one (1) such sign shall be placed on any property held in single and separate ownership. No such sign may be erected until all subdivision and land development approvals have been obtained.

C. Political signs announcing candidates seeking public office, a referendum, or similar political or ideological speech. No such sign shall exceed 32 feet in size, and no more than two (2) signs of greater than 16 square feet may be placed upon each property.

D. Religious symbols, displays, or messages, and holiday displays or messages with no commercial content.

E. The flag of the United States, Commonwealth of Pennsylvania, any state or nation or any religious, charitable, or fraternal organization.

F. Signs offering the sale or rental of the premises upon which the sign is erected, provided that the area of any such sign shall not exceed ten (10) square feet and not more than one (1) such sign shall be placed on the property unless the property offered is greater than ten acres. In such cases, such signs may be up to 32 square feet in size, and one may be placed for each 600 feet of road frontage.

G. Signs advertising or directing patrons to auctions, garage, or yard sales provided that they do not exceed four (4) square feet, are placed on site no more than seven days before the event, and are removed as soon as the event or activity has ended.

H. Directory signs which list all the occupants of a multi-tenant or multiple-family building or buildings in a multi-building development; provided, that the area of such signs does not exceed one square foot per tenant or four square feet per individual building.

I. Temporary signs of contractors, developers, architects, engineers, builders, and artisans, erected and maintained on the premises where the work is being performed, provided that the area of such sign shall not exceed sixteen (16) square feet in any R-1 Residential or R-2 Residential District and thirty-two (32) square feet in all other districts. Such signs shall be removed upon completion of the work.

J. Any signs not visible from outside a lot or building.

K. Displays of time and temperature, including electronic displays with no other content.

L. Rest room, exit, public telephone, handicapped parking or access, and similar directional or informational signs emplaced for the benefit of the public or building tenants.

M. No trespassing signs, signs indicating the private nature of a road, driveway or premises, signs controlling hunting or fishing on the premises, provided that the area of each such sign shall not exceed six (6) square feet.

N. House and address numbers, home occupation, or nameplate sign displaying the name and address of the occupant or the profession or activity of the occupant of a dwelling unit, provided that not more than one (1) such sign shall be erected for each permitted use, and provided that the area of each such sign shall not exceed four (4) square feet. Such identifying signs may not be illuminated by more than a 75-watt fixture. The fixture shall be directed so as to avoid light trespass to neighboring properties. Farm properties may have one such sign of up to sixteen square feet including further information such as the farm name and farm products.

O. Memorial signs or tablets denoting the date of erection of a building.

P. Temporary signs announcing the birth of a child, birthday commemoration, marriage, graduation, or similar event in the life of a householder shall be permitted; provided such signs do not exceed 32 square feet and are removed as soon as the event or activity has occurred.

Q. Any sign warning of a hazard that contains no other information or commercial content.

R. Signs erected by the Township or an authorized entity that serve to provide directions and explanations for public recreational purposes and facilities, for dedication/memorial purposes, and to mark and explain historical events, persons or structures. Such signs shall not exceed sixteen (16) square feet in area. Such signs may include the name or logos of business or individuals who have sponsored a public improvement or general support of such facility.

S. Traffic signs and similar regulatory notices placed by a duly constituted governmental body.

T. Signs erected for the purpose of scoring or sponsoring an athletic event taking place upon the site, which may include electronic scoring devices and names and or logos of sponsors of the sign, provided there is no illumination of the sign at times when the activity is not taking place.

U. Agricultural Signs, including:

1. Signs advertising the sale of agricultural products produced and offered for sale on the premises. Such signs shall not exceed 32 square feet in area, and shall be removed within 30 days following the cessation of sales for the applicable product.
2. Temporary signs identifying the breed or variety of plants grown upon the premises, provided such signs are removed after harvest, and no such sign exceeds 2 square feet in size.
3. Temporary signs advertising produce for roadside stands, provided that no such sign exceed 16 square feet and shall not be located farther than 300 feet from the location of the stand.

V. Signs identifying functional areas for business parks, multi-building institutions, and similar large-scale facilities with multiple uses. Such signs may denote other sections of a building or property such as “office”, “library” or “shipping and receiving” etc. Such signs shall be no less than eight (8) square feet in area and bearing no commercial advertising or content.

## **2. Performance Standards**

Except where specifically noted, all signs shall adhere to all performance standards.

Unless specifically exempted by Section 408(1) of this Ordinance, a permit must be obtained from the Township for the erection or alteration of all signs. Exemptions from the necessity of securing a permit, however, shall not be construed to relieve the owner of the sign involved from responsibility for its erection and maintenance in a safe manner and in a manner in accord with all the other provisions of this ordinance and other applicable codes.

No signs shall be permitted within public rights-of-way, except PennDOT-approved traffic signs and devices; signs and banners specially approved by the Township for decoration or promotion of community events and activities; signs not exceeding nine square feet placed temporarily to advertise the sale of real estate or a yard sale; political signs not exceeding nine square feet placed temporarily; signs not exceeding nine square feet placed temporarily to provide notice of or direction to a civic, philanthropic, political, educational, or religious event or activity. The Township may require proof of insurance for any sign within a Township right of way.

No person shall construct, erect, place, use or permit the use of any permanent or temporary sign or sign structure on private or public property except for the property owner or tenant, or a person with the express written consent of the property owner.

Construction and maintenance: All signs shall be constructed in a workmanlike fashion using durable materials. Signs shall be designed and constructed to withstand wind

forces and in accordance with appropriate mechanical or electrical standards. The owners of signs shall keep them in safe and good repair. Signs that become deteriorated or otherwise present a public hazard shall be removed or repaired by the sign's owner. Signs which become deteriorated or otherwise present a public hazard shall be immediately removed or repaired by the sign's owner, regardless of how long they have been in place. A sign shall be considered deteriorated if any of the following conditions are present:

- (a) Any portion is torn.
- (b) Any portion is missing.
- (c) Any hole, other than one installed by the manufacturer for mounting or other purposes, more than ½-inch in diameter is present.
- (d) Any portion of the message is missing or faded.
- (e) Any portion of the sign's support or attachment is loose, torn, frayed or otherwise damaged or the support is determined to be inadequate to support the load imposed.
- (f) The sign or any portion of the sign is constructed of paper, cardboard or other material that is not weather-resistant, unless it is completely covered or enclosed by a weatherproof device constructed for that purpose.

If the owner of a sign cannot be found or identified, the owner of the property whereon the sign is located shall be responsible for its repair or removal

Abandonment of Use: If a sign advertises a service, commodity accommodation attraction or other enterprise or activity that is no longer being offered or conducted, the sign shall be considered abandoned, and shall be removed within one (1) year of abandonment. Abandonment does not include any property where the business or activity is being actively offered for sale or rent . The owner of any such sign may also apply for a sign continuation permit as a temporary use for six months with renewals for a total of two years.

No sign structure may block a vehicular line of sight for a driveway, access lane, or public street, or be placed at any location where by its position, shape, or color it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal or device. Sign structures erected directly upon the ground within fifteen (15) feet of any vehicular driveway or street intersection shall have at least three (3) feet six (6) inches of clear space between such sign and the ground; however, necessary structural supports may extend through such open space.

No signs shall be permitted which are posted, stapled, or otherwise attached to public utility poles or trees, unless such signs are placed by the owner upon a pole or tree upon the owner's property or with permission of the utility company who owns the pole.

Nonconforming signs, once removed, shall be replaced only with conforming signs. Nonconforming signs may be repainted or repaired, providing such repainting or repairing does not exceed the dimensions of the existing sign.

### **3. Illumination**

Except as specifically provided for electronic signs granted by special exception, no sign shall employ intermittent light, electronic or movable text, strobes, or other animations that may serve to distract motorists or abutting homeowners.

Lighting for signs shall not create a hazardous glare for pedestrians or vehicles either in a public street or on any private premises.

Except as specifically provided for electronic signs granted by conditional use or the use of diffused neon, the light source, whether internal to the sign or external, shall be shielded from view.

Sign illumination for externally illuminated signs shall utilize focused light fixtures that do not allow light or glare to shine above the horizontal plane of the top of the sign or onto any public right-of-way or adjoining property.

All electrical connections shall be shielded by underground or overhead electrical wires which meet all relevant codes. No temporary signs shall be illuminated by direct means.

#### **4. Sign Permit Application**

All applications for signs as required under this section shall be submitted to the Zoning Officer. The application shall contain:

Type, area, and number of signs proposed.

Type of illumination proposed (if permitted), including the luminance proposed and direction of lighting. This shall also be depicted upon a map that illustrates the distance to any occupied dwelling or another zoning district.

For freestanding signs, a sketch showing the placement of the sign in relation to all driveways, vehicular rights of way, and cartways. The developer shall submit current sight distances before and after erection of the sign with sufficient information to show that sight distances shall not be reduced.

An elevation sketch showing the relationship of the sign to the building, grade, all driveways, vehicular rights of way, and cartways.

A photograph or graphic rendition of the proposed sign copy, including all symbols, letters, and graphic elements shown to scale and all structural elements intended to anchor the sign.

The Township must specifically approve signs within public rights of way. In the case of temporary signs, the Zoning Officer or his designee shall review the application and grant approval if all applicable standards of this ordinance are met. In the case of permanent signs, the Zoning Officer shall refer the application to Township supervisors, who may refer the application for advice to the Planning Commission or any similar advisory committee.

**5 Sign Regulations for each Zoning District**

Unless limited by conditional use, special exception or any other specific design standards, the number, aggregate area, individual dimensions, and height limitations of signs permitted shall be consistent with the following table. Buildings or properties with multiple businesses may have one additional sign per each additional business located within the building or property; however, all individual signs must remain within both the limit of the number of individual signs and aggregate signage allowed, as permitted, and dimensional limits of Table 408.5. Aggregates in AC-1, RC-1, R-1, R-2, and V-1 shall be calculated based upon per-lot basis, but there is only one (1) freestanding sign permitted per property. Aggregates for the C-1 and U-1 Districts shall also be based upon a per lot basis, except that that each additional business tenant in a shopping center may have additional wall, facade, or projecting signs of up to 150 square feet per tenant.

**Table 408.5 Permitted Sign, Numbers, Aggregate Sizes, Individual Dimensions, Height, and Setbacks**

Sign Type	Freestanding			Projecting			Facade/Wall	Roof	
	Maximum Area	Maximum Height**	Minimum Setback**	Maximum Area	Maximum Height	Minimum Setback **		Maximum Area	Maximum Area
<b>Aggregate Signage and total Number of Signs Permitted</b>  <b>RC-1 Rural Conservation and AC-1 Agriculture:</b>  No more than 200 square feet of signage per property.	32 sf* Only one permanent free-standing sign per property	12 ft	10 Feet from R-O-W 20 Feet from Property Lines	9 sf Only one projecting sign per property	16 ft	20 Feet from R-O-W	100 sf *	Not permitted	Not permitted
<b>R-1 Residential</b> <b>R-2 Residential</b> <b>V-1 Village</b>  No more than 100 square feet of signage per property.	32 sf* Only one free-standing sign per property	8 feet	10 Feet from R-O-W 20 Feet from Property Lines	9 sf * Only one projecting sign per property	16 ft	10 Feet from R-O-W	100 sf*	Not permitted	Not permitted
<b>C-1 Commercial</b> <b>U-1 University Related</b> <b>I-1 Light Industrial</b> <b>EDC Economic Development Corridor</b> No more than 500 square feet of signage per property.	144 sf* Only one free-standing sign per property, plus one additional free-standing sign for any road frontage in excess of 400 feet.	20 ft	10 Feet from R-O-W 20 Feet from Property Lines	12 sf	16 ft	10 Feet from R-O-W	150 sf*	100 sf*	10 ft
<b>E-1 Educational Institutional District</b> No Limit upon square feet of signage or number of signs per property	144 sf *	12 ft	10 Feet from R-O-W 20 Feet from Property Lines	12 sf	15 ft	10 Feet from R-O-W	150 sf*	100 sf*	10 ft

\*sf means square feet. This maximum does not include exempt signs under Section 408(1)

\*\*The setback for a sign includes all portions of the sign structure. In instances where proposed sign height is greater than the setback from a property line or right of way, setbacks shall be increased to the height of the sign from grade plus one foot. Any freestanding sign of greater than seventy square feet in area or a greater height than eight (8) feet may be required to show evidence of structural stability in conformity with Uniform Construction Code Standards.

**6. Business and Institutional District Sign Illumination:**

Signs in the C-1, U-1, E-1, and I-1 and C-2 may be illuminated by direct or indirect means. Illumination of the sign face shall not exceed 100 luxes (10 foot-candles) measured at a distance of 10 feet from the sign, unless any portion of the illuminated sign face is within One Hundred (100) feet of an occupied residential dwelling and visible from the dwelling. In such cases, illumination shall be reduced to 10 luxes (1 foot candle) measured at a distance of 10 feet from the sign. Signs in the R-1 and V-1 Districts shall only be illuminated by outside light focused to shine upon an opaque sign face and limited to no more than a 75-Watt fixture. The fixture shall be placed above the sign face to shine downward, and meet performance standards under Section three of this article

**7. Temporary Signs:**

Temporary signs when placed or painted on building windows shall not require a permit.

Temporary Business Signs, such as vinyl banner signs, are also permitted as accessory to all Business uses, and do not require a permit. However, such signs remain subject to all setback requirements for business signs, and may not exceed 32 square feet in size. No banner shall remain in place for more than 30 continuous days or 120 total days per calendar year.

Temporary sandwich board signs of up to Four (4) square feet in area are permitted for any legal business in a C-1 Commercial, V-1 Village, or U-1 District during the hours that a business is open. No more than one sandwich board is permitted per property.

Permanent Window Signs: Permanent window signs are permitted in the C Commercial, V-Village, or U-1 District Districts by right without a permit provided no more than 50 percent of each window surface and 25 percent of all building windows include such a signs. Such Permanent Window signs do not count towards the allowed number of signs per district.

Institutional Uses (including churches, schools and nursing homes) may have one (1) changeable copy sign of no greater than thirty two (32) square feet, either permanently attached to a building or as a freestanding sign

Portable changeable copy and signs attached to trailers are permitted provided they are licensed to travel the highways of the Commonwealth and meet all size, setback and illumination requirements for the District they are placed in. Such signs may be placed for no more than thirty (30) consecutive days and must meet all setbacks.

**8. Electronic Signs:**

A. The inherent characteristic of electronic signs is their flexibility. The frequently changing messages coupled with their characteristic brightness can create an undue distraction to motorists. Signs with video, LED displays, or similar electronic changeable-

ble copy messages are subject to this article. Such signs shall meet all size, area, and setback limitations for the district for which it is proposed. The size of an electronic sign shall be calculated based upon the surface dimensions that have the ability to display a symbol or message. An electronic sign shall be considered and included for the purposes of calculating the total number of signs and aggregate sign area permitted upon any property.

B. One electronic changeable copy sign or graphic display sign is permitted by right for each business in the U-1 or C-1 Zoning Districts, subject to the following standards:

1.If the electronic sign is part of a freestanding sign, it must be placed upon the same structure as a static display sign, and border the static sign face. The electronic portion can be no more than 32 square feet in area, and the total sign area shall be no more than 80 square feet (see Figure 408.8).

2.An electronic wall sign is permitted without associated static display of a maximum size of 32 square feet.

C. Video Display and multi-vision signs shall be a Special Exception in the I-1 Light Industrial District only, and shall also meet all special exception standards for billboards.

1. The developer shall submit a programming plan that shows any proposed use of animations, length of exposure for any message, and transition time or proposed effects between individual messages. This shall include estimated motorist reaction time to proposed messages and symbols, based upon the United States Sign Council's On-Premise Signs Guideline Standards, 2003 edition or later. For planning purposes, the developer should assume all driving environments in the C-1 Districts within Township are Complex as defined in the guideline standards. The Township may establish limits upon use of any special effects, transitions, or length of message exposure as a reasonable additional condition and safeguard to the special exception.
2. No more than one Video Display sign is permitted per each road frontage, regardless of how many tenants occupy that lot.
3. Orientation. When located within 300 feet of an occupied residential dwelling or an R-1, R-2 or V-1 Village District, all parts of the electronic changeable copy sign must be oriented so that no portion of the sign face is visible from an existing or permitted principal structure in the R-1 R-2 or V-1 Districts;
4. Audio or pyrotechnics. Audio speakers or any form of pyrotechnics are prohibited in association with an electronic sign.
5. The developer shall show compliance with all applicable regulations of the Pa. Department of Transportation for any proposed sign abutting a State Highway.

6. All Multi-Vision signs shall have a transition time between sign faces of no more than two seconds.
7. The developer shall show the ability to meet illumination standards under Section 408.3 of this ordinance. Developer shall present material detailing any differences in proposed LED light as compared to standard light measurement.

## **9. Directional Signs**

Directional Signs of no greater than Nine (9) square feet which direct patrons to location or activity in the Township or an abutting municipality shall not be regarded as Billboards, but as a permitted use in all districts except R-1, provided that such signs are placed with the permission of the property owner.

### **§409. Swimming Pools.**

All in-ground swimming pools shall be enclosed by a fence at least three (3) feet high, with a self-latching gate, for the purpose of public safety. (See also §403(4).) Above-ground pools shall provide comparable safety measures.

### **§410. Flood Hazard Areas.**

The Township of Slippery Rock has adopted an ordinance regulating development within floodplains. All development within designated areas are required to follow the regulations contained in said ordinance [Chapter 8].

### **§411. Timbering.**

The harvesting of trees shall be a permitted use in all districts. However, the timber harvester (if other than the landowner) shall provide the Zoning Officer a sketch of the area to be harvested (a clear photocopy of a U.S.G.S. quadrangle will be adequate.) Also, the applicant must:

- A. Prove that the necessary bond to protect Township roads has been filed and accepted by the Slippery Rock Township Board of Supervisors.
- B. Provide a transportation plan which shows which roads in the Township will be used to haul logs from the logging site.
- C. Provide evidence that no logging activities will cause erosion of soil onto neighboring properties.
- D. Operations shall not commence before 7:00 a.m. nor proceed past 9:00 p.m.

**§412. Steep Slope Areas.**

Any development of slopes of more than fifteen percent (15%) must be submitted on a plan prepared by a registered engineer or architect showing how the development will treat the slope problem. The Zoning Officer shall refer the plan to the Township Engineer or a consulting engineer for review and advice before issuing any permit.

**§413 Guests and Boarders**

- A. A single family dwelling occupied by a family, as defined herein, may have one (1) boarder in the R-1 District and up to two (2) boarders in all other districts, provided that no more than one (1) sleeping room is provided for boarders within the dwelling. The sleeping room must meet all requirements of the uniform construction code.
  
- B. A Single Family Dwelling occupied by a family may have one sleeping room devoted to guests as defined herein and may have up to two (2) guests at any one time.
  
- C. A vacant single family dwelling shall not be rented to transient guests in the R-1 Residential District. A vacant dwelling in all other districts may be used for the lodging of up to four (4) guests. For the purpose of this section, "vacant" shall mean not presently and simultaneously occupied by a family residing as permanent residents.

**§414. Buffering and Screening**

The following minimal standards shall apply to buffer yards, and screening when required conditional use, special exception or land development plans. The Township shall review the adequacy of material chosen for screening and buffering based upon table 414.1. The Township may require an increase in buffering or screening as a condition of approval in the case of land developments, special exceptions or conditional uses.

**414.1 Minimal Screening and Buffering Standards:**

<b>Screening or Buffering Type</b>	<b>When Required</b>	<b>Permitted Screening or Buffering Choices.</b>
Total Screening average at least Six Feet in Height from Grade	<p>Use: Required for Outdoor Material Storage Yards, Heavy Industrial Uses, Salvage Yards mini storage facilities</p> <p>District: When EDC or I-1 abuts R-1 or R-2</p>	<ul style="list-style-type: none"> <li>• Six Feet Opaque Fence</li> <li>• Triple staggered row of Evergreen Trees at least four feet high planted spaced to create a continuous Hedge within 5 years</li> <li>• Earthen Mound at least four feet in height with at least a single row of evergreen trees at least four feet in height planted a the crest.</li> <li>• Natural Wooded Buffer least 60 feet in width.</li> </ul>
Low Screening	<p>Use: Light Industrial, Parking Lots of at least 20,000 square feet when 24 hours use is reasonably expected when located within 100 Feet of a single or multiple family residential dwelling. Multiple Family Dwellings containing at least 5 dwelling units within a building all when located within 100 feet of a single family residential dwelling.</p> <p>District: When U-1 abuts R-1</p>	<ul style="list-style-type: none"> <li>• Four Feet Opaque Fence</li> <li>• Row of Evergreen Trees at least four feet height spaced to create a continuous Hedge within 5 years.</li> <li>• Earthen Mound at least four feet in height with single row of evergreen trees planted at the crest.</li> <li>• Natural Wooded Buffer at least 40 feet in width.</li> </ul>
Heavy Buffer Yard	<p>Use: Multiple Family Dwelling containing at least five dwelling units per building, retail stores, restaurants, light industry</p> <p>District: When C-1 or U-1 abut V-1 or R-2 areas</p>	<ul style="list-style-type: none"> <li>• 1 row of Evergreen trees at least four feet height, planted to create a continuous hedge within 7 years.</li> <li>• Mix of Evergreen and deciduous trees planted to create a 35 foot wide buffer*</li> <li>• Wooded buffer or no mow area at least 50 feet in width</li> </ul>
Light Buffer Yard	<p>Professional offices, nursing homes, churches, hospital, educational and institutional buildings, multiple family dwelling containing four or fewer dwelling units within each building all other uses when within 200 feet of a single family dwelling</p> <p>District: E-1 to R-1</p>	<ul style="list-style-type: none"> <li>• Any mix of shrubbery, grass, deciduous trees in a buffer yard at least 15 feet in width*</li> <li>• Wooded buffer or no mow are at least 30 feet in width.</li> </ul>

\*Where a mixed buffer is approved it must have a minimum of one four foot high tree or shrub per every 64 square feet.

414.2 The Zoning Officer may inspect plantings as necessary. Trees which shall have died shall be replaced as needed.

414.3 Lighting. Lighting used to illuminate buildings, parking or loading areas shall be arranged to reflect the light away from the adjoining premises of any residential district or use.

**§415. Companion Dwelling Units.**

The purpose of this section is to provide for temporary living quarters as an accessory to a permanent single family dwelling, in order to provide housing for family members or caregivers in the event of various medical or economic hardships. The Township shall review the initial application as a land development consistent with the subdivision and land development ordinance. However, the land development plan need not be prepared and sealed by a registered design professional. Upon approval of the land development plan, the zoning officer shall issue a temporary use permit for a companion dwelling. The permit shall be initially valid for two years and may be renewed for additional one-year periods.

- A. No companion dwelling may be located on a lot of less than one (1) acre. The companion dwelling unit shall not be located in any required yard or setback area normally required in the zoning district.
- B. The applicant shall state the number of qualifying applicant proposed for the companion dwelling unit.
- C. The companion dwelling unit shall have access to potable water and a sewage disposal system approved by the sewage enforcement officer.
- D. The companion dwelling unit must be installed upon the lot in conformity to all requirements of the Pennsylvania Uniform Construction code and related state regulations. However, as this is a temporary dwelling unit, installation shall avoid such permanent features as a full basement or masonry foundation of a type used for a single family dwelling.
- E. The companion dwelling must be located at least twenty (20) feet from the permanent dwelling unit.
- F. A temporary permit shall expire if the companion dwelling unit is removed from the property or no longer occupied by a qualifying occupant for a ninety (90) day period.
- G. The applicant shall sign an agreement that the companion dwelling unit shall be removed from the property within ninety (90) days of the ending of the hardship that created the need for the dwelling. Ending of the hardship may include any circumstances wherein the qualifying occupant is no longer a resident of the property. The applicant shall agree in writing that Town-

ship may remove the companion dwelling unit and record a lien on the property for the cost thereof if any standard of this section is violated. Such agreement shall be recorded as a part of the minor land development approval.

## PART 5

### **Administration, Enforcement and Appeals**

#### **§501. Zoning Officer.**

The Township of Slippery Rock shall appoint the Zoning Officer who shall administer and enforce the provisions of this Chapter, and shall do so in accordance with the provisions of this Chapter and of the Pennsylvania Municipalities Planning Code. The Zoning Officer shall also have the duties as set forth by Part 7 of this Chapter. The Zoning Officer shall not hold any elective office in the Township. The Board of Supervisors may designate one or more Assistant Zoning Officers who shall possess any power or duty conferred by the Zoning Officer as duly appointed assistants.

#### **§502. Duties of the Zoning Officer.**

The Zoning Officer shall administer this Chapter in accordance with its literal terms and shall not have the power to permit any construction or any use or change of use which does not conform to this Chapter. The Officer shall be considered as qualified to perform his/her duties by meeting the qualifications established by the Township. In addition, the Zoning Officer's duties, obligations and responsibilities include the following:

- A. Application for Building/Zoning Permits. The Zoning Officer shall receive applications for building/zoning permits. A building/zoning permit is an application filed prior to the start of construction/development by a developer to describe the proposed activity in sufficient detail to determine whether or not it meets the requirements of this Chapter and other applicable Township ordinances. Applications conforming to such ordinances shall be approved; those not conforming to such ordinances shall be denied.
- B. Inspections. The Zoning Officer or a duly appointed assistant may examine, or cause to be examined, all structures and/or land for which an application for a building/zoning permit or a zoning certificate has been requested. Such inspections may be made from time to time during construction and shall be made upon the termination of construction and prior to the issuance of a certificate of occupancy.
- C. Permits, Applications, Appeals and Certificates. The Zoning Officer shall issue or deny such permits or certificates as required by this Chapter where no other body is involved; shall receive all applications for conditional uses, special exceptions and variances and forward same to the appropriate body.
- D. Enforcement. The Zoning Officer is authorized to institute civil enforcement proceedings as a means of enforcing this Chapter.

**§503. Permits and Certificates.**

1. **Zoning Permits.** An application for a building/zoning permit will be to show compliance with this Chapter and other appropriate Township ordinances. Applications shall contain information relative to the proposed construction and use in sufficient detail to inform the Zoning Officer of the scope and extent of the proposed development. The exact details required, including sketches, plat plans as well as the number of copies, time limits and fees for such applications shall be determined by the Township.
2. **Zoning Certificate.** A zoning certificate shall be required prior to the occupancy or use of any vacant land prior to the occupancy or use of any structure hereafter constructed, reconstructed, moved, altered or enlarged. The purpose of the zoning certificate is to confirm that the development described in the building/zoning permit application has been completed in compliance with the application and this Chapter. Zoning Certificates shall also be required for a change of use of a structure or land to a different use and changes to a nonconforming use or structure. Said applications shall be on forms as approved by the Township or the Board, as appropriate, and shall be accompanied by a fee as set by the Township. It is the intent of this Chapter that all appeal processes should follow the Pennsylvania Municipalities Planning Code or other appropriate State law. The filing of appeals, special exceptions and variances shall be within such time limits as shall be set by the Board. The filing of conditional uses shall follow procedures set forth by the Township Supervisors.
3. **Zoning Certificate.** The zoning certificate shall be issued upon request to confirm that the use of land or a building within the Township is in compliance with this Chapter. The exact form of the certificate and fee charged shall be determined by the Township.
4. **Sign Permit.** A sign permit shall be required prior to the erection or alteration of any sign except those signs specifically exempted from this requirement in §408 of this Chapter.
  - A. Application for a sign permit shall be made in writing to the Zoning Officer, and shall contain all information necessary for such Officer to determine whether the proposed sign, or the proposed alterations, conform to all the requirements of this Chapter.
  - B. No sign permit shall be issued except in conformity with the regulations of this Chapter, except after written order from the Zoning Hearing Board or the courts.
  - C. All applications for sign permits shall be accompanied by plans or diagrams in duplicate and approximately to scale showing the following:

- (1) Dimensions of lot or building upon which the sign is proposed to be erected.
- (2) Exact size, dimensions and location of the said sign on lot or building.
- (3) Any other lawful information which may be required by the Zoning Officer.

**§504. Violations.**

1. **Enforcement Notice.** When it appears to the Township and/or the Zoning Office that a violation has occurred, the Zoning Officer shall send an enforcement notice. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding the parcel and to any other person requested in writing by the owner of record. The enforcement notice shall state the following:
  - 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 the steps for compliance must be commenced and the date before which the steps must be completed.
  - E. The recipient of the notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time in accordance with procedures set forth in this Chapter.
  - F. 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.
2. **Causes of Action.** In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Chapter, the Township, the Zoning Officer of the Township or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping, or land or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of

that action shall be served upon the Township at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on the Township Board of Supervisors. No such action may be maintained until such notice has been given.

3. **Jurisdiction.** District justices shall have initial jurisdiction over proceedings brought under this Section.
  
4. **Enforcement Remedies.** 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 therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred dollars (\$500) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice 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 (1) such violation until the fifth (5<sup>th</sup>) day following the date of the determination of a violation continues shall constitute a separate violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of zoning ordinances shall be paid over to the Township. Nothing contained in this Section shall be construed or interpreted to grant any person or entity other than the Township and its Zoning Officer the right to commence action for enforcement pursuant to this Section.

**PART 6****Zoning Hearing Board****§601. Creation.**

There is hereby created a Zoning Hearing Board, herein referred to as the “Board,” consisting of three (3) residents of the Township appointed by the Board of Supervisors pursuant to the Pennsylvania Municipalities Planning Code, as amended. Said Board shall perform all the duties, and exercise all powers prescribed by said Code and as herein further provided. It is the intention of this Chapter that the currently constituted Township Zoning Hearing Board shall be continued and the same members are hereby appointed to the Zoning Hearing Board created by this Chapter with the same terms as were provided under the previous ordinance.

**§602. Appointment.**

The terms of office of the Board shall be three (3) years and shall be so fixed that the term of office of one (1) member shall expire each year. The Board shall promptly notify the Board of Supervisors of any vacancies which 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, nor be a member of the Planning Commission. The Board of Supervisors shall also appoint one (1) alternate member to the Board. The appoint, rights and duties of the alternate shall be in accordance with Article IX of the Pennsylvania Municipalities Planning Code. It is the intention of this Chapter that the currently constituted Zoning Hearing Board of the Township shall be continued and the same members are hereby appointed to the Zoning Hearing Board drafted by this Chapter with the same terms as were provided under the previous ordinance.

**§603. Removal of Members.**

Any Board member may be removed for misfeasance or nonfeasance in office, or for other just cause, by a majority vote of the Board of Supervisors, taken after the member has received fifteen (15) days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

**§604. Organization of Board.**

The Board shall elect from its own membership its officers who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing or the taking of any action, a quorum shall be not less than the majority of all the members of the Board, but where two members are disqualified to act in a particular matter, the alternative member shall be seated. The 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 Board as provided in §908 of the Planning Code. The Board may make, alter and rescind rules and forms for its procedure, consistent with Township ordinances and laws of the Commonwealth. The Board shall keep full public records of its busi-

ness and shall submit a report of its activities to the Board of Supervisors as requested by the Board of Supervisors.

**§605. Expenditures for Services.**

Within the limits of funds appropriated by the Board of Supervisors, the Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services. Members of the Board may receive compensation for the performance of their duties, as may be fixed from time to time by the Board of Supervisors, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the Board of Supervisors.

**§606. Legal Counsel.**

Where legal counsel is desired, an attorney, other than the Township Solicitor, shall be used.

**§607. Hearings.**

The Board shall conduct hearings and make decisions in accordance with the following requirements:

- A. Notice shall be given to the public by notice published once each week for two (2) 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 be not more than thirty (30) days or less than seven (7) days from the date of the hearing. Written notice shall be given to the applicant, the Zoning Officer and to any person who has made timely request for the same. Written notice shall be prescribed by rules of the Board. In addition to the notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one (1) week prior to the hearing.
- B. The Board of Supervisors 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.
- C. The hearing shall be held within sixty (60) days from the date of the applicant's request, unless the applicant has agreed in writing to an extension of time.
- D. The hearings 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, but the parties may waive decision or findings by the Board and accept the decision or findings of the hearing officer as final.

- E. 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.
- F. 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.
- G. 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.
- H. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.
- I. The Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. 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.
- J. 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, except that advice from the Board's Solicitor is exempt from this restriction; shall not take notice of any communication, reports, staff memoranda or other materials 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.
- K. 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 forty-five (45) days after the last hearing before the Board or hearing officer. Where application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon to-

gether with the reasons therefore. Conclusions based on any provisions of this Chapter or the Planning Code, or any 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 forty-five (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 thirty (30) days after the report of the hearing officer. Where the Board fails to render the decision within the period required by this Chapter or the Planning Code, or fails to hold the requested hearing within sixty (60) days from the date of the applicant's request for a hearing, 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. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as hereinabove provided, the Board shall give public notice of said decision within ten (10) days in the same manner as provided in §607(1) of the Pennsylvania Municipalities Planning Code. Nothing in this Subsection shall prejudice the right of any party to appeal the decision to a court of competent jurisdiction.

- L. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide by mail or otherwise, a brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

**§608. Board's Functions.**

1. Substantive challenges to the validity of any land use ordinance, except those brought before the governing body pursuant to §§609.1 and 916.1(a)(2) of the Planning Code.
2. 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 therefore, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.
3. 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.
4. Applications for variances from the terms of this Chapter and flood hazard ordinance [Chapter 8] or such provisions within a land use ordinance pursuant to §910.2 of the Planning Code and §608(8) of this Chapter.

5. Applications for Special Exception, pursuant to Article Three.
6. Appeals from the Zoning Officer's determination under §916.2 of the Planning Code.
7. Appeals from the determination of the Zoning Officer or municipal engineer in the administration of any land use ordinance or provision thereof with reference to any sedimentation and erosion control and stormwater management insofar as the same relate to the development not involving Article V or VII of the Planning Code.
8. **Variances.**
  - A. The Board shall hear requests for variances where it is alleged that the provisions of this Chapter inflict unnecessary hardship upon the applicant. The Board may, by rule, prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance; provided, that all of the following findings are made where relevant in a given case:
    - (1) 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.
    - (2) 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.
    - (3) Such unnecessary hardship has not been created by the applicant.
    - (4) 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.
    - (5) The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
  - B. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of this Chapter.

**§609. Parties Appellant Before Board.**

Appeals under §608 and proceedings to challenge this Chapter under §608 may be filed with the Board in writing by the landowner affected, any officer or agency of the Township or any person aggrieved. Requests for a variance under §608 may be filed with the Board by any landowner or any tenant with the permission of such landowner.

**§610. Time Limitations; Persons Aggrieved.**

No person shall be allowed to file any proceeding with the Board later than 30 days after an application for development, preliminary or final, 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. See also §914.1 of the Municipalities Planning Code.

**§611. Stay of Proceedings.**

Upon filing of any proceeding referred to in §608 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. See also §915.1 of the Municipalities Planning Code.

## PART 7

### Amendments

#### **§701. General.**

The Board of Supervisors may introduce and/or consider amendments to this Chapter and to the Zoning Map, as proposed by a member of the Board of Supervisors, the Planning Commission, or by a petition of a person or persons residing or owning property within the Township.

#### **§702. Petitions.**

Petitions for amendments shall be filed with the Zoning Officer; and the petitioners, upon such filing, shall pay an advertising deposit and a filing fee in accordance with a fee schedule as fixed by the Township.

#### **§703. Referral.**

Any proposed amendment presented to the Board of Supervisors without written findings and recommendations from the Township Planning Commission and the Butler County Planning Commission shall be referred to these agencies for their review and recommendations prior to the public hearing by the Board of Supervisors. The Board shall not hold a public hearing upon such amendments until required reviews and recommendations are received or the expiration of thirty (30) days from date that such proposed amendments were submitted to the Township and County Planning Commissions.

#### **§704. Action.**

Before acting upon a proposed amendment, the Board of Supervisors shall, as required by law, hold a public hearing thereon. Public notice of such hearing is required and shall contain a brief summary of the proposed amendment and reference to the place where copies of the same be examined, shall be published in accordance with the provisions of the Pennsylvania Municipalities Planning Code. If the proposed amendment involves a change to the Zoning Map, notice of the public hearing shall be posted at the affected tract in accordance with §609 of the Planning Code at least one week prior to the date of the hearing.

#### **§705. Curative Amendments.**

1. The Township may institute a municipal curative amendment in accordance with §609.2 of the Planning Code.

**PART 8**

**Zoning Map Amendments**

**Reserved for future enactments**