

**MEMORANDUM**

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TO: MOON TOWNSHIP BOARD OF SUPERVISORS  
FROM: TIMOTHY J. BISH  
SUBJECT: CODIFICATION PROJECT – BRIEF SUMMARY OF REVISIONS  
DATE: FEBRUARY 12, 2015

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The following memorandum provides a brief summary of the significant revisions to the Moon Township ordinances as part of the Township Codification Project. This memorandum also constitutes the explanatory materials contemplated by §607(c) of the Pennsylvania Municipalities Planning Code, 53 P.S. §10607(c). Additional revisions were made to the codification in order to:

- comply with current law and legal standards;
- ensure that the codification is consistent throughout;
- clarify the terms and regulations;
- remove ambiguity within the terms and regulations to the extent possible; and
- ensure that standard provisions of the codification are uniform throughout, such as the penalty provisions.

The following is a summary of the legally significant revisions to the Township ordinances on a chapter by chapter basis.

**CHAPTER 1, ADMINISTRATION AND GOVERNMENT.**

A. *Part 1, Preliminary Provisions.* This Part provides general regulations for the application and interpretation of the codification.

1. Inserted new section providing definitions of certain terms that are used frequently throughout the codification.
2. Inserted provision stating that any reference to a statute or regulation, includes the amendments and revisions to that statute or regulation.
3. Added provision indicating that where there is a conflict between provisions, the more restrictive provision will apply, unless otherwise stated.
4. Revised standard civil penalty provisions and standard criminal penalty provisions.
5. Inserted provision authorizing multiple Township officials and the designees of the Township Manager and Board of Supervisors to issue notices of violation.

B. *Part 2, Board of Supervisors.* This Part provides regulations relative to the Board of Supervisors.

1. Clarified that Supervisor compensation is based on a monthly payment.
  2. Inserted new provision confirming the responsibilities of the Board Chairman regarding the execution of ordinances and contracts approved by the Board.
- C. *Part 3, Appointed Officials.* This Part provides regulations for the Township Manager.
1. Revised Township Manager term regulations to include cross-reference to Second Class Township Code provisions related to Manager employment agreements.
  2. Removed the Township Manager residency requirement.
  3. Updated Township Manager bond requirements.
  4. Clarified that the Township Manager shall: (a) exercise all powers and duties assigned by the Board of Supervisors; (b) be responsible for the enforcement of all laws and ordinances in the Township; (c) negotiate all proposed contracts; (d) keep inventories of all real and personal property; (e) publish all required notices and other documents; and (f) serve as the Township Treasurer and be responsible for the collection of all fees and amounts due to the Township.
  5. Clarified the Township Manager's authority to hire and fire employees as follows to conform to current practice: (a) Manager has the authority to hire and fire full-time employees subject to the prior approval of the Board of Supervisors; and (b) Manager has the authority to hire and fire part-time employees, subject to budgetary restrictions, without the prior approval of the Board.
  6. Deleted provision which required a Township Supervisor to be designated as Township Secretary/Treasurer during the absence or illness of the Township Manager.
- D. *Part 4, Departments.* This Part 4 was revised to separate Township Departments (Part 4) from Township Commissions, Boards and Councils (now Part 5).
1. *Planning Department* (also known as the Community Development Department):
    - a. Clarified that the Planning Director shall be appointed by the Township Manager (as provided in the Zoning Ordinance) and shall act as the Township Zoning Officer.
    - b. Moved the Planning Director's powers and duties provision from the Zoning Ordinance to Chapter 1.
    - c. Inserted provision that the Township Manager shall act as Planning Director when the position of Planning Director is vacant.
  2. *Police Department:* The police department regulations were rewritten to comply with the Second Class Township Code and applicable statutes.
    - a. Clarified that the Police Chief (1) is responsible for the day-to-day operations of the Police Department subject to the supervision of the Township Manager and (2) is responsible for promulgating standard operation procedures subject to the approval of the Board of Supervisors.
    - b. Inserted provision that police officers must comply with the Department's standard operating procedures.
    - c. Inserted provision prohibiting police officers from engaging in political campaigns, other than exercising the right to vote.
    - d. Established regulations for warrantless arrests.

- E. *Part 5, Commissions, Boards and Councils.* Previously included in Part 4, this Part provides regulations regarding certain appointed commissions, boards and councils.
1. Planning Commission – revised regulations to be consistent with the Municipalities Planning Code.
  2. Parks and Recreation Board – clarified that the Board is responsible for providing advice regarding parks and recreation.
  3. Environmental Advisory Council – deleted provision permitting removal of council member for failure to attend consecutive meetings without excuse.
  4. Cable Television Advisory Board – inserted and updated regulations from Resolution Nos. R-28-1985 and R-8-2011.
- F. *Part 6, Municipal Authorities.* This Part identifies each municipal authority created by the Township, including the pertinent organizing requirements. This Part was revised to include references to the Moon Township Municipal Authority, Valley Ambulance Authority and Moon Industrial Development Authority, with the organizational legislation for each of these authorities included as an exhibit to Chapter 1.
- G. *Former Part, Attorney Fees.* This Part was deleted because the attorney fee provisions for delinquent collections were moved to Chapter 24, Taxation.
- H. *Part 7, Financial Security.* This new Part was inserted to provide uniform regulations for financial security instruments provided to the Township. This new part is substantively consistent with the financial security instrument requirements previously contained in the Subdivision and Land Development Ordinance.
- I. *Part 8, Fees for Township Services.* This new Part was inserted to provide a general authorization for the Board's adoption of fees by resolution.
- J. *Part 9, Pension Plans.* This new Part was inserted to reference the Police Pension Plan as a separate document.

**CHAPTER 2, ANIMALS.**

- A. *Part 1, Dogs.* This Part prohibits dogs from running at large and provide enforcement requirements.
- B. *Part 2, Cats.* This new Part was inserted to regulate cats and includes the following regulations: (a) requires cats to be vaccinated; (b) prohibits cats from running at large; (c) provides enforcement requirements; and (d) exempts individuals from enforcement provided that the individual complies with 7 specific criteria that were developed with the Police Chief, including where that individual is providing care to cats under the guidance and supervision of the Humane Society, ASPCA, or Animal Friends, is certified by that entity, and authorizes inspections by the Fire Chief and Police Department.
- C. *Part 3, Exotic Animals.* This new Part was inserted to regulate exotic animals and includes the following regulations: (a) defines exotic animals consistent with State regulations; (b) prohibits individuals from possessing, owning, breeding, transporting and raising exotic animals, subject to certain exemptions (including zoos and circuses); and (c) prohibits the sale, adoption, exchange or transfer of exotic animals.

**CHAPTER 3 [RESERVED].** This Chapter is reserved for future regulations.

**CHAPTER 4 [RESERVED]**. This Chapter is reserved for future regulations.

**CHAPTER 5, CODE ENFORCEMENT.**

- A. *Part 1, Construction Code.* This Part establishes the construction codes applicable in the Township, including the Township's election to administer and enforce the Pennsylvania Construction Code Act and the Uniform Construction Code.
1. Revised references to the standardized codes (International Code Series) as a result of recent statutory amendments and updates to the standardized codes.
  2. Deleted inserts from the Township Administration and Enforcement Resolution, since these provisions are not required to be adopted by ordinance.
- B. *Part 2, Property Maintenance Code.* This Part establishes the Township's property maintenance code, which is not part of the Uniform Construction Code.
1. Updated the approved standardized code to the 2009 International Property Maintenance Code (IPMC), which is from the same International Code Series as the standardized codes adopted by the Uniform Construction Code.
  2. Revised references to the IPMC.
- C. *Part 3, Registration of Occupants.* This Part requires property owners to report to the Township the individuals and businesses that occupy the property. This Part was rewritten from the version in the previous draft codification, but the substantive requirements remain the same.

**CHAPTER 6, CONDUCT.**

- A. *Part 1, Firearms.* This Part, which restricts the discharge of firearms, was rewritten. The significant revisions include:
1. Revised to prohibit the use and discharge of blank cartridges with the exception of (a) military exercises and (b) celebratory cannon at official Robert Morris University events.
  2. Revised to require a copy of these regulations to be issued with any sales of a firearm within the Township.
- B. *Part 2, Fireworks.* This new Part was inserted to regulate fireworks within the Township. Under this Part, the use, possession and discharge of fireworks is prohibited unless a permit is obtained as required in the International Fire Code, adopted as part of the Uniform Construction Code.
- C. *Part 3, Public Gathering.* This new Part was inserted to regulate public gatherings, which is defined as gatherings of people for public amusement anticipated to number 1,000 or more persons, a certain percentage of which will be outdoors. Under this new Part, the sponsor of a public gathering must obtain a permit from the Township and is required to provide certain sanitary facilities, public safety measures, emergency medical services and parking facilities. This Part also provides restrictions on conduct at the public gathering.
- D. *Former Part, Obscene Materials and Pornography.* This Part was deleted because adult oriented businesses are regulated through licensing regulations in Chapter 13.
- E. *Former Part, Camping.* This Part was deleted because the restrictions on camping were determined to be not necessary.

**CHAPTER 7, EMERGENCY MANAGEMENT.**

- A. *Part 1, Disasters and Emergencies.* This Part provides specific regulations applicable to disasters and emergency situations.
  - 1. Clarified the Board Chairman and Vice Chairman authorization to declare a local disaster emergency.
  - 2. Inserted new section confirming the use of the National Incident Management System.
  - 3. Inserted new section providing for the Board's adoption of an Emergency Operations Plan.
- B. *Part 2, Fire Company.* This Part provides regulations for the Volunteer Fire Company and related issues (e.g. fire hydrants).
  - 1. Established definitions for certain terms.
  - 2. Deleted notice of violation requirement.
- C. *Part 3 Emergency Medical Services.* This Part provides regulations of emergency medical services operating in the Township.
  - 1. Removed Township licensing requirements.
  - 2. Inserted requirement that any emergency medical services operating in the Township must be licensed by the Emergency Medical Service Institute (EMSI), pursuant to State requirements.
  - 3. Inserted designation of the Valley Ambulance Authority, and any other emergency medical services entity licensed by EMSI to operate in the Township, as the official emergency medical services for the Township.
- D. *Part 4, Emergency Service Cost Reimbursement.* This Part, which was rewritten, authorizes the Township and the Volunteer Fire Company to obtain reimbursement of emergency services costs as authorized by the Hazardous Material Emergency Planning and Response Act.
- E. *Part 5, Fire Insurance Claims.* This Part, which was also rewritten, provides the procedure by which the Township obtains security in the form of insurance proceeds to ensure the demolition of buildings damaged by fire pursuant to the Insurance Company Law.
- F. *Former Part 6, Alarms.* This Part was moved to Chapter 13.

**CHAPTER 8, FLOODPLAINS.**

This Chapter regulates activities within floodplains and is consistent with the Township Floodplain Ordinance enacted pursuant to Ordinance No. 652 on August 6, 2014. Minor revisions were made to this Chapter to transfer it into the codification format. The regulations of this Chapter are consistent with the requirements of the Federal Emergency Management Agency (FEMA).

**CHAPTER 9, GRADING AND EXCAVATING.**

- A. Part 1, Grading. This Part, which was previously referred to as the Erosion and Sediment Control Ordinance, regulates grading, excavation and fill activities. Since the original ordinance was from 1979, this Part was completely rewritten.

**CHAPTER 10, HEALTH AND SAFETY.**

- A. Part 1, Health Hazards and Nuisances. This Part regulates nuisances, and involved the following minor revisions:

1. Removed construction hour limitations, since the same limitations are contained in the Construction Code [Chapter 5, Part 1].
2. Removed regulations of driveways and debris on roads since these issues are regulated in Chapter 21, Streets and Sidewalks.

**CHAPTER 11, HISTORIC DISTRICTS.**

This Chapter regulates the historic districts in the Township. Currently, Mooncrest is the only historic district in the Township.

- A. Revised Mooncrest Historic District boundaries to remove certain properties near Mooncrest Drive, Church Drive, and Duffy Drive that are not related to the Mooncrest development.
- B. Authorized reimbursement of HARB member expenses provided that they are approved in advance by the Township Manager. Similar provisions are contained in the codification for the Planning Commission and Zoning Hearing Board.

**CHAPTER 12 [RESERVED].** This Chapter is reserved for future regulations.

**CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS.**

- A. *Part 1, Alarms.* This Part establishes the standards for alarm devices and sets forth the procedure for obtaining alarm device permits.
  1. Removed regulations related to central receiving station, in which alarms were directly wired into the Police Department or Fire Company.
  2. Specific fee amounts were removed from the codification and will be inserted in Township Fee Resolution.
- B. *Part 2, Amusement Devices.* This Part regulates amusement devices and requires a permit to be obtained for certain amusement devices. One of the reasons for this permit requirement and related inspections is to ensure that the amusement devices are not illegal gambling devices. This Part was rewritten from the version in the previous draft codification, but the substantive requirements remain the same.
- C. *Part 3, Peddling and Soliciting.* This Part establishes regulations for peddling, soliciting, canvassers and transient retail businesses.
  1. Revised appeal procedures to have appeals heard by the Township Board of Appeals, instead of the Board of Supervisors.
  2. Modified permitted hours for peddling, soliciting and canvassing to better conform to the election periods.
  3. Established licensing regulations for transient retail businesses.
- D. *Part 4, Junkyards.* This new Part was inserted to establish licensing regulations for junkyards, which are separate but interconnected with the Zoning Ordinance's regulations on junkyards. These regulations require that: (1) all junkyards must obtain a license from the Zoning Officer, subject to annual renewal; (2) junkyards must satisfy certain general operating requirements; (3) pre-existing junkyards are exempted from certain requirements, however a pre-existing junkyard cannot enlarge its premises unless it brings the entire junkyard into compliance with all Township licensing requirements.

- E. *Part 5, Liquor License Transfer.* This Part establishes the application procedures for inter-municipal liquor license transfers which require Township approval under the Pennsylvania Liquor Code. The only significant revision to this Part was a revision to the public hearing notice requirements to be consistent with the Pennsylvania Liquor Code.
- F. *Part 6, Logging.* This Part regulates logging in the Township and requires a permit to be obtained from the Township to authorize logging activities.
  - 1. Inserted requirements for roads and trails used for logging operations.
  - 2. Revised appeal procedures to have appeals heard by Township Board of Appeals, instead of the Board of Supervisors.
- G. *Part 7, Adult Oriented Businesses.* This Part establishes licensing requirements for adult oriented businesses.
  - 1. Revised terminology from “sexually oriented business” to “adult oriented business”.
  - 2. Included tattoo parlors and body-piercing establishments as regulated adult oriented businesses and inserted regulations related thereto. These specific regulations relate to health and safety issues and are based on guidelines from the Allegheny County Health Department.
- H. *Former Part, Use of Public Rights-of-Way for Private Communications Systems.* This Part, which established a fee on private communication systems, was deleted based on the recommendation of Township Special Counsel Daniel Cohen that the fee contained in this former part was not legally justifiable.
- I. *Former Part, Fireworks Displays.* This Part, which required permits for fireworks displays, was deleted in favor of the new fireworks regulations that were inserted in Chapter 6 [Conduct], Part 2.

#### **CHAPTER 14, OFFICIAL MAP.**

This Chapter sets forth regulations related to the Township Official Map, which establishes public reserved areas in the Township, such as increased street right-of-way widths for certain roads in the Township to address traffic issues. The regulations of this Chapter are consistent with Article IV of the Pennsylvania Municipalities Planning Code, 53 P.S. 10401 *et seq.*, as amended.

#### **CHAPTER 15, MOTOR VEHICLES AND TRAFFIC.**

This Chapter sets forth the motor vehicle and traffic regulations in the Township, which were unusually and noticeably absent from the last codification.

##### *A. Part 1, General Regulations.*

- 1. Replaced draft parade regulations with a general statement that parades may require permits under the Public Gathering Ordinance [See Chapter 6] or from PennDOT (for purposes of States roads).

##### *B. Part 2, Traffic Regulations.*

- 1. Updated regulations to be consistent with current traffic restrictions on Township roads.
- 2. Inserted a catch-all speed limit of 25 miles per hour for Township streets not listed in codification.

##### *C. Part 3, Overweight Vehicles on Township Roads.*

- 1. Revised regulations to be consistent with PennDOT regulations of overweight vehicles.

2. Inserted requirement that permittee execute an Excess Maintenance Agreement with the Township, and authorized the Township to establish a standard-form agreement.

D. *Part 4, General Parking Regulations.*

1. Updated regulations to be consistent with current parking restrictions in the Township.

E. *Part 5, Removal and Impoundment of Illegally Parked Vehicles.*

F. *Part 6, Snow and Ice Emergency.*

G. *Part 7, Regulation of Pedalcycles and Nonmotorized Vehicles.*

H. *Part 8, Pedestrian Regulations.*

I. *Part 9, Residential Traffic Management.*

1. Inserted a copy of the current Township Residential Traffic Management Regulations as an exhibit to the Chapter.

J. *Part 10, Obstruction of Driveways, Fire Lanes and Fire Hydrants.*

1. Replaced former fire lanes regulations with these new regulations which prohibit the obstruction of driveways, fire lanes and fire hydrants.

**CHAPTER 16, PARKS AND RECREATION.**

A. *Part 1, Rules and Regulations.* This Part establishes certain rules and regulations for Township parks.

1. Inserted provision which authorizes the Township Manager to establish rules and regulations for Township park areas and facilities provided that: (1) those rules and regulations are posted at the Township parks; and (2) those rules are not overridden by the Board of Supervisors.

**CHAPTER 17 [RESERVED].** This Chapter is reserved for future regulations.

**CHAPTER 18, SANITARY SEWERS AND SEWAGE DISPOSAL.**

This Chapter regulates sanitary sewage within the Township.

A. *Part 1, General Provisions.* This new Part was inserted to provide general regulations for sewage facilities in the Township due to its complex multi-jurisdictional area, including:

1. Requires that all sewage facilities must comply with all applicable Federal, State, County, Township, Allegheny County Health Department (ACHD), Pennsylvania Department of Environmental Protection (DEP) and Moon Township Municipal Authority (MTMA) laws, statutes, ordinances and regulations.
2. Requires that the owner must apply for and obtain all applicable Federal, State, County, Township, ACHD, DEP, and MTMA permits and approvals.
3. Establishes minimum requirements for an operation and maintenance agreement where such an agreement is required by applicable laws or regulations.
4. Authorizes Township inspection of sewage facilities to determine proper maintenance, operation and compliance with laws and regulations.

- B. *Part 2, Sanitary Wastewater Discharge and Disposal Systems.* This Part provides regulations for public sanitary sewer systems and connections thereto. These regulations appear to have been originally prepared by the MTMA and therefore no significant revisions were made.
- C. *Part 3, Industrial Waste Pretreatment.* This Part provides regulations for industrial waste that enters the MTMA sewer system. These regulations were originally prepared by the MTMA and are mandated by the DEP. Therefore, no significant revisions were made.
- D. *Part 4, Holding Tanks.* This Part establishes regulations for holding tanks.
  - 1. Authorized approval of holding tank permits by Township Manager.
  - 2. Established restrictions on the use of a holding tank.
  - 3. Promulgated additional duties of property owner, including the requirement that the owner execute an operation and maintenance agreement with the Township.
  - 4. Referenced ability of the ACHD to designate authorized collectors of the sewage waste.

**CHAPTER 19 [RESERVED]**. This Chapter is reserved for future regulations.

**CHAPTER 20, SOLID WASTE AND RECYCLING.**

- A. *Part 1, Solid Waste.* This Part provides the regulations for solid waste storage and collection within the Township.
- B. *Part 2, Recycling.* This Part provides the regulations for recycling and leaf waste composting.
- C. *Part 3, Composting.* This Part provides restrictions for composting.

**CHAPTER 21, STREETS AND SIDEWALKS.**

- A. *Part 1, Sidewalks.* This Part regulates the construction and maintenance of sidewalks in the Township.
  - 1. Defined sidewalk to clarify application of regulations.
  - 2. Cross-referenced Township authority to require installation of sidewalks pursuant to the Second Class Township Code.
  - 3. Established requirement that sidewalk construction as part of subdivision, land development, or planned residential development, or other land use approval is the responsibility of the developer.
  - 4. Required that installation and repair of sidewalks must be consistent with the Township Standard Details.
  - 5. Provided regulations for the maintenance of sidewalks, including snow and ice removal.
  - 6. Established prohibited uses of sidewalks.
- B. *Part 2, Streets.* This Part regulates the construction of maintenance of streets in the Township.
  - 1. Inserted financial security requirements for street excavation permits.
  - 2. Inserted certificate of insurance and liability insurance requirements related to street excavation permits and right-of-way occupancy permits.
  - 3. Moved degradation fee schedule to Township Fee Resolution.

- C. *Part 3, Driveways.* This Part regulates the construction and maintenance of driveways in the Township.
- D. *Part 4, Deposit of Debris on Streets and Sidewalks.* This Part restricts the deposit of debris on streets and sidewalks.
  - 1. Clarified that if debris falls on to a street or sidewalk from a vehicle, that the operator of the vehicle is responsible for removing the debris.
  - 2. Established that if debris falls on to a street or sidewalk from an excavation or earthmoving operation, then the person responsible for the earthmoving activities is responsible for removal of the debris, in addition to the person operating the vehicle.

**CHAPTER 22, SUBDIVISION AND LAND DEVELOPMENT.**

This Chapter regulates subdivisions and land developments within the Township, and is often referred to by its acronym "SALDO." This Chapter 22 is being proposed for enactment through a separate ordinance.

A. *Part 1, General Provisions.*

- 1. Modified the specific purposes of this Chapter to be consistent with the MPC and the Zoning Ordinance.
- 2. Clarified that all applications must comply with all applicable Federal, State, County and Township laws, statutes, ordinances, permits, and approvals.
- 3. Modified and inserted numerous definitions, as well as cross-referenced many definitions from the Zoning Ordinance to prevent conflicts between definitions in the SALDO and Zoning Ordinance. The most significant revisions to definitions include:
  - a. Revised definition of "Land Development" in order to clarify what qualifies as the improvement of a lot triggering the requirement for land development plan approval.
  - b. Revised definition of "Street" and the sub-category definition of "Arterial Street".

B. *Part 2, Classifications of Approvals and Applications.*

- 1. Clarified the various application and approval procedures (simple subdivision, minor land development, major land development, preliminary application and final application).
- 2. Revised the deemed rejection of conditions into a deemed acceptance of conditions if an applicant fails to notify the Township of its acceptance or rejection of the conditions of approval.
- 3. Clarified that an applicant may request combined preliminary and final approval of a plan provided that it complies with the requisition requirements of the SALDO.
- 4. Inserted application and approval procedures for waiver/modification requests.
- 5. Inserted application and approval procedures for an improvement construction plan. If a developer does not want to provide performance security for the site improvements (as is permitted under the MPC provided that final plan approval is not granted until after the site improvements are constructed), then the developer will need to apply for and obtain approval of an improvement construction plan in order to ensure that the improvements comply with the SALDO and the Township Standard Details.
- 6. Deleted the mediation procedure since that procedure is set forth in the MPC.

7. Revised the performance security requirements where a developer constructs private improvements which exceed the Township design requirements, so that the required performance security amount is based on the Township design requirements and not on the developer's design of the actual private improvements.
8. Deleted specific financial security instrument requirements since those requirements have been moved to Chapter 1.
9. Inserted provision authorizing the Board of Supervisors to approve a standard-form development agreement.
10. Inserted provision requiring execution of development agreement prior to Township execution of recording plat.
11. Inserted requirements for electronic versions of plans.

C. *Part 3, Application Requirements.*

1. Revised "Slope Stability Investigation" to "Geotechnical Investigation" in order to be consistent with current terminology.
2. Revised the Traffic Impact Study requirements to:
  - a. Insert additional triggers for submittal of a traffic impact study, including: (1) where the development is expected to generate 1,000 or more average daily trips; (2) where the Township Traffic Engineer determines that the proposed development is expected to have a significant impact on street-related safety or traffic flow; and (3) where specifically required by the Zoning Ordinance or any other applicable Township ordinance.
  - b. Require approval of the scope of study, study area and methodology by the Township Traffic Engineer instead of the Planning Director.
  - c. Require the traffic impact study to be prepared by an engineer with identifiable experience in traffic engineering and preparing traffic impact studies.
  - d. Confirm that the cost of the traffic impact study and related Township reviews will be paid by the applicant.
  - e. Revise the design year to 5 years beyond expected opening year, instead of 10 years, in order to be consistent with current PennDOT criteria.
3. Inserted requirement that applicant provide Township with a copy of all covenants, easements, rights-of-way and other restrictions that are involved in the proposed development.
4. Moved mobile home park regulations to new Part 7.

D. *Part 4, Required Improvements.*

1. Removed requirement that all single-family and two-family residential lots have frontage on a public street, since such requirement is considered an unconstitutional taking without just compensation. Instead, inserted requirement that all lots shall have frontage along and primary access from a public street or a private street, which is constructed in accordance with the requirements of the SALDO and Township Standard Details.
2. Inserted requirement that the developer maintain all streets in the development in a travelable condition, including the prompt removal of snow and ice, until such time as the streets are accepted by the Township or homeowners association.

3. Revised the sidewalk regulations to clarify and confirm that sidewalks are required to be constructed for all major land developments and for all nonresidential minor land developments. The plans which would be exempted from sidewalk construction are simple subdivisions (i.e. lot line revisions plans and lot consolidation plans) and residential minor land developments (2-4 lots for single-family or two-family dwellings).
4. Expanded the purposes for which sidewalk fee-in-lieu funds can be used by the Township, and removed the requirement that such fees be used by the Township within 5 years of payment by the applicant.

E. *Part 5, Design Standards.*

1. Inserted provision that an applicant may request a waiver for the construction of public improvements, but the grant of any such waiver shall require the applicant to pay a fee-in-lieu to the Township in an amount equal to the cost of constructing such improvements.
2. Inserted requirement that private streets be constructed in accordance with the design standards for a public street.
3. Inserted requirement that any private street shall include a private road access and maintenance agreement in a form acceptable to the Township. Also, included minimum requirements for such agreement.
4. Revised lot frontage requirement to be consistent with the revision in Part 4.
5. Clarified that driveways for a single-family dwelling or two-family dwelling in minor land development (2-4 lots) are not required to be paved, provided that minimum design requirements are met.
6. Inserted requirement that all driveways comply with the Driveway Ordinance [Chapter 21, Part 3].
7. Inserted requirement that fire lanes be provided where required by the Construction Code [Chapter 5, Part 1].
8. Inserted provision that a lease parcel related to an unmanned communications tower or unmanned essential service is not required to comply with the lot and parcel configuration requirements of the SALDO provided that the parent tract complies with such requirements.
9. Inserted the following additional sanitary sewage facility requirements:
  - a. The facility must comply with applicable Federal, State, County, Township, DEP, ACHD and MTMA laws, statutes, ordinances and regulations.
  - b. For each subdivision and land development, the applicant must provide the Township with written proof that (1) the planning module has been approved by the appropriate governmental agency and (2) the facility is designed in accordance with the applicable regulations of the appropriate governmental agencies.
10. Inserted the requirement that every lot, dwelling unit, commercial or industrial building, public or semi-public building shall be provided with a potable water supply of sufficient quality, quantity and pressure to meet the minimum standards of the appropriate government agencies.

F. *Part 6, Inspection and Acceptance of Improvements.*

- G. *Part 7, Mobile Home Parks.* Inserted new requirements for mobile home parks which are not substantially different from the mobile home regulations previously included in the SALDO.
- H. *Former Part 7, Modifications.* Deleted this former Part because new waiver/modification requirements were inserted in Part 2.
- I. *Part 8, Administration and Enforcement.* Replaced the Township's previous administration and enforcement regulations with regulations that are consistent with the MPC.

**CHAPTER 23, STORMWATER.**

This Chapter regulates stormwater management within the Township. Only minor changes were made to this Chapter because the Township is in the process of drafting a new stormwater management ordinance as a result of the DEP MS4 regulations.

**CHAPTER 24, TAXATION.**

- A. *Part 1, Amusement Admissions Tax.* This Part, which provides regulations for the Township's amusement admissions tax and originated from 1976, was rewritten. The tax rate and substantive requirements of the tax are similar to the current regulations.
- B. *Part 2, Earned Income and Net Profits Tax.* This Part provides regulations for the Township's earned income tax. This Part was revised from the previous draft of the codification in order to be consistent with Ordinance No. 639 enacted on December 7, 2011.
- C. *Part 3, LERTA Tax Abatement.* This Part provides regulations for the Township's LERTA (Local Economic Revitalization Tax Assistance) program. The previous draft of the codification only referenced Ordinance No. 615 enacted on February 7, 2007, and failed to include the regulations from Ordinance No. 255 enacted on April 29, 1986, including the LERTA District map. This Part was revised from the previous draft of the codification to include the regulations from Ordinance No. 255, including the LERTA District map.
- D. *Part 4, Realty Transfer Tax.* This Part provides the regulations for the Township's realty transfer tax. This Part was revised to be consistent with the Pennsylvania Local Real Estate Transfer Tax law.
- E. *Part 5, Per Capita Tax.* This Part, which provides the regulations for the Township's per capita tax, was revised to comply with the Local Tax Enabling Act. The tax rate and substantive requirements of the tax are similar to the current regulations.
- F. *Part 6, Local Services Tax.* This Part provides the regulations for the Township's local services tax.
- G. *Part 7, Property Tax Relief.* This Part provides the regulations for the following Township property tax relief programs:
  - 1. Part 7.A. – the Property Tax Gentrification Program for long-time owners and occupants required by the Allegheny Regional Asset District Law. This Part 7.A. is consistent with the modified Township Property Tax Gentrification Program enacted pursuant to Ordinance No. 654 on November 5, 2014.
  - 2. Part 7.B. – the Homestead Property Exclusion Program established in 2004 pursuant to the Homestead Property Exclusion Program Act. These regulations were revised to permit the Township to revise the exclusion rates by resolution.
- H. *Part 8, Video Programming Tax.* This Part provides the regulations for the Township's video programming tax, adopted pursuant to the Video Programming Municipal Tax Authorization Act.

- I. *Part 9, Interim Reassessment.* This Part provides the procedure for the Township to request the County’s interim reassessment of new construction or other substantial improvement to a building. This Part was rewritten to provide the minimum regulations required by State law.
- J. *Part 10, Delinquent Tax and Municipal Claim Collection Costs.* This Part provides the schedule of collection costs required by the Municipal Claims and Tax Liens Act.
  - 1. Inserted real estate tax cost schedule consistent with Ordinance No. 646 enacted on January 7, 2013.
  - 2. Inserted schedules for earned income tax and local services tax consistent with current schedule of the delinquent tax collector.
  - 3. Inserted a schedule for all other municipal claims and liens that is based on the current solicitor hourly rates.
- K. *Former Part, Homestead Property Exclusion Program.* This Part was consolidated into Part 7, Property Tax Relief, as referenced above.
- L. *Former Part, Tax Certifications.* This Part was deleted since it is addressed by State law.

**FORMER CHAPTER 25, TREES.**

This Chapter was deleted because it was duplicative of provisions related to the Township Parks and Recreation Board contained in Chapter 1. A portion of this Chapter was preserved and moved to the Township Parks and Recreation Board regulations in Chapter 1.

**CHAPTER 25 [RESERVED].** This Chapter is reserved for future regulations.

**CHAPTER 26 [RESERVED].** This Chapter is reserved for future regulations.

**CHAPTER 27, ZONING.**

This Chapter regulates zoning in the Township and is referred to as the Zoning Ordinance. This Chapter 27 is being proposed for enactment through a separate ordinance.

A. *Part 1, General Provisions.*

- 1. Modified the specific purposes of this Chapter to be consistent with the MPC.
- 2. Inserted specific provision identifying the Township’s authority to regulate zoning.
- 3. Modified, clarified and inserted numerous definitions, as well as cross-referenced many definitions from the SALDO to prevent conflicts between definitions in the SALDO and Zoning Ordinance. The most significant revisions to definitions include:
  - a. Revised definition of “Access Drive” to differentiate it from a “Driveway.”
  - b. Revised definition of “Accessory Structure” to confirm the requirement that it be located on the same lot as the principal structure or use.
  - c. Inserted definition of “Adult Oriented Business” which is consistent with the definition in the Adult Oriented Business License Ordinance [Chapter 13, Part 7]. This new definition considers tattoo parlors and body piercing establishments as adult oriented businesses, and as such those uses are only permitted in the zoning district(s) where adult oriented businesses are permitted.

- d. Deleted definition of “Bar” since the Liquor Code prohibits the Township from regulating a business based upon the sale of alcohol. The typical bar will be considered either a restaurant or a nightclub.
- e. Revised definition of “Building Coverage” to be consistent with the definition of “lot coverage.”
- f. Revised definition of “Commercial School” to differentiate it from a “school” (which is Grades 1-12) and a “university/college.”
- g. Revised definition of “Dormitory” to clarify that it can only be used as part of a university/college, boarding school, or commercial school.
- h. Revised definition of “Townhouse” (under “ Dwelling”) in order to permit a townhouse to have a maximum height of three (3) stories instead of two and a half (2½) stories. Also revised definition of “Townhouse” to differentiate it from an apartment building by requiring each unit to be located, or capable of being located, on a separate lot.
- i. Revised definition of “Flex Space” to include office, light manufacturing, pilot manufacturing, and research and development, in addition to warehousing and associated administrative space. (Flex Space uses in the BP District are still restricted under the conditional use regulations.)
- j. Inserted definition of “Fuel Sales” as a replacement for Gas Station.
- k. Revised definition of “Frontage” to apply to a street open to vehicular traffic instead of a public right-of-way, which is consistent with the revision in Part 4 of the SALDO.
- l. Inserted definition of “Gaming Enterprise” (e.g. casino) which considers it a catch-all use that is only permitted (as a conditional use) in the M-1 and RT Districts.
- m. Deleted definition of “Gas Station”.
- n. Revised definition of “Group Residence” to permit up to 6 unrelated persons that are mentally or physically handicapped, in order to comply with the current court decisions under the Federal Fair Housing Act.
- o. Inserted definition for “Heavy Manufacturing.”
- p. Revised definition of “Home Occupation” to differentiate it from a “no-impact home-based business”.
- q. Revised definition of “Indoor Entertainment Center” (formerly known as “indoor amusement”) to differentiate it from a theater, nightclub, gaming enterprise, and shooting range.
- r. Revised definition of “Kennel” to apply to six or more domestic pets, instead of 4 or more dogs and 6 or more cats. This change allows a property owner to have up to 6 dogs without being considered a kennel. Also, the definition was revised to clarify that a kennel is not considered a no-impact home-based business, home occupation, or an accessory use to a residential dwelling.
- s. Revised definition of “Land Development” in order to clarify what qualifies as the improvement of a lot triggering the requirement for land development plan approval. This revision is consistent with the revision in the SALDO.

- t. Updated definition of “Library” to address current technological uses.
  - u. Inserted new definition of “Lot Coverage” which is consistent with the current definition of “building coverage.”
  - v. Revised definition of “Methadone Treatment Facility” to consider it a “medical clinic” pursuant to recent court decision invalidating MPC restrictions on methadone treatment facilities.
  - w. Replaced “Mining” definition with “Mineral Extraction.”
  - x. Revised definition of “Nightclub” to differentiate it from a banquet facility, private club, and recreation facility.
  - y. Revised term “Personal Improvement Center” to “Fitness Center” in order to better characterize the use.
  - z. Inserted definition of “Off-Track Betting Facility” in order to consider it a “gaming enterprise.”
  - aa. Deleted definition and all references to “Place of Assembly” in order to prevent confusion and unintended interpretations.
  - bb. Revised definition of “Private Garage” in order to clarify that no business, occupation, or commercial activity shall be conducted in the private garage.
  - cc. Inserted definition of “Racetrack” which considers it a catch-all use that is only permitted (as a conditional use) in the M-1 and RT Districts.
  - dd. Revised definition of “Recreation Facility” to: (1) separate the use into two distinct types, nonresidential recreation facilities and residential recreation facilities; and (2) distinguish a recreation facility from an amphitheater, theater, stadium and other similar uses.
  - ee. Revised definition of “Restaurant” to require the completion of food preparation in an on-site kitchen.
  - ff. Inserted new definition and sub-definitions for “Sign” in order to be consistent with the new sign regulations inserted at Part 7.
  - gg. Revised definition of “Street” to be consistent with the definition in the SALDO.
  - hh. Replaced term “Township Building” with “Township Facilities” and expanded definition to include all potential Township-related uses.
  - ii. Revised definition of “Zoning Officer” to clarify that the Zoning Officer is appointed or designated by the Township Manager, instead of the Board of Supervisors, as indicated in the administration and enforcement regulations of the current Zoning Ordinance.
4. Inserted provision indicating that the Zoning Ordinance shall not be interpreted in a manner that violates the Federal Fair Housing Act, which provides the Township with the ability to interpret the Zoning Ordinance consistent with court decisions related to the Federal Fair Housing Act.

**B. Part 2, District Regulations.**

- 1. Insert section clarifying that any use not specifically listed as permitted use, conditional use, or use by special exception in any zoning district is permitted as a conditional use in the M-1 and RT Districts, under the “All other uses” category in the Use Table, Table 27-1.

2. Revised the Use Table, Table 27-1, to:
  - a. Restrict Nightclub to a conditional use in the M-1 District.
  - b. Permit Billboard as a conditional use in the MX District, in addition to the M-1 and RT Districts, subject to the location restrictions in the conditional use criteria of Part 8.
  - c. Restrict Boarding House to a conditional use in the ED District, and remove it from the R-4, R-5 and C-1 Districts.
  - d. Permit Cargo Facility as a permitted use, instead of conditional use, in the M-1 District.
  - e. Permit Child Day Care Home in the same districts as a Day Care Center is permitted.
  - f. Insert Fitness Center as a permitted use in the ED District.
  - g. Revise Gas Station to Fuel Sales.
  - h. Permit Heavy Manufacturing as a conditional use in the M-1 District. This use category was not previously included in the Zoning Ordinance.
  - i. Permit Medical Clinic only as a conditional use in the M-1, BP, MX, C-2, AP and MEO Districts. This change requires conditional use approval for any medical clinic since methadone treatment facilities are now considered medical clinics as a result of a court decision invalidating the MPC restrictions on methadone treatment facilities.
  - j. Remove Outdoor Storage as a conditional use in the RT District.
  - k. Permit Place of Worship as a permitted use in the M-1, BP, MX, RT, C-1, C-2, AP and MEO Districts in order to comply with the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), which prohibits the Township from regulating places of worship in a detrimental manner from other assembly uses.
  - l. Permit Residential Recreation Facility as a permitted use in all residential districts and the ED and OS Districts.
  - m. Permit Nonresidential Recreation Facility as a conditional use in the M-1, BP, MX, RT, C-1, C-2, AP and MEO Districts. The impact of this change is that nonresidential recreation facilities are not permitted in the ED and OS Districts, however residential recreation facilities are permitted in the ED and OS Districts.
  - n. Insert Planned Residential Development into the Use Table, where it was not previously referenced.
  - o. Permit Township Facilities as a permitted use in all zoning districts. Previously, the township building use was only permitted in the BP, MX, RT, C-1 and C-2 Districts.
3. Clarified the formula used to determine residential density.
4. Clarified that all sanitary sewage facilities shall be constructed and installed in accordance with the applicable laws and regulations.
5. Inserted provision under which a lease lot for an unmanned communications tower or unmanned essential services does not need to comply with the minimum lot size, minimum lot width, and maximum lot coverage requirements of the zoning district as long as the parent tract complies with such requirements.

6. Revised the Vegetation Preservation and Bufferyard requirements of §27-214 as a result of comments received by applicants, a review by Township officials, and a review by Township landscape consultant Eisler Landscapes. These revisions include:
  - a. New bufferyard plans prepared by Eisler Landscapes, which are attached at Appendix 27-D. These new bufferyard plans include separate Forest Style Planting and Prairie Style Planting plans for Bufferyards 1, Bufferyard 2, and the Special Bufferyard.
  - b. New plant lists prepared by Eisler Landscapes, which are attached at Appendix 27-D.
  - c. Unless specifically stated in the Zoning Ordinance, the selection of the forest style plantings or the prairie style plantings is made by the applicant based upon the conditions of the subject property. That being said, the Zoning Ordinance specifically requires the use of forest style plantings for Bufferyard 1, Bufferyard 2, and the Special Bufferyard along any property line adjoining property in a residential zoning district.
7. Revised the Landscaping requirements of §27-215 as a result of comments received by applicants, a review by Township officials, and a review by Township landscape consultant Eisler Landscapes. These revisions include:
  - a. Revision to the amount of landscaping for nonresidential developments so that a minimum of one deciduous tree is required to be planted for each 500 square feet of gross floor area, or one deciduous tree per 100 linear feet of site perimeter, whichever is greater.
  - b. Insertion of new street tree requirements, along with specific site locations where street trees are not permitted to be planted due to potential implications with utilities and traffic control devices.
  - c. Revision to interior landscaping requirements for parking lots in order to provide applicant greater flexibility in the location of interior landscape islands.
  - d. New conceptual parking lot plans prepared by Eisler Landscapes, which are attached at Appendix 27-D.
  - e. New plant lists prepared by Eisler Landscapes, as mentioned above, which are attached at Appendix 27-D.

C. *Part 3, Overlay Districts.* (Former Part 5)

1. Revised the Airport Zone Overlay (AZO) District regulations to clarify issues and remove ambiguity. The revisions to the AZO District regulations include:
  - a. Clarification of the AZO District boundaries by creating an AZO Map and inserting it in Appendix 27-A with the Township Zoning Map and other overlay district maps.
  - b. Clarification of the three-dimensional nature of the AZO District boundaries.
2. Revised the Carnot Village Overlay (CVO) District regulations to clarify issues and remove ambiguity. The revisions to the CVO District regulations include:
  - a. Revision to the “Exterior Improvements requiring Building Permit” trigger for site improvements to clarify the intent that the trigger relates to exterior improvements pursuant to the 2007 settlement of the West Moon Associates validity challenge appeal.
  - b. Removed electronic changeable sign (and potential digital signs) from the permitted signs within the CVO District.

- c. Revised the sandwich board sign regulations to restrict to one such sign per business and to adopt restrictions for sandwich board signs consistent with the new Sign regulations of Part 7.
3. Revised the University Boulevard Overlay (UBO) District regulations to clarify issues and remove ambiguity. The revisions to the UBO District regulations include:
  - a. Revision to the “Exterior Improvements requiring Building Permit” trigger for site improvements to clarify the intent that the trigger relates to exterior improvements pursuant to the 2007 settlement of the West Moon Associates validity challenge appeal.
  - b. Removed electronic changeable sign (and potential digital signs) from the permitted signs within the UBO District.

D. *Part 4, Performance Standards.*

1. *Part 4.A., General Performance Standards.* (Former Part 6).
  - a. Revised noise regulations to provide noise restriction related to type of use (e.g. residential use, commercial use, industrial use).
  - b. Clarified the location from which noise will be measured.
  - c. Removed hours of operation for construction activities, and inserted cross-reference to the hours of operation for such activities under the Construction Code [Chapter 5, Part 1].
  - d. Revised the exterior illumination requirement at a property line from 0 footcandles to 0.1 footcandles to provide a more practical and enforceable requirement. Also, corrected typographical error in glare (exterior illumination) regulations for the average intensity and maximum intensity of outdoor lighting.
2. *Part 4.B., Environmental Performance Standards.* (Former Part 3).
  - a. Moved definition of “previously disturbed land” to the definitions section (§27-107).
  - b. Revised steep slope restrictions as recommended by the Township Engineer.

E. *Part 5, Supplemental Regulations.* (Formerly a portion of Part 4).

1. Revised the Accessory Structure and Use regulations as a result of comments from applicants and Township staff. The revisions to these regulations include:
  - a. Revision to the accessory structure setback requirements in order to:
    - i. permit certain structures accessory to a single-family dwelling (private garage, shed that is more than 200 square feet in gross floor area, satellite dish, and swimming pool) to be located up to 10 feet from the side and rear lot lines; and
    - ii. permit a shed accessory to a single-family dwelling and no more than 200 square feet in gross floor area to be located up to 5 feet from the side and rear lot lines.
  - b. Revise the separation requirement from the principal structure to at least 8 feet. Any separation less than 8 feet results in the accessory structure being considered part of the principal structure.
  - c. Require the construction of the principal building to be commenced prior to construction of an accessory structure.

- d. Limit private garages and sheds to: (i) a maximum size of 1,000 square feet; and (2) a maximum height of one-and-a-half stories.
  - e. Limit one freestanding private garage per lot.
  - f. Exempt a shed that is 80 square feet or less in size and capable of being moved from the requirement to obtain a permit under the Zoning Ordinance.
  - g. Inserted new Accessory Use provision which provides that any accessory use that is of a use category classified as a conditional use or special exception, then the developer must apply for and obtain conditional use or special exception approval.
2. Established a minimum building separation of 20 feet between principal buildings on the same lot.
  3. Inserted requirement regarding compliance with clear sight triangles at intersections.
  4. Inserted restrictions on fences and hedges, including:
    - a. Allow to be located at the boundary of a lot, provided the fence or hedge complies with certain restrictions.
    - b. Require compliance with the clear sight triangle at intersections.
    - c. Permit a fence in the front yard setback provided that it (i) is located at least 12 feet from the cartway and (ii) is not located in the street right-of-way.
    - d. Limit the height of fences to 6 feet, unless otherwise provided in the Zoning Ordinance.
    - e. Exempt fences from permits under the Zoning Ordinance if the height is 6 feet or less.
  5. Inserted restrictions on private swimming pools, including: (i) not permitted in the front yard; (ii) compliance with setback requirements; and (iii) compliance with the protection requirements of the Township Property Maintenance Code [Chapter 5, Part 2].
  6. Revised the restrictions on the location of satellite dish antennas.
  7. Inserted restrictions on Child Day Care Home and Day-Care Center consistent with requirements of the Department of Public Welfare.
  8. Inserted requirements for Group Residences.
  9. Inserted requirements for Residential Recreation Facilities, including:
    - a. Types of facilities that are permitted.
    - b. Types of accessory uses that are permitted.
    - c. Restrictions on outdoor lighting, noise, hours of operation (if within certain distance of a dwelling), and off-street parking
    - d. Requirement for the submission of a traffic impact study when determined necessary by the Township Traffic Engineer based upon certain site factors.
    - e. Grandfathering of any recreation facility in existence prior to the enactment of the codification.
  10. Inserted traffic impact study requirements consistent with SALDO.
- F. *Part 6, Parking and Loading.* (Formerly a portion of Part 4).

1. Inserted requirement that the construction of a building, new use, expansion of an existing use, or change in use must comply with the off-street parking and loading requirements.
2. Inserted prohibition on tandem parking (where the parking of one vehicle prevents the exit of another vehicle).
3. Inserted requirement for the marking of parking space lines and vehicular entrances and exists.
4. Revised off-street parking requirements of Table 27-10 for certain uses.
5. Revised minimum parking space depth requirement to permit 1 foot of vehicle overhang into interior landscaped area to be counted towards the minimum depth requirement.
6. Removed specific handicapped-accessible parking requirements and inserted provision which requires handicapped accessible parking to be provided in accordance with applicable laws (including the Federal Americans with Disabilities Act and the Construction Code [Chapter 5, Part 1]).
7. Revised Parking Table to remove Gas Station and insert parking requirement for Fuel Sales.

G. *Part 7, Signs.* (Formerly a portion of Part 4).

1. Inserted provision exempting signs erected by a governmental agency and signs authorized by the Township to be located on Township facilities and public rights-of-way from the requirements of this Part.
2. Inserted provision permitting restaurant sandwich board signs subject to certain restrictions.
3. Inserted provision permitting changeable signs (e.g. message board signs, digital signs), moving signs, and flashing signs only in the M-1 District, subject to certain restrictions.
4. Inserted provision permitting portable signs, painted wall signs, sandwich board signs (other than for restaurants and businesses in the CVO District), and inflatable signs only in the M-1 District.
5. Inserted requirement that signs be removed within 30 days of a business discontinuing operations on the site.
6. Inserted provision permitting a bulletin board sign for a place of worship, school, university, library, and Township facility to include an electric message board or digital sign, subject to certain restrictions.
7. Inserted limited restrictions on political signs.
8. Inserted business identification sign restrictions for businesses located in residential zoning districts.
9. Inserted restrictions on changeable signs, which are only permitted in the M-1 District.
10. Revised the wall sign restrictions in nonresidential zoning districts in order to:
  - a. base the aggregate size of the permitted wall signs on the size of the portion of the front wall of the building occupied by the business; and
  - b. remove the limit on number of wall signs so that a business has the flexibility to divide the permitted wall sign area among multiple signs.
11. Revised restrictions on ground signs in nonresidential zoning districts in order to:

- a. Permit a maximum ground sign size of: (i) 32 square feet for lots of 2 acres or less; and (ii) 50 square feet for lots greater than 2 acres in size;
  - b. Permit a maximum ground sign height of: (i) 6 feet for lots of 2 acres or less; and (ii) 8 feet for lots greater than 2 acres in size;
  - c. Require location of ground sign to not interfere with vehicular traffic visibility;
  - d. Require the foundation of the ground sign to: (i) have a minimum height of 18 inches; and (ii) have a decorative finish that compliments the principal building on the property.
  - e. Require the ground sign to be setback at least 50 feet from the lot line of a residential property.
12. Revised restrictions on pole signs in order to:
- a. Restrict pole signs to the M-1 District;
  - b. Limit the height of a pole sign to 25 feet, with a minimum height of the bottom edge of the pole sign at 10 feet;
  - c. Restrict maximum pole sign size to: (i) 40 square feet for 1 business; and (ii) 64 square feet for more than one business.
  - d. Require the pole sign to be setback at least 50 feet from the lot line of residential property.
13. Inserted restrictions on roof signs, which are only permitted in the M-1 District.
14. Inserted regulations for arcade signs within shopping centers and office complexes.
15. Moved billboard regulations to Part 8, Conditional Uses.

H. *Part 8, Conditional Uses.*

1. Revised application review and approval procedures, including the addition of specific application requirements.
2. Revised the general standards and criteria.
3. Revised the specific standards and criteria for individual conditional uses, including the insertion of the following standard criteria for most of the conditional uses:
  - a. Outdoor lighting restrictions which require: (i) the orientation of lighting away from adjacent properties; (ii) a maximum of 0.1 footcandle of illumination when measured from an adjacent lot line; (iii) a 50% reduction in the illumination level between 11:00 PM and 6:00 AM for lighting levels visible from an adjacent lot line of a residential use or residential zoning district; and (iv) the Board may impose additional restrictions on the outdoor lighting.
  - b. Vehicular access shall be designed and provided to maximize pedestrian and vehicle safety.
  - c. The vehicular and pedestrian circulation systems shall be designed and provided to maximize pedestrian and vehicle safety.
  - d. A traffic impact study is required. The traffic impact study shall comply with §27-522 of the Zoning Ordinance.
  - e. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the developer.

- f. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors and guests and shall be available to respond to inquiries and promptly resolve any issues.
  - g. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control and stormwater management.
4. Moved the Billboard requirements to this Part since billboards are permitted as a conditional use. Revised the Billboard criteria, including:
    - a. Requirement that a billboard containing an electrically activated changeable sign (e.g. digital sign) is only permitted in the M-1 District and RT District.
    - b. Reduction of the permitted gross sign surface area to 450 square feet per sign face.
  5. Revised the Flex Space criteria to prohibit light manufacturing and research and development in the BP District (due to the revision to the definition of “Flex Space”). As a result of the revision to the definition of “Flex Space”, pilot manufacturing would be permitted in the BP District.
  6. Revised the Gas Station criteria to:
    - a. Rename use “Fuel sales”.
    - b. State that fuel sales are permitted only when accessory to a principal use identified as a permitted use or conditional use in the subject zoning district. (The previous ordinance required gas stations to be accessory to “an approved commercial use”).
    - c. Require hours of operation to be appropriately scheduled to protect the surrounding neighborhood from detrimental noise, disturbance and interruption.
    - d. Insert the standard criteria referenced in Item 3 above.
  7. Revised the Group Care Facility criteria to:
    - a. Exclude supervisory adults and their children from the calculation of the maximum number of residents.
    - b. Require that applicant provide copies of any necessary governmental licenses.
    - c. Insert a spatial restriction of 1,000 feet from another group care facility or nursing home.
  8. Inserted Heavy Manufacturing criteria.
  9. Revised Junkyard criteria to cross-reference new Junkyard License Ordinance [Chapter 13, Part 4].
  10. Inserted Light Manufacturing criteria.
  11. Inserted additional criteria for Medical Clinic since Methadone Treatment Facility is now treated as a Medical Clinic. The new criteria include:
    - a. Facility must be licensed by the appropriate governmental agencies.
    - b. Facility must be conducted in a manner that does not violate applicable laws and regulations.
    - c. Facility must be staffed with personnel licensed by the State Department of Health.
    - d. Applicant must provide a community impact analysis.

- e. Hours of operation to be appropriately scheduled to protect the surrounding neighborhood from detrimental noise, disturbance and interruption.
  - f. New standard criteria referenced in Item 3 above.
12. Deleted the Methadone Treatment Facility criteria.
  13. Inserted Nightclub criteria.
  14. Inserted Nonresidential Recreation Facility criteria, including:
    - a. Types of facilities that are permitted.
    - b. Restrictions on outdoor lighting, noise, hours of operation (if within certain distance of a dwelling), and off-street parking.
    - c. Requirement for the submission of a traffic impact study when determined necessary by the Township Traffic Engineer based upon certain site factors.
    - d. Grandfathering of any recreation facility in existence prior to the enactment of the codification.
  15. Moved Planned Nonresidential Development (PNRD) criteria to Part 11.
  16. Revised Stadium criteria to confirm the Township's ability to address noise issues.
- I. *Part 9, Special Exceptions.*
1. Inserted application review and approval procedures, including the addition of specific application requirements, similar to those in the conditional use regulations.
  2. Inserted additional specific criteria for the enlargement or expansion of a nonconforming use.
- J. *Former Part 10, Rezoning.* This former part was deleted. Rezoning issues are addressed in Part 14, Administration and Enforcement.
- K. *Part 10, Planned Residential Development (PRD).* (Former Part 13).
1. Inserted purposes for the PRD regulations.
  2. Revised the application review and approval procedures.
  3. Increased front yard setback along a local road from 25 feet to 30 feet.
  4. Increased side yard setback for single-family dwellings from 8 feet to 10 feet. Also added a requirement that corner lots must have one side yard that is a minimum of 10 feet and a second side yard that is a minimum of 25 feet. (Corner lots have 2 front yards and 2 side yards, they do not have a rear yard, so the effect of this corner lot revision is to provide a side yard with the dimension of a rear yard.
  5. Deleted reference to sprinkling requirement in building separation restriction.
  6. Inserted minimum common open space requirement of 40 percent and restrictions on common open space property.
  7. Inserted requirements regarding sidewalks and pedestrian trails.
  8. Inserted requirements regarding vehicular traffic and access.

9. Inserted provision authorizing Board of Supervisors to approve deviations from the PRD requirements, prior to final plan approval, pursuant the waiver standards of the SALDO.
10. Inserted nonseverability provision which provides that in the event of a court declaring any portion of this Part to be invalid or unenforceable the entire Part is deemed to be deleted from the Zoning Ordinance.

L. *Part 11, Planned Nonresidential Development (PNRD).* (Former Part 14).

1. Inserted purposes for the PNRD regulations.
2. Inserted provision summarizing the 2-step approval process for a PNRD.
3. Revised the PNRD Master Plan application review and approval procedures for the PNRD Master Plan. Also revised the conditional use standards and criteria and evaluation factors for approval of the Master Plan.
4. Inserted the PNRD Final Plan application review and approval procedures.
5. Inserted process and procedure for amendment or revision of an approved PNRD Master Plan.
6. Revised the PNRD design standards, including:
  - a. Revisions and clarifications to the bufferyard requirements.
  - b. Insertion of a minimum common open space requirement of 20% along with common open space requirements similar to the PRD regulations.
  - c. Insertion of sidewalk and pedestrian trail requirements.
  - d. Insertion of vehicular traffic and access requirements.
7. Inserted provision authorizing Board of Supervisors to approve deviations from the PNRD requirements, as part of a master plan application or amended master plan requirement, pursuant the waiver standards of the SALDO.
8. Inserted nonseverability provision which provides that in the event of a court declaring any portion of this Part to be invalid or unenforceable the entire Part is deemed to be deleted from the Zoning Ordinance.

M. *Part 12, Nonconforming Uses, Structures, and Lots.* (Former Part 7).

1. Revised Zoning Hearing Board approval process for the expansion or enlargement of a nonconforming use, in order to specifically consider such expansion or enlargement as a use by special exception.

N. *Part 13, Zoning Hearing Board.* (Former Part 12).

1. Revised Part to conform with the MPC.
2. Revised application process.
3. Deleted expiration provision regarding Zoning Hearing Board approvals. If such a restriction is desired, then the Zoning Hearing Board should impose it as a condition of approval of an application.
4. Deleted mediation option, since those regulations are contained in the MPC.

O. *Part 14, Administration and Enforcement.* (Former Part 11).

1. Revised the Zoning Officer powers and duties.
2. Deleted the Planning Director powers and duties, since they are located in Part 4.B of Chapter 1.
3. Deleted the Planning Commission powers and duties, since they are contained in Part 5 of Chapter 1.
4. Deleted the Township Manager duties.
5. Deleted the Board of Supervisors duties.
6. Insert provision requiring the Board of Supervisors to set fees and charges for permits and applications by resolution.
7. Inserted application requirements for ordinance amendment requests.

P. *Appendices.*

1. *Appendix 27-A, Zoning Map.*
  - a. Inserted the Township Zoning Map and Overlay District Maps as an appendix.
  - b. Provided a Township Zoning Map with revised color designations for the zoning districts.
  - c. Provided an Overlay District Map with new color designations instead of black/white version. No changes were made to the districts.
  - d. Inserted a new Airport Zone Overlay District Map prepared by the Township Engineer based on mapping provided by the Allegheny County Airport Authority.
  - e. Inserted Figure 1, Part 77 Surface Areas, to clarify the three-dimensional nature of the Airport Zone Overlay District.
2. *Appendix 27-B, Typical Lot and Yard Configurations and Definition of Lot Types with Typical Yard Designations.* This appendix has been replaced with new diagrams prepared by the Township Engineer.
3. *Appendix 27-C, Residential Development Alternatives.* [No substantive revisions].
4. *Appendix 27-D, Bufferyard and Landscaping Requirements.* This appendix has been replaced with new diagrams and lists prepared by Township landscape consultant, Eisler Landscapes.
5. *Appendix 27-E, Hydric Soils.* [No substantive revisions].
6. *Appendix 27-F, Porous Pavement Detail.* This appendix has been replaced with a new diagram prepared by the Township Engineer.

Q. *Zoning Map Amendments Table.* Prior amendments to the Zoning Map have been removed from this table because the Township is proposing this Chapter 27 as a new comprehensive Zoning Ordinance.

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