

**ALEPPO TOWNSHIP  
ZONING ORDINANCE**

**TABLE OF CONTENTS**

|   |           |
|---|-----------|
| <b>ARTICLE I Purpose and Authority .....</b>                      | <b>1</b>  |
| 1.1 Title .....   | 1         |
| 1.2 Purpose.....  | 1         |
| 1.3 Statement of Community Development Goals and Objectives ..... | 2         |
| 1.4 Authority .....   | 2         |
| 1.5 Conformance and Permits.....                                  | 3         |
| 1.6 Conflict .....  | 3         |
| 1.7 Severability .....  | 3         |
| <b>ARTICLE II Definitions and Terms.....</b>                      | <b>5</b>  |
| 2.1 Interpretation and Strict Construction.....                   | 5         |
| 2.2 Definitions and Terms.....                                    | 5         |
| <b>ARTICLE III Land Uses.....</b>                                 | <b>36</b> |
| 3.1 Land Uses.....  | 36        |
| <b>ARTICLE IV Parking And Loading.....</b>                        | <b>41</b> |
| 4.1 Required Off-Street Parking Facilities.....                   | 41        |
| 4.2 Design Standards .....  | 47        |
| 4.3 Off-Street Loading.....                                       | 49        |
| 4.4 Design Layout of Off-Street Loading Facilities: .....         | 50        |
| <b>ARTICLE V Supplemental Regulations.....</b>                    | <b>52</b> |
| 5.1 Height, Occupancy, Lot and Yard Restrictions .....            | 52        |
| 5.2 Yards .....   | 52        |
| 5.3 Public and Private Utility Lines.....                         | 52        |
| 5.4 Cable Communications Services .....                           | 52        |
| 5.5 Reserved.....   | 52        |
| 5.6 Mediation .....   | 52        |
| 5.7 Clear Sight Triangle.....                                     | 52        |
| 5.8 Public Utility Facilities .....                               | 53        |
| 5.9 Temporary Uses or structures .....                            | 53        |
| 5.10 Prohibited Uses .....  | 54        |
| 5.11 Conditional Use .....  | 55        |
| 5.12 Fences .....   | 55        |
| 5.13 Accessory Structures.....                                    | 56        |
| 5.14 Communication Towers.....                                    | 57        |
| 5.15 Natural Resource Protection Overlay .....                    | 60        |
| 5.16 Cluster Lot Development.....                                 | 67        |
| 5.17 Airport Hazard Overlay .....                                 | 68        |

|   |            |
|---|------------|
| <b>ARTICLE VI Performance Standards .....</b>                               | <b>72</b>  |
| 6.1 General Performance Standards.....                                      | 72         |
| 6.2 Environmental Performance Standards.....                                | 72         |
| 6.3 Bufferyards .....   | 73         |
| 6.4 Odor .....  | 76         |
| 6.5 Storage and Waste Disposal.....   | 76         |
| 6.6 Smoke .....   | 77         |
| 6.7 Dust, Fumes, Vapors, and Gases .....                                    | 77         |
| 6.8 Glare.....  | 77         |
| 6.9 Vibrations.....   | 77         |
| 6.10 Discharge .....  | 77         |
| 6.11 Heat, Cold, Dampness or Movement of Air .....                          | 77         |
| 6.12 Noise .....  | 77         |
| 6.13 Electrical Disturbance of Radioactivity .....                          | 78         |
| 6.14 Maintenance of Yards, Adjacent Undeveloped Property .....              | 78         |
| 6.15 Vehicle and Equipment Maintenance .....                                | 78         |
| <b>ARTICLE VII R-1 Single Family Residential District Regulations .....</b> | <b>80</b>  |
| 7.1 Purpose.....  | 80         |
| 7.2 Permitted Uses .....  | 80         |
| 7.3 Conditional Uses.....   | 80         |
| 7.4 Parking Requirements.....   | 84         |
| 7.5 Lot Area, Yard and Height Requirements .....                            | 84         |
| 7.6 Performance Standards .....   | 85         |
| 7.7 Permits .....   | 85         |
| <b>ARTICLE VIII R-2 Multi-Family Residential District Regulations .....</b> | <b>86</b>  |
| 8.1 Purpose.....  | 86         |
| 8.2 Permitted Uses .....  | 86         |
| 8.3 Conditional Uses.....   | 86         |
| 8.4 Parking Requirements.....   | 94         |
| 8.5 Lot Area, Yard and Height Requirements .....                            | 95         |
| 8.6 Performance Standards .....   | 96         |
| 8.7 Permits .....   | 96         |
| <b>ARTICLE IX R-3 Rural Residential District Regulations .....</b>          | <b>98</b>  |
| 9.1 Purpose.....  | 98         |
| 9.2 Permitted Uses .....  | 98         |
| 9.3 Conditional Uses.....   | 99         |
| 9.4 Parking Requirements.....   | 104        |
| 9.5 Lot Area, Yard and Height Requirements .....                            | 104        |
| 9.6 Performance Standards .....   | 105        |
| 9.7 Permits .....   | 105        |
| <b>ARTICLE X WCV Weber’s Corner Village District Regulations.....</b>       | <b>106</b> |
| 10.1 Purpose.....   | 106        |
| 10.2 Authorized Uses.....   | 106        |

|  |   |            |
|--|---|------------|
| 10.3   | Street System and Parking Requirements .....                    | 107        |
| 10.4   | Lot Area, Yard, Height, Bulk and Orientation Requirements ..... | 108        |
| 10.5   | Landscaping .....   | 109        |
| 10.6   | Sidewalks .....   | 110        |
| 10.7   | General requirements .....                                      | 111        |
| <b>ARTICLE XI C-2 Commercial Industrial District Regulations .....</b> |   | <b>112</b> |
| 11.1   | Purpose.....  | 112        |
| 11.2   | Authorized Uses.....  | 112        |
| 11.4   | Parking .....   | 117        |
| 11.5   | Lot Area, Yard, Bulk and Height Requirements.....               | 118        |
| 11.6   | Performance Standards .....                                     | 118        |
| 11.7   | Site Design Criteria.....                                       | 118        |
| 11.8   | Permits and Construction.....                                   | 118        |
| <b>ARTICLE XII Planned Residential Development.....</b>                |   | <b>119</b> |
| 12.1   | Planned Residential Development:.....                           | 119        |
| 12.2   | Ownership Requirements.....                                     | 119        |
| 12.3   | Availability of Public Services and Access .....                | 119        |
| 12.4   | Administration and Procedures.....                              | 120        |
| 12.5   | Standards and Requirements.....                                 | 130        |
| 12.6   | Surety and Improvements .....                                   | 133        |
| 12.7   | Fees .....  | 133        |
| <b>ARTICLE XIII Signage</b>  |   |            |
| 13.1   | Definition .....  | 134        |
| 13.2   | Area of Signs.....  | 134        |
| 13.3   | Illumination of Signs.....                                      | 134        |
| 13.4   | Types of Signs.....   | 135        |
| 13.5   | Signs and Flags in Residential Districts and PRD's.....         | 136        |
| 13.6   | Signs Permitted in the C-2 and WCV Commercial District .....    | 138        |
| 13.7   | General Sign Regulations .....                                  | 139        |
| 13.8   | Permit Requirements for Signs .....                             | 140        |
| <b>ARTICLE XIV Nonconforming Uses And Structures .....</b>             |   | <b>142</b> |
| 14.1   | Nonconforming Structures.....                                   | 142        |
| 14.2   | Nonconforming Uses of Structures.....                           | 142        |
| 14.3   | Registration .....  | 143        |
| 14.4   | Lots of Record Not Meeting Lot Area Requirements.....           | 143        |
| <b>ARTICLE XV Zoning Hearing Board.....</b>                            |   | <b>144</b> |
| 15.1   | Creation of Board.....  | 144        |
| 15.2   | Jurisdiction .....  | 144        |
| 15.3   | Membership of Board .....                                       | 144        |
| 15.4   | Alternate Members.....  | 144        |
| 15.5   | Removal of Members.....   | 144        |
| 15.6   | Organization of Board.....                                      | 144        |

*Aleppo Township Zoning Ordinance*  
*ASO Updates*

|   |  |            |
|---|--|------------|
| 15.7  | Expenditures for Services .....  | 145        |
| 15.8  | Hearings .....   | 145        |
| 15.9  | Mediation .....  | 146        |
| 15.10   | Board's Functions - Challenge to the Validity of any Ordinance or Map..... | 146        |
| 15.11   | Board's Functions - Variances .....  | 146        |
| 15.12   | Parties Appellant Before Board .....                                       | 147        |
| 15.13   | Time Limitations.....  | 147        |
| 15.13   | Stay of Proceedings.....   | 148        |
| <b>ARTICLE XVI Amendments .....</b>             |  | <b>150</b> |
| 16.1  | Procedure .....  | 150        |
| 16.2  | Mediation .....  | 150        |
| 16.3  | Procedure for landowner curative amendment .....                           | 150        |
| 16.4  | Procedure for Municipal Curative Amendment.....                            | 153        |
| 16.5  | Publication, Advertisement and Availability .....                          | 154        |
| 16.6  | Readvertisement.....   | 154        |
| 16.7  | Copy to County Planning Commission.....                                    | 154        |
| <b>ARTICLE XVII Administration .....</b>        |  | <b>156</b> |
| 17.1  | Establishment of Zoning Districts .....                                    | 156        |
| 17.2  | Aleppo Township Zoning Districts and Overlays .....                        | 156        |
| 17.3  | Interpretation of Zoning District Boundaries.....                          | 156        |
| 17.4  | Zoning Officer .....   | 157        |
| 17.5  | Powers and Duties.....   | 157        |
| 17.6  | Building and Zoning Permits .....  | 157        |
| 17.7  | Certification of Occupancy .....   | 158        |
| 17.8  | Sign Permit.....   | 159        |
| 17.9  | Schedule of Fees .....   | 159        |
| <b>ARTICLE XVIII Enforcement Remedies .....</b> |  | <b>160</b> |
| 18.1  | Civil Damages.....   | 160        |
| 18.2  | Enforcement Remedies .....   | 160        |
| 18.3  | Notice of Violation .....  | 160        |
| <b>ARTICLE XIX Enactment .....</b>              |  | <b>162</b> |
| 19.1  | Enactment .....  | 162        |

ARTICLE I

**Purpose and Authority**

**1.1 Title**

This Ordinance shall be known and may be cited as the Aleppo Township Zoning Ordinance, and the Zoning Map referred to herein and adopted as part of this Ordinance shall be known as the Aleppo Township Zoning Map.

**1.2 Purpose**

The purpose of this Ordinance is to promote, protect and facilitate the public health, safety, morals and general welfare of the inhabitants of Aleppo Township by:

- A. Encouraging and facilitating the orderly, coordinated and practical development of the Aleppo-Sewickley-Glen Osborne (ASO) area; identified land uses within this Ordinance that shall be considered mutually shared with all communities participating in the ASO Joint Comprehensive Plan.
- B. Lessening the danger and congestion of traffic on the roads and highways and providing for adequate off-street parking and loading for all land uses;
- C. Securing safety from fire, panic, flood and other dangers;
- D. Providing for adequate light and air;
- E. Promoting such distribution of population and classification and utilization of land as will facilitate and conserve adequate provision of transportation, water, drainage, sanitation, educational and other public facilities, recreation and protection of natural resources and the environment;
- F. Establishing building lines and the locations of buildings or structures designed for appropriate uses within such lines to prevent overcrowding;
- G. Dividing the area into zones and districts restricting and regulating the location, construction, reconstruction, alteration and use of buildings, structures and land to conserve land, building and structure values, protect the tax base, secure economy in governmental expenditures and encourage variety and quality in land uses;
- H. Providing housing opportunities consistent with the area's population growth and housing demand, present and future;
- I. Providing for the regulation of nonconforming uses, buildings and structures; and

- J. Encouraging the conservation of nonrenewable energy sources through the use of efficient building methods;
- K. Providing for the timely, equitable and efficient administration of the provisions, regulations and restrictions hereof.

### **1.3 Statement of Community Development Goals and Objectives**

This Ordinance has been prepared in consideration of the character of the Township, including existing land use patterns, the character of remaining undeveloped land and the capacity of the community's basic infrastructure to support additional development. Consideration has also been given to development activities and trends in the area surrounding the Township. The purpose of the Ordinance is to guide future growth and development within the Township in accordance with the following goals and objectives:

- A. To preserve the quality of life within the Township's residential neighborhoods;
- B. To preserve and expand the Township's residential tax base in a manner that is consistent with the density, intensity and environmental quality of existing residential development within and around the community;
- C. To preserve and expand the Township's business and industrial tax base in a manner that protects surrounding land uses and maintains a high degree of environmental quality;
- D. To provide adequate community facilities and services to meet the needs of Township residents and its business community;
- E. To undertake physical improvements to the man-made landscape that will create a better community and improve the attractiveness of the Township as a place to live and work;
- F. To preserve the natural qualities and characteristics of land that is unsuitable for development;
- G. To provide citizens and prospective developers with a clear understanding of the Township's land use decision making process;
- H. To encourage citizen participation in the land use decision making process.

### **1.4 Authority**

The authority to promulgate the local regulation of land use and related activities is provided for through Act 247 of 1968, the Pennsylvania Municipalities Planning Code, and Act 170 of 1988, an amendment thereto.

### **1.5 Conformance and Permits**

After the effective date of this Ordinance, except for existing legal nonconforming uses or structures, no structure or building shall be erected, reconstructed, structurally altered, enlarged or moved, and no structure, building or land shall be used, occupied or designed to be used unless in conformity with the regulations specified herein for the zoning district in which it is located and with all other applicable provisions of this Ordinance, and then only after applying for and securing all permits, licenses and approvals required by all laws, ordinances, resolutions, regulations and codes. Specifically noted are Subdivision Ordinance and Land Development #184 and Floodplain Ordinance #180.

### **1.6 Conflict**

Where a provision of this Ordinance is found to be in conflict with a provision of any land use ordinance or code, applicable health, building, housing or safety regulation, or any other ordinance, resolution or regulation, on or after the effective date of this Ordinance Amendment, the provision which establishes the more restrictive standard for protection of the health, safety and welfare of the people shall prevail.

### **1.7 Severability**

Should any part, section or provision of the Ordinance be declared, determined or ruled invalid or invalid as applied, such declaration, determination or ruling shall not affect the validity of the Ordinance as a whole or any part hereof other than the part expressly so stated to be invalid or invalid as applied, and all other provisions of the Ordinance shall continue to be separately and fully effective.

*Aleppo Township Zoning Ordinance  
ASO Updates*

This page intentionally left blank.



**ARTICLE II**  
**Definitions and Terms**

**2.1 Interpretation and Strict Construction**

- A. Unless clearly indicated, the following words and phrases shall have, for the purpose of this Ordinance, the meanings given. Any word or phrase not defined specifically herein is intended to be used in the common meaning of standard usage.
- B. For the purpose of this Ordinance, words and phrases used herein shall be interpreted as follows:
1. Words used in the present tense include the future.
  2. The word "person" includes a corporation, partnership, association or other legal entity as well as an individual.
  3. The word "lot" includes the word "plot" or "parcel."
  4. The term "shall" is mandatory.
  5. The words "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."
  6. Words used in the singular number shall include the plural and the plural the singular, unless the context indicates clearly to the contrary.
  7. The words "Municipal" or "Municipality" refers to Aleppo Township.

**2.2 Definitions and Terms**

The following definitions shall apply to this Ordinance:

**ACCESSORY USE.** A use on the same lot with and of a customarily incidental and subordinate nature to the principal use. Such use is secondary and supportive of the principal use including, but not limited to, the storage of vehicles in a detached garage, the storage of tools in a garden shed, private swimming pools as recreational uses, and satellite dishes for television reception.

**ACCESSORY STRUCTURES.** A structure greater than one-hundred (100) square feet clearly subordinate to and on the same lot as the principal structure and used exclusively for purposes constituting an accessory use, including, but not limited to, private garages, accessory dwellings, barns, swimming pools, gazebos, utility sheds, greenhouses and excluding communication towers, communication facilities, telecommunications

equipment buildings, collocation/shared use communication facilities and power-mounted/shared use communication facilities.

ADULT ENTERTAINMENT. (See Sexually oriented business)

AGRICULTURE. The raising of farm animals and produce.

AGRICULTURAL SUPPORT STRUCTURES. Structures that are related and accessory to and that support the general operation of primary agricultural uses as defined in this section.

AGRICULTURAL USES. The cultivation of crops, groves, thoroughbred and pleasure horse ranches, including horse boarding, private game preserves, fish breeding areas, tree and plant nurseries, and other similar activities. Agriculture use activities do not include community gardens and market gardens.

AIRPORT HAZARD OVERLAY. The following terms shall be used in context of the Airport Hazard Overlay:

**Airport Elevation:** The highest point of an airport's useable landing area measured in feet above sea level. The airport elevation of the *Pittsburgh International Airport* is 1,204 feet above mean sea level.

**Airport Hazard:** Any structure or object, natural or manmade, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined in 14 CFR Part 77 and 74 Pa. Cons. Stat. §5102.

**Airport Hazard Area:** Any area of land or water upon which an airport hazard might be established if not prevented as provided for in this Ordinance and the Act 164 of 1984 (Pennsylvania Laws Relating to Aviation).

**Approach Surface (Zone):** An imaginary surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of the runway based on the planned approach. The inner edge of the approach surface is the same width as the primary surface and expands uniformly depending on the planned approach. The approach surface zone, as shown on Figure 1, is derived from the approach surface.

**Conical Surface (Zone):** An imaginary surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) feet horizontally to one (1) foot vertically for a horizontal distance of 4,000 feet. The conical surface zone, as shown on Figure 1, is based on the conical surface.

**Department:** Pennsylvania Department of Transportation.

**FAA:** Federal Aviation Administration of the United States Department of Transportation.

**Height:** For the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

**Horizontal Surface (Zone):** An imaginary plane 150 feet above the established airport elevation that is constructed by swinging arcs of various radii from the center of the end of the primary surface and then connecting the adjacent arc by tangent lines. The radius of each arc is based on the planned approach. The horizontal surface zone, as shown on Figure 1, is derived from the horizontal surface.

**Larger Than Utility Runway:** A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

**Nonconforming Use:** Any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this Ordinance or an amendment thereto.

**Non-Precision Instrument Runway:** A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

**Obstruction:** Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth by this Ordinance.

**Precision Instrument Runway:** A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

**Primary Surface (Zone):** An imaginary surface longitudinally centered on the runway, extending 200 feet beyond the end of paved runways or ending at each end of turf runways. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The primary surface zone, as shown on Figure 1, is derived from the primary surface.

**Runway:** A defined area of an airport prepared for landing and takeoff of aircraft along its length.

**Structure:** An object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation and overhead transmission lines.

**Transitional Surface (Zone):** An imaginary surface that extends outward and upward from the edge of the primary surface to the horizontal surface at a slope of seven (7) feet horizontally to one (1) foot vertically (7:1). The transitional surface zone, as shown on Figure 1, is derived from the transitional surface.

**Tree:** Any object of natural growth.

**Utility Runway:** A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

**Visual Runway:** A runway intended solely for the operation of aircraft using visual approach procedures.

**ALLEY.** A right-of-way which provides secondary access for vehicles to the side or rear of abutting properties.

**ALL OTHER USES.** Any land uses not specified within the permitted, conditional or special exception uses listed in the Zoning District regulations.

**ALTERATIONS.** As applied to a building or structure, a change or rearrangement in the structural parts, or in the exit facilities, or an enlargement or diminution, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

**ANTENNA SUPPORT STRUCTURE.** Any building, tower or structure used for the purpose of supporting an antenna.

**APARTMENTS.** A residential building used by three (3) or more families living independently of each other and which contains dwelling units which are primarily used for rental properties rather than properties for sale.

**APARTMENT, GARDEN.** A suite of rooms or a single room in a building containing at least three (3) or more dwelling units, each with its own cooking, food storage, bathing and toilet facilities and with access directly or by a common hallway to the outside and not consisting of more than three (3) stories.

**APPLICANT.** a landowner or developer, as herein defined, who has filed an application for development, including his heirs, successors and assigns.

**APPLICATION FOR DEVELOPMENT.** Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development, including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or the approval of a development plan.

**AREA, BUILDING.** The total of areas taken on a horizontal plane at the main grade level of the principal buildings exclusive of porches, terraces, steps and carports, but inclusive of attached garages.

**ASSISTED LIVING UNITS/PERSONAL CARE HOME.** As defined by the Pennsylvania Department of Public Welfare.

**AUTO AND LIGHT TRUCK REPAIR SHOP/ SERVICE STATION.** Any area of land, including any structures thereon, or any building or part thereof, that is used for the mechanical and/or body repairs of motor vehicles and light trucks, retail sale of gasoline, oil, other fuel, or accessories for motor vehicles and which may include facilities used for polishing, greasing, washing, dry cleaning, or otherwise cleaning or servicing such motor vehicles.

**AUTOMOTIVE SERVICE STATION.** A building(s), the premises or portions thereof, designed, arranged or used for the retail sale of gasoline as well as for minor automotive repair and inspection.

**BASEMENT.** The space enclosed by the foundation of ground floor wall of a building partly below the average level of adjacent ground. A basement shall not be counted as a story for the purpose of height measurement unless one-half (1/2) or more of its volume is above the average level of the adjacent ground.

**BED & BREAKFAST.** A commercial establishment that occupies a single-family dwelling and associated accessory structures where limited overnight lodging and breakfast is provided for compensation to guests and where said use may or may not also

host accommodations for private events (e.g. such as weddings and conferences). The dwelling may or may not include a publicly accessible restaurant as a related use. Overnight lodging occurs within individual sleeping rooms, each of which is accessible from the interior of the principal structure and/or existing accessory structure (constructed prior to the date of this Ordinance) and which each does not contain cooking facilities. New construction, alteration, or reconstruction of any structure shall also be governed by said Chapter. The owner of said use shall be a permanent resident on the site.

**BOARD.** The Zoning Hearing Board established by this Ordinance.

**BOARDING HOUSE.** A dwelling in which the resident owner lives and supplies for a fee sleeping accommodations with board for at least three (3) persons but not more than ten (10) persons exclusive of the resident owner and members of the resident owner's family.

**BUILDING.** A combination of materials to form a permanent structure having walls and a roof. Included shall be all mobile homes and trailers to be used for human habitation.

**BUILDING, HEIGHT.** The vertical distance shall be measured from the surface of the average elevation of the proposed finish grade at the foot of the front elevation of the structure to the highest point of the roof for flat roofs, and to the mean height between eaves and ridge for gable, hip, mansard and gambrel roofs.

**BUILDING OR STRUCTURE, ACCESSORY** (to include commercial accessory structures). A subordinate building located on the same lot as a principal building and clearly incidental and subordinate to the principal building. Any portion of a principal building devoted to an accessory use is not an accessory building.

**BUILDING, PRINCIPAL.** A building in which is conducted, or is intended to be conducted, the principal use of the lot on which it is located.

**BUILDING, PUBLIC.** Any structure owned or operated by a municipality, municipal authority or agency thereof.

**BUILDING SPACING.** The minimum distance between two (2) buildings. The minimum building spacing shall be measured from the outermost wall or projection, excluding bay windows, chimneys, flues, columns, ornamental features, cornices and gutters. These exceptions may encroach nor more than two (2) feet.

**CABINET OR CARPENTER SHOP.** A commercial establishment engaged in the making, finishing, and repairing of wooden objects, cabinets and furniture.

**CALL CENTER.** A commercial establishment used for the purpose of receiving and transmitting a large volume of business-related requests by telephone.

**CATERING OR FOOD DELIVERY SERVICE.** A commercial establishment that prepares food for offsite consumption.

**CEMETERY/MAUSOLEUM.** A lot or portion of land that is reserved for the burying of the deceased and that could contain mausoleums and columbaria but not crematoriums.

**CLEAR SITE TRIANGLE.** That area between the intersecting centerlines of two streets, alleys or roadways, and point seventy-five (75) lineal feet from the point of intersection along each of the streets, alleys or roadways. Where an urban collector or arterial roadway is one or both of the intersecting roadways, the lineal distance from the point of intersection is extended to one hundred fifty (150) feet. (See Exhibit #1)

**CLINIC.** A place used for the care, diagnosis and treatment of sick, ailing, infirm and injured persons and those who are in need of medical or surgical attention, but who are not provided with board and room nor kept overnight on the premises.

**CLUB (Public or Private).** A nonprofit association of persons who are bona fide members paying annual dues, which owns, hires or leases a building, or portion thereof, the use of such structures being restricted to members and their guests. It shall be permissible to serve meals and food on such premises provided adequate dining room space and kitchens are available. The sale of alcoholic beverages to members and their guests shall be allowed providing such sale is secondary to the operating of the dining room for the purpose of serving food or meals and further provided that such sale of alcoholic beverages is in compliance with applicable Federal, State and Municipal Laws.

**COMMERCIAL EQUESTRIAN OPERATIONS.** A commercial establishment operating riding stables and riding instruction, livery stables, horse training, horse breeding or boarding facilities.

**COMMON OPEN SPACE.** A parcel or parcels of land or an area of water, or a combination of land and water within the development site, designed as and intended for the use or enjoyment by the public or residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities. Storm water management facilities such as drainage ways, swales and storm water basins shall not be considered eligible to meet common open space requirements.

**COMMUNICATIONS ANTENNAE.** Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service, or any other wireless communications signal owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such a device. This definition shall not include a satellite dish less than twenty-four (24) inches in diameter or television antennas or amateur radio equipment including without limitation ham or citizen band radio antennas.

**COMMUNICATIONS TOWER.** Any ground-mounted pole, spire, structure, or combination thereof, including supporting lines, cables, wires, braces, or masts, intended

primarily for the purpose of mounting a communications antenna or similar apparatus above ground.

**COMMUNITY CENTER.** A building housing the activities of a neighborhood, civic, social, educational, recreational, or cultural organization but without residential accommodations and providing no sales of alcoholic beverages are made to the public-at-large.

**COMMUNITY GARDEN.** An area of land managed and maintained by a group of individuals to grow and harvest agriculture products and/or non-food, ornamental agriculture products, such as flowers, for personal or group use, consumption or donation. Community gardens may be divided into separate plots for cultivation by one (1) or more individuals or may be used collectively by members of the group and may include common areas maintained and use by group members. No retail sales shall be permitted to occur on the lot where a community garden exists.

**COMPREHENSIVE PLAN.** The official Joint Comprehensive Plan of the Township of Aleppo and the Boroughs of Sewickley and Glen Osborne, as amended from time to time, adopted pursuant to the provisions of Article 3 of the Pennsylvania Municipalities Planning Code.

**CONDITIONAL USE.** A use which may be permitted in one or more zoning districts upon the recommendation of the Township Planning Commission to the Board of Commissioners, who may grant approval pursuant to specific standards and criteria identified herein, and the provisions identified in Section 5.11.

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

**CONTINUING CARE RETIREMENT COMMUNITY.** A unified residential development that provides a continuum of accommodations and care from independent living to long term bed care, personal support services, as defined herein, and enters into agreements to provide care in exchange for fees.

**CONTRACTOR'S SHOPS.** A lot or portion of a lot used by a general contractor or builder where equipment and materials are stored or where a contractor performs shop or assembly work but does not include a construction site or any establishment otherwise defined or classified herein.

**CONVENIENCE STORE.** A commercial establishment that offers convenience goods for sale, such as prepackaged or limited prepared food items, tobacco, periodicals, and other household goods but does not include the sale of fuel.



**CONVERSION.** The remodeling of a single-family dwelling unit into two (2) or more separate dwelling units or a group living or custodial arrangement including required parking on site.

**CREMATORY.** An establishment with a furnace used solely for the cremation of cadavers.

**DAY CARE CENTER (YOUTH).** A commercial establishment, which is licensed by the Pennsylvania Department of Welfare as a “day care center” where care is provided for twelve (12) or more children under sixteen (16) years of age, for less than twenty-four (24) hours per day.

**DAY CARE CENTER (ADULT).** Any premises, which is licensed by Pennsylvania Department of Welfare as a “day care center” where care is provided for any number of adults, who are not relatives of the operator, at any one (1) time for part of a twenty-four (24) hour day.

**DAY NURSERY.** The temporary use of a single-family dwelling unit or church for the care of preschool or school aged children during normal working hours. Department of Public Welfare certification for day care is prerequisite.

**DENSITY.** Except as otherwise specified, the following terms shall apply to all residential development.

- A. Gross Density: The number of dwelling units per lot area or site area expressed in acres.
- B. Net Density: the number of dwelling units per net lot area or net site area expressed in acres.

**DEVELOPER.** Any person, acting as agent for a corporation, partnership, association or other legal entity or who has made application for land development, subdivision or Planned Residential Development approval.

**DEVELOPMENT.** Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of mobile homes, streets, and other paving, utilities, filling, grading, excavation, mining, dredging, or drilling operations.

**DEVELOPMENT PLAN.** The provisions for development of a planned residential development, including a plat of subdivision, all covenants relating to use, location and bulk of development, streets, ways and parking facilities, common open space and public utilities. The phrase "provisions of the development plan" when used in this Ordinance shall mean the written and graphic materials referred to in this definition.

**DRIVEWAY.** A minor vehicular way providing access between a street and a parking area or garage within a lot or property.

DUPLEX. see DWELLING, DUPLEX

DWELLING.

- A. Single-family: A building, on a lot, designed with culinary and sanitary facilities and occupied exclusively as a residence by one (1) family.
- B. Duplex: A building containing only two (2) dwelling units, each of which are entirely separated from the other by a continuous, common wall extending from the basement to the roof with each dwelling unit having independent access directly to the outside or are constructed on top of one another and divided by a common floor/ceiling structure with each dwelling unit having direct access to the outside.
- C. Dwelling Unit: Any room or group of rooms located within a residential building and forming a single, habitable unit with facilities used or intended to be used for living, sleeping, cooking and eating by one (1) family.
- D. Multiple-Family Dwelling:
  - 1. Apartment: A suite of rooms or a single room in a building containing three (3) or more dwelling units, each with its own cooking, food storage, bathing and toilet facilities and with access directly or by a common hallway to the outside.
  - 2. Townhouse. A building which contains no more than eight (8) dwelling units, each of which are separated from the adjoining unit or units by a continuous, common wall extending from the basement to the roof, each unit having independent access directly to the outside and having no other units above or below.

EASEMENT. A grant of the specified use of a parcel of land to the public, a corporation or a person.

EMERGENCY SERVICES. A building, structure and/or lot used for the maintenance, fueling, storage, dispatching or parking of vehicles and/or equipment utilized to provide private and/or public rescue or ambulatory services, fire and/or police services.

EROSION. The removal of surface materials by the action of natural elements.

ESSENTIAL SERVICES. The erection, construction, alteration or maintenance 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, hydrants, street signs, cable television or other telecommunications transmission lines provided by public or private entities, and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental

agencies or for the public health or safety or general welfare, but not including buildings. Communication facilities shall not be considered essential services for the purposes of this Ordinance.

**FAMILY.** One (1) or more persons related by blood, foster relationship, marriage or adoption and in addition, any domestic servants or gratuitous guests thereof; or a group of not more than three (3) persons who need not be so related, and in addition, domestic servants or gratuitous guests thereof, who are living together in a single, nonprofit dwelling unit and maintaining a common household with single cooking facilities. A roomer, boarder or lodger shall not be considered a member of the family.

**FENCE.** Any artificially constructed barrier of any material or combination of materials erected to enclose, screen or separate areas.

**FINANCIAL ESTABLISHMENTS.** A commercial establishment excluding banking service, where the principal business is the receipt, disbursement, or exchange of funds and currencies such as savings, loans, credit unions or check cashing establishments.

**FLOOD.** A temporary inundation of normally dry land areas.

**FLOODPLAIN AREA.** A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

**FOREST.** Areas of trees, the majority of which are greater than twelve (12) inches in diameter at breast height (four feet above grade), and covering an area greater than one acre; or groves of mature trees of individual specimens which are greater than twelve (12) inches in diameter at breast height (four (4) feet above grade), consisting of more than thirty (30) individual trees without regard to minimum area.

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

**GARAGE, PRIVATE.** An accessory building designed for the storage of motor driven vehicles owned and used by the occupants of the building to which it is accessory. Not more than one (1) of the vehicles may be a commercial vehicle of not more than two (2) ton capacity.

**GARAGE, PUBLIC.** A building or portion thereof, other than a private garage, designed and used for equipping, servicing, repairing, hiring, displaying, selling, storing and parking of motor driven vehicles.

**GAS STATION.** A commercial establishment that offers convenience goods for sale, such as prepackaged or limited prepared food items, tobacco, periodicals, and other household goods in conjunction with the sale of fuel / energy recharge for vehicles. .

**GAS WELL.** See Appendix A for related definitions.

**GRANNY FLAT/CARRIAGE HOUSE.** An accessory dwelling unit situated on a lot which has its own entrance, kitchen, bathroom and living area. Such an accessory dwelling often is one (1) of the following types:

- A. A dwelling unit situated above a rear detached garage;
- B. A dwelling unit attached to a single-detached dwelling at grade; or
- C. A dwelling unit detached from the principal dwelling.

**GROCERY STORE.** A commercial establishment that sells produce, dry goods, meats, baked goods, dairy items, frozen foods and the like. The term grocery store includes supermarkets, food stores, green grocers, dairies, delicatessens, but not including convenience stores.

**GROUP CARE HOME.** A facility which houses un-related residents and provides twenty four (24) hour supervision and rehabilitation services for developmentally disabled individuals (mental retardation, autism, cerebral palsy, epilepsy or other similar conditions) and is licensed by the Pennsylvania Department of Public Welfare for such purposes.

**GROSS FLOOR AREA.** The sum of the areas of the several floors of the building or structure, as measured from the exterior faces of the walls. It does not include basements, unenclosed porches, attics not usable for human occupancy, nor any floor space in an accessory building nor in the main building intended or designed for the parking of motor vehicles in order to meet the parking requirements of this Ordinance, nor any such floor space intended and designed for accessory heating and ventilating equipment.

**GROUP HOME.** A dwelling unit where room and board is provided to not more than eight (8) permanent residents who are mentally or physically handicapped persons of any age, who are in need of supervision and specialized services and no more than two (2) employees on any shift who may or may not reside in the dwelling and who provide health, social and/or rehabilitative services to the residents. The services shall be provided only by a governmental agency, its licensed or certified agents, or any other responsible nonprofit social services corporation and the facility shall meet all minimum requirements of the sponsoring agency.

**HEAVY EQUIPMENT SERVICE & REPAIR.** Any area of land, including any structures thereon, or any building or part thereof, that is used for the mechanical and/or body repair of trucks trailers and construction-type equipment.

**HIGH-RISE (Multi-Story Garden Apartments, Residential):** Four (4) to six (6) levels within one (1) structure of independent dwelling units.

**HOME-BASED BUSINESS, NO IMPACT.** A business or commercial activity administered or conducted 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 lot 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 of inventory of a substantial nature.
- D. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
- E. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- F. The business activity may not generate any solid waste or sewage discharge in volume or type which is not normally associated with residential use in the neighborhood.
- G. The business activity shall be conducted only within the dwelling and may not occupy more than twenty-five (25) percent of the habitable floor area.
- H. The business may not involve any illegal activity

**HOSPITAL:** A building containing rooms and facilities intended to be used and occupied to provide care, diagnosis, treatment and health care services to humans.

**HOME IMPROVEMENT CENTER.** A commercial establishment specializing in the sale of building supplies and construction materials for new construction, repair or remodeling. A home improvement center may include an outdoor display/storage area for merchandise or area for landscape nursery.

**HOME OCCUPATION, LOW-IMPACT.** A business or commercial activity carried on entirely within a building whose principal use is a single family dwelling but does not meet the requirements of a no-impact home-based business.

**IMPERVIOUS SURFACE.** Impervious surfaces are those surfaces which do not absorb rain. All buildings, parking areas, driveways, roads, sidewalks, and any area in concrete and asphalt shall be considered impervious surface within this definition. In addition, other areas determined by a professional engineer selected by Aleppo Township to be impervious within the meaning of this definition will also be classified as impervious surfaces.

**INDEPENDENT LIVING UNITS.** Residences for primarily elderly persons that provide amenities such as private sanitary, cooking, and sleeping areas within a single dwelling or structure.

**KENNEL.** Any building or structure where more than four (4) dogs or four (4) cats or any combination thereof exceeding four (4) animals which are six (6) months old or older are kept, bred, trained or boarded, whether for profit or not.

**LAND DEVELOPMENT.** Any of the following activities:

- A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
  - 1. A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenants, or;
  - 2. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of street, common areas, leaseholds, condominiums, building groups or other features.
- B. A subdivision of land.
- C. Land development'' does not include development which involves:
  - 1. The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three (3) dwelling units, unless such units are intended to be a condominium;
  - 2. The addition of an accessory building, including farm building, on a lot or lots subordinate to an existing principal building; or
  - 3. The addition or conversion of buildings or rides within the confines of a business establishment which would be considered an amusement park. For the purposes of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.

**LIBRARY.** A building or structure utilized for the storage and sharing of books, media and information with the general public and may or may not include areas for public meeting and the like.

**LIFE CARE FACILITY/SENIOR LIVING COMMUNITY.** A health care facility for the transitional residency of senior and/or disabled persons, providing for a progression of residential living types such as from independent living in single-family units to assisted and/or congregate living and culminating in a full health and continuing care nursing home facility where any portion of the facility may include common dining and recreation areas and which provides supportive services, not primarily medical in nature, to facility residents for activities of daily living. A life care facility/senior living community may include a licensed adult day care program; such facility shall comply with all applicable federal, state and local laws, ordinances and regulations relating to housing for the elderly. This term shall not include nursing homes, domiciliary care, convalescent homes, personal care facilities, or group care homes.

**LIGHT MANUFACTURING AND/OR ASSEMBLY FACILITY.** A building or structure where the processing and fabrication of certain materials and products occurs without producing noise, vibration, air pollution, fire hazard or noxious emission that could disturb or endanger neighboring lots. "Light manufacturing" includes the production of the following goods: home appliances; electrical instruments; office machines; precision instruments; electronic devices; timepieces; jewelry; optical goods; musical instruments; novelties; wood products; printed material; lithographic plates; type composition; machine tools; dies and gauges; ceramics; apparel; lightweight metal castings; film processing; light sheet metal products; plastic goods; pharmaceutical goods; and food products, but not animal slaughtering or curing nor rendering of fats.

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

**LOT AREA** - the area of a lot not including area within a street right-of-way.

**LOT DESIGN.** (See Exhibit #2)

- A. **Corner Lot:** A lot which has an interior angle of less than one hundred and thirty-five (135) degrees at the intersection of two (2) street lines. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangent to the curve at points beginning within the lot or at points of intersection of the side lot lines with the street lines intersect at an angle of less than one hundred and thirty-five (135) degrees.
- B. **Through Lot:** An interior lot having frontage on two (2) parallel or approximately parallel streets.

*Aleppo Township Zoning Ordinance*  
*ASO Updates*

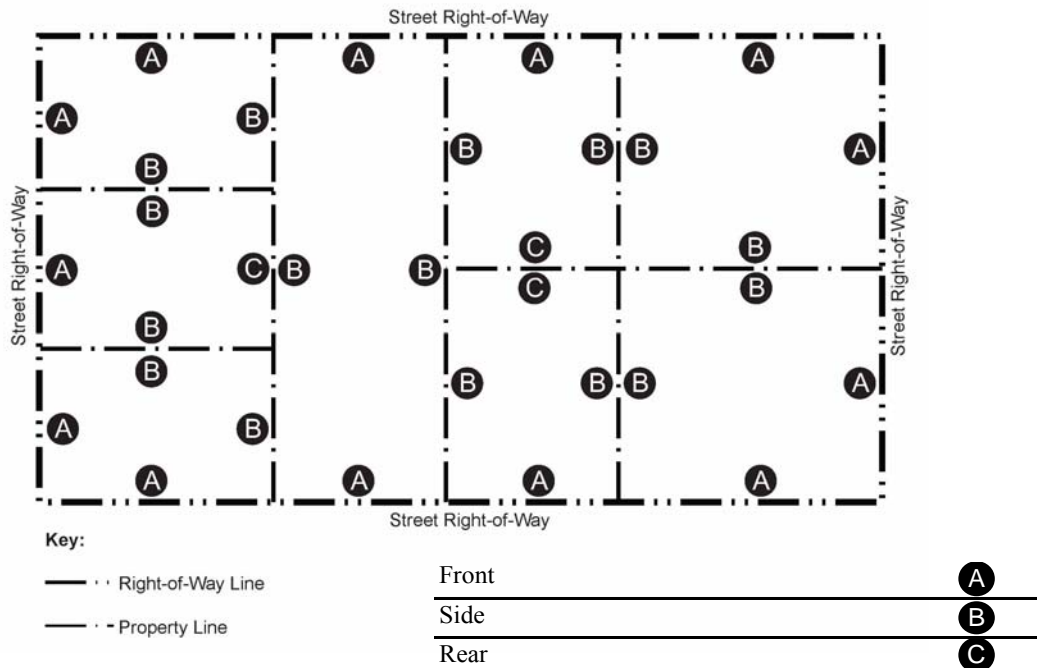
- C. Flag Lot – a lot located at least partially behind another (intervening) lot and does not have the majority of its required lot width fronting a street. Flag lots access streets by narrow extensions of the lot which connect to the street.\
- D. Depth of Lot: the average horizontal distance between the front and rear lot lines.
- E. Lot Width: The distance measured between the side lot lines at the required building setback line. In a case where there is only one side lot line, lot width shall be measured between the side lot line and opposite rear lot line or street line.

LOT FRONTAGE – The horizontal distance between the side lot lines measures at the point where the side lot lines intersect the street right-of-way. All sides of a lot that abut a street shall be considered frontage.



**LOT LINES.**

- A. LOT LINE, FRONT - the boundary line separating the lot from the street. In the case of corner and through lots, front lot lines shall be established along each street.
- B. LOT LINE, REAR - the boundary of a lot which is most distance and is most nearly parallel to the front lot line.
- C. LOT LINE, SIDE - any boundary of a lot which is not a front or rear lot line.



**LOT OF RECORD.** An area of land designed as a lot on a plan of subdivision or described on a deed duly recorded or registered, pursuant to statute with the Recorder of Deeds of Allegheny County.

**LUMBER YARD.** A building, structure or lot where processed wood timbers and products are stored for bulk and retail sale. The term lumber yard does not include the sawing, shaving, chipping, stripping or otherwise processing of logs and wood timbers.

**MANUFACTURING.** Any industrial processing which is not obnoxious or offensive by reason of smoke, fumes, odor, gas, dust, glare, noise or vibration or which constitutes a public hazard by specific prohibition herein.

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

**MOBILE (OR MODULAR) HOME.** A transportable, single-family dwelling intended for permanent occupancy, non-medical office, or place of assembly, contained in one (1) or more sections, built on a permanent chassis, 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 with or without a permanent foundation. The term does not include recreational vehicles or travel trailers.

**MOBILE HOME PARK.** A lot or series of lots usually under single ownership, which has been planned to contain and improved for the placement of two (2) or more mobile home lots in which each lot has been planned and improved for the placement of one (1) mobile home for non-transient use.

**MOTEL/HOTEL.** A commercial establishment which provides transient lodging accommodations to the general public in sleeping units which each unit has independent access and where such establishment may provide such additional supporting services as restaurants, meeting rooms, recreation facilities and living quarters for a resident manager or proprietor.

**MUNICIPAL BUILDING/USE.** Any building, structure or lot used by the Township, a municipal-related use or a municipal authority/commission created by the Township. These uses shall include an administrative facility, firehouse and/or emergency medical services.

**NET BUILDABLE AREA –** The area of a site or lot that may be built upon under the regulations of this Ordinance for the district in which the site or lot is located.

**NET SITE AREA.** Net buildable area, including all common open space, within a planned residential development site.

**NONCONFORMING LOT.** A lot the area or dimension of which was lawful prior to the adoption or subsequent amendments of the Township's first zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

**NONCONFORMING STRUCTURE.** A structure or part of a structure not complying in its design with the applicable provisions of the Township's first zoning ordinance or subsequent amendments, where such structure lawfully existed prior to the application of this ordinance or amendments to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

**NONCONFORMING USE.** A use of a building or use of land lawfully existing on the effective date of the Township's first zoning ordinance or subsequent amendments thereto which does not completely conform to the use regulations for the zoning district in which it is located.

**NURSING HOME.** A facility licensed by the Commonwealth of Pennsylvania that provides long-term in-patient care by licensed nurses and physicians. **One-hundred year flood:** A flood that, on the average, is likely to occur once every one-hundred (100) years (i.e. that has one (1) percent chance of occurring each year, although the flood may occur in any year).

**OFFICES.** As defined herein, offices shall be limited to the following:

- A. **Business Office (Non-Medical Office):** A commercial establishment which generally operates on a first-come, first-served basis and which has relatively high pedestrian or customer traffic, including advertising agencies, manufacturing representatives, personnel agencies, travel and ticket agencies and the like.
- B. **Professional Office (Non-Medical Office):** A commercial establishment which generally serves clients and operates on an appointment basis, with relatively low pedestrian or vehicular traffic, including offices of accountants, architects, attorneys, consultants, designers, engineers, insurance agents, realtors, and the like.
- C. **Public Service Office (Non-Medical Office):** A commercial establishment of a governmental agency, social service organization, notary, public or private utility, political organization or the like.
- D. **Medical:** A commercial establishment where one (1) or more licensed medical professionals provide diagnosis and treatment to the general public without overnight observation. Such use may include such functions as and facilities for reception areas, administrative offices, examination rooms and x-ray rooms, provided that all such uses have access only from the interior of the building. A medical office shall not include a pharmacy or surgical suites.
  - 1. **Low intensity medical office** - such facility that contains a total of four (4) or fewer examination rooms (not including laboratories and/or x-ray rooms).
  - 2. **High intensity medical office** - such facility that contains more than four (4) examination rooms (not including laboratories and/or x-ray rooms).

**PARKING.**

- A. **Parking Area, Private:** An open off-street area other than a private road or way (with adequate means of access), used exclusively for the parking of automobiles of occupants of the premises.
- B. **Parking Area, Public: Parking Lot, Public:** An open off-street area other than a driveway, private road or way (with adequate means of access), available to the general public for the parking of motor vehicles.

**PERCENT GRADE.** The number of feet of rise per one hundred (100) feet in length, i.e. a twenty (20) foot rise in a one hundred (100) feet length is said to be a twenty (20) percent grade.

**PERSONAL CARE HOME.** See “ASSISTED LIVING UNIT”

**PERSONAL SUPPORT SERVICES.** Uses accessory to the primary residential uses within a Continuing Care Retirement Community and designed to provide a variety of personal services primarily to the residents of a Continuing Care Retirement Community including, but not limited to, beauty and barber shops, assembly areas, gift shops, post office, bank, pharmacy, medical office, laundry and adult or child day care center.

**PERSONAL SERVICES.** A commercial establishment providing domestic commodities and services pertaining to the person, their apparel or personal effects commonly carried on or about the person including, but not limited to, shoe repair, tailoring, clothes cleaning, watch repairing, barbershops, beauty parlors, massage therapy establishments and related activities.

**PHARMACY.** A commercial establishment which primarily sells prescription drugs, patient medicines and surgical and sickroom supplies. The term pharmacy may also include the provision of a limited selection of housewares and foodstuffs.

**PLACE OF WORSHIP/ASSEMBLY.** A building, structure, lot or portion of land where people regularly observe, practice or participate in religious or spiritual services, meetings or activities or is designed for the assembly or collection of persons at any one time, or adapted or used for purpose of assembly, where persons may congregate for civic, political, religious, educational, social, recreation and amusement purposes.

**PLANNED RESIDENTIAL DEVELOPMENT.** A lot or portion of land, controlled by a single 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 to the standard lot area, bulk, type of dwelling, or use, density or intensity, lot coverage and required open space regulations established in any one base zoning district under the provisions of this Chapter.

**PRACTICE OF PROFESSION.** The use of offices and related space for such professional services and activities as are provided by doctors, dentists, lawyers, architects, engineers, realtors, teachers, artists, musicians, magistrates and similar services or by any such persons licensed to practice.

**PRINCIPAL BUILDING.** See Building.

**PRINCIPAL USE.** See Use.

**PRIVATE CLUB.** A for-profit or not-for-profit establishment operated by a private organization for social, recreational, educational or fraternal purpose, but open only to members and their guests and not to the general public.

**PRIVATE STREET.** A private way used or intended to be used for passage by motor vehicles.

**PRIVATE UTILITY.** A privately operated service for a defined portion of residents or businesses that elect not to utilize public utilities for the distribution of water, gas, electricity, oil or steam, or collecting sanitary sewage and consequently provide the means or portion of the means to support and maintain such privately operated systems.

**PUBLIC HEARING.** A formal meeting open to the general public held pursuant to proper "public notice" by the Board of Commissioners of Aleppo Township or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance

**PUBLIC MEETING.** A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84) known as the Sunshine Act.

**PUBLIC NOTICE.** Notice published once each week for two (2) consecutive weeks in a newspaper of general circulation in the Municipality. 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 nor less than seven (7) days from the date of the hearing. Public notice shall also precede public meetings.

**PUBLIC PARK.** A lot or portion of land specifically defined or set aside for use by and for the general public in both active or passive recreational uses; and includes all landscaping, facilities and apparatus, playing fields, utilities, buildings and other structures that are consistent with the general purposes of public parkland, and whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park.

**PUBLIC PARKING AREA.** An open off-street area, other than a private road or way (with adequate means of access) available to the general public for the parking of automobiles.

**PUBLIC USES.** Public parks, public and private schools and cultural administrative and service buildings not including public lands or buildings devoted solely to the storage and maintenance of equipment and material.

**PUBLIC UTILITY/PUBLIC WORKS/OTHER CIVIC USE.** A service, often privately operated, for the general population distributing water, gas, electricity, oil or steam, or collecting sanitary sewage by means of a network of overhead or underground conduits and requiring at various locations, to maintain efficiency of the system, pumping,

regulating, transformer, switching or other devices or structures, but not including non-medical offices.

**PUBLIC UTILITY FACILITY.** All of the buildings, wells, dams, reservoirs, plant and equipment of a public utility, including all tangible and intangible real and personal property without limitation, and any and all means and instruments of ownership, operation, lease, license, use, control, furnished or supplied for by/or in connection with the business of any public utility.

**RECREATION FACILITY.** A facility open to the public, that normally charges a fee/admission/donation, whether or not for profit, for the provision of recreation or entertainment for the general public including but not limited to theaters, dance halls, bowling alleys, billiard and pool halls, video and other coin-operated game parlors, miniature golf courses, indoor rifle range, indoor archery range, go-kart tracks and automobile race tracks/speedways and not including establishments that feature gaming and/or adult-oriented entertainment.

**RESEARCH LABORATORY.** A building or structure which carries on investigation in the natural, physical or social sciences or engineering and development as an extension of such investigation with the objective of creating end products and which may include the initial manufacturing of developed product as an accessory use.

**RESIDENTIAL OFF-STREET PARKING SPACE.** A private parking space whether or not enclosed, located off the right-of-way of any public or private road, for residential occupancy use.

**RESTAURANT.** A retail establishment which prepares and serves food to paying customers.

- A. **Fast Food:** A commercial establishment which serves ready-to-eat food, desserts or beverages available upon a short waiting time, generally in disposable containers or wrappers for immediate consumption on or off the premises, typically including a public service area with counter and queuing areas, and no or limited, table service.
- B. **Sit-Down:** A commercial establishment with kitchen facilities, which provides food for consumption on the premises at all times and includes tables and chairs with table service where customers are provided with an individual menu. The sale of alcoholic beverages is incidental to the sale and consumption of food.
- C. **Take-Out Restaurant:** A commercial establishment which serves ready-to-eat food, desserts or beverages available upon a short waiting time, generally in disposable containers or wrappers for immediate consumption off the premises, typically including a public service area with counter and queuing areas, and no table service.

**RETAIL STORE.** A commercial establishment located entirely within an enclosed building which sells goods, services or merchandise to the general public for personal, household or non-medical office consumption and which shall not include wholesaling, manufacturing or processing of the goods offered for sale.

**RIGHT-OF-WAY.**

- A. Right-of-way: Land set aside for use as a street, alley or other means of travel, as established by the Commonwealth, other appropriate governing authorities or individual landowners and currently in existence.
- B. Future Right-of-way: The right-of-way deemed necessary as appropriate to provide adequate width for future street improvements.

**ROAD.** The entire right-of-way of a public or private street or highway or of a private road providing access to two (2) or more properties.

**SATELLITE DISH.** A device designed or used for the reception of television or other electronic communications signal broadcast or relayed from an earth satellite.

**SCHOOL, (ACADEMIC) PUBLIC OR PRIVATE.** A building or structure operated by a public or religious organization, having regular sessions, with regularly employed instructors and meeting all of the requirements of the Pennsylvania Department of Education for providing primary, secondary, post-secondary, undergraduate and/or graduate collegiate education. This definition shall not include privately operated, for-profit trade, vocation, avocation or business schools.

**SCHOOL, COMMERCIAL.** A building or structure operated by a private or non-profit entity as a commercial enterprise where persons are instructed, taught or trained a specific trade, vocation, avocation or business discipline. The term commercial school shall include, but not be limited to, activities such as dancing, music, sports/recreation, business and technical training.

**SEWER.**

- A. Public Sewer: A "public sewer" is any sewer system in which sewage is collected from more than one (1) lot and piped to an approved sewage disposal plant or central septic tank disposal system. It may also be referred to as an "off-lot" or "off-site" sewer. This shall include capped sewers when installed to Township specifications.
- B. Private Sewer: An "on-lot" septic tank disposal system providing for disposal of effluent for one (1) building and its accessory building on a single lot of at least one (1) acre.

SEXUALLY ORIENTED BUSINESS.

- A. Adult Arcade means any place to which the public is permitted or invited wherein coin-operated, slug-operated, or for any form of consideration, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, video or laser disc players, or other image-producing devices are maintained, not located within viewing booths, to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas".
- B. Adult Bookstore Or Adult Novelty Store means an establishment having a substantial or significant portion of its stock and trade in, or an establishment which as one of its principal business purposes offers for sale or rental, any of the following:
  - 1. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, CD ROM discs or other computer software, and other visual representations, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, and in conjunction therewith may have viewing booths or other facilities for the presentation of adult entertainment for observation by patrons; or
  - 2. Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities".
- C. Adult Business means an adult arcade, adult bookstore, adult novelty store, adult cabaret, adult theater, escort agency, nude model studio or sexual encounter or mediation center.
- D. Adult Entertainment means:
  - 1. An exhibition of any adult 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; or
  - 2. 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 or persons in a state of nudity; or
  - 3. Films, motion pictures, video cassettes, slides or other photographic reproductions or visual presentations of any other kind which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".



- E. Adult Motel means a hotel, motel or similar commercial establishment which offers sleeping rooms, for rent, four (4) or more times in one calendar day during five (5) or more calendar days in any continuous thirty (30) day period.
- F. Adult Theater means a theater, tavern, banquet hall, party room, conference center, restaurant, nightclub, hall, auditorium, club, recreation center, indoor amusement center or similar commercial establishment which, as one of its principal business purposes, offers adult entertainment.
- G. Employee means a person who performs any service on the premises of an adult business on a full-time, part-time or contract basis, whether or not the person is denominated an employee, independent contractor, agent or otherwise and whether or not said person is paid a salary, wage or other compensation by the operator of said business. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises.
- H. Escort means a person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.
- I. Escort Agency means a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.
- J. Establish means and includes any of the following:
  - 1. The opening or commencement of any adult business as a new business;
  - 2. The conversion of an existing business, whether or not a adult business, to any adult business;
  - 3. The addition or change of any adult business to any other existing adult business or to a non-adult business; or
  - 4. The relocation of any adult business.
- K. Licensee means a person in whose name a license to operate an adult business has been issued, as well as the individual listed as an applicant on the application for a license; and in the case of an employee, a person in whose name a license has been issued authorizing employment in an adult business.
- L. Nude Model Studio means any place where a person who appears in a state of nudity, or who displays "specified anatomical areas" and is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Nude Model Studio shall not include a proprietary school licensed by the State of Pennsylvania or a college, junior college or university supported entirely or in

part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or in a structure:

1. That has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and
2. Where in order to participate in a class a student must enroll at least three days in advance of the class; and
3. Where no more than one nude model is on the premises at any one time.

M. Nudity Or A State Of Nudity means the showing of any part of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernible turgid state.

N. Sexual Encounter Or Mediation Center means a business, agency or person which, for consideration, provides for commercial purposes a place where persons, not all members of the same family, may congregate, assemble or associate for the purpose of engaging in specified sexual activities or exposing specified anatomical areas as defined herein:

O. Specified Anatomical Areas means human genitals, pubic region, anus, buttocks, female breast(s) below a point immediately above the top of the areola, or human male genitals in a discernibly turgid state even if completely covered.

P. Specified Criminal Activity means any of the following offenses:

1. Prostitution or promotion of prostitution; dissemination of obscenity; sale, distribution or display of harmful material to a minor; sexual performance by a child; possession or distribution of child pornography; public lewdness; indecent exposure; indecency with a child; engaging in organized criminal activity; sexual assault; molestation of a child; gambling; or distribution of a controlled substance; or any similar offenses to those described above under the criminal or penal code of other states or countries;
2. For which:
  - (a) Less than two (2) years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;

- (b) Less than five (5) years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense; or
  - (c) Less than five (5) years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if the convictions are of two (2) or more misdemeanor offenses or combination of misdemeanor offenses occurring within any twenty-four (24) month period.
3. The fact that a conviction is being appealed shall have not effect on the disqualification of the applicant or a person residing with the applicant.

Q. 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. Human genitals in a state of sexual stimulation or arousal.

R. Transfer of Ownership or Control of an adult business means and includes any of the following:

- 1. The sale, lease or sublease of the business;
- 2. The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or
- 3. The establishment of a trust, gift, or other similar legal advice which transfer the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

S. Viewing Booths means booths, stalls, partitioned portions of a room, cubicles, stalls, compartments, rooms or other enclosures which are available to members of the public, patrons or members for viewing

- 1. Films, movies, videos, or visual reproductions of any kind depicting or describing "specified sexual activities" or "specified anatomical areas," or
- 2. Persons who appear in a state of nudity or who offer performances or presentations characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."

SIGNS. Any letter, word, model, banner, flag, device, structure, representation or device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public.

*Aleppo Township Zoning Ordinance*  
*ASO Updates*

**SLOPE.** The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Grade area expressed in a percentage based upon vertical distance in feet per one (100) hundred feet of horizontal distance.

**SMALL APPLIANCE & MECHANICAL REPAIR.** A commercial establishment in which small appliances are repaired and/or sold to the general consumer.

**SOLICITOR.** The solicitor of Aleppo Township.

**SITE.** A parcel or parcels of land intended to have one (1) or more buildings or intended to be subdivided into one or more lots.

**SITE AREA.** The combined lot area within one or more contiguous lots or tracts developed singly or combined to create a unified development site.

**STEALTH TOWER.** A communications tower designed and constructed to appear as a mature tree, clock tower, or similar object.

**STREET LINE.** The dividing line between the street and the lot. The street line shall be the same as the legal right-of-way, provided that where an existing or future right-of-way width for a road or street has been established, then that width shall determine the location of the street line.

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

**SUBDIVISION.** The division or re-division of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. Subdivision includes re-subdivision and condominium creation or conversion or any lot line change(s).

**SUPPLY YARDS (Also Public Utility, contractor and storage yards).** A commercial establishment storing or offering for sale building supplies including light wood fabricating and woodworking, steel supplies, heavy equipment, feed and grain and similar goods. Supply yards do not include the wrecking, salvaging, dismantling or storage of automobiles and similar vehicles which are prohibited by the Township.

**SWIMMING POOL, COMMUNITY, PUBLIC OR COMMERCIAL.** Any swimming pool open to the general public in any way.

**SWIMMING POOL, PRIVATE CLUB.** Any swimming pool operated under the jurisdiction of a private club whose membership is composed of invited or elected members.

**SWIMMING POOL, PRIVATE HOME.** A permanent swimming pool on private property on which there is a family dwelling. The swimming pool being an accessory use thereof.

**TAVERN or BAR.** A commercial establishment which provides on-site alcoholic beverage sales for drinking on the premises, where food is served only as accessory to the principal use, where live entertainment (non-sexually-oriented) may also be provided, and where minors are not admitted unless accompanied by a parent or guardian.

**THEATER.** A building or structure operated as a not-for-profit or business establishment, inside a completely enclosed building devoted to showing pictures and/or live dramatic or musical performances. A theater may contain an auditorium in addition to other performance-related facilities. Adult theaters are excluded in this definition.

**USE.** The purpose or activity for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

- A. Use, Accessory: A use customarily incidental and subordinate to the principal use of the principal structure and located on the same lot with such principal use or principal structure.
- B. Use, Principal: The primary use of the lot, building or structure.

**UTILITIES.** See Public Utility Facility.

**UTILITY SYSTEMS.** Within the terms of this Ordinance, utility systems shall be defined as gas, electric, telephone, cable T.V. and/or any such service regulated by the Pennsylvania Public Utility Commission.

**VARIANCE.** Relief granted by the Zoning Hearing Board from requirements of this Chapter and as authorized by the Pennsylvania Municipalities Planning Code.

**VETERINARY FACILITY.** A commercial establishment owned and operated by a veterinary medical doctor(s), certified in the Commonwealth of Pennsylvania, for the medical or surgical treatment of domestic, agricultural or zoological animals but excluding the boarding and grooming of animals not subjected to medical or surgical treatment.

**WETLANDS.** Those areas which are inundated by water, with sufficient frequency to support an assemblage of organisms that is adapted to saturated or seasonally saturated soil conditions for growth and reproduction including, but not necessarily limited to, swamps, marshes, bogs, sloughs, wet meadows, river floodplains, mud flats and wet prairies.

**WHOLESALE DISTRIBUTION WAREHOUSES.** A business establishment primarily engaged in selling merchandise, dry goods and food stuffs to retailers, institutional, commercial or professional business customers or other wholesalers, rather than to the

*Aleppo Township Zoning Ordinance*  
*ASO Updates*

general public which includes the warehousing of merchandise and which may include distribution of such merchandise on the site of the principal business.

WIND TURBINE, COMMERCIAL. A device, and its associated equipment, that is designed to convert enough wind energy to mechanical or electrical energy to be used for commercial establishments or for the commercial sale of said energy to the general population.

WIND TURBINE, RESIDENTIAL. A residential scale device, and its associated equipment, designed to convert wind energy to mechanical or electrical energy to no more than four (4) residential dwelling units.

YARD - the portion of a lot between the principal building/structure and the lot line. Where the configuration of a principal building/structure or a lot make it difficult to discern the location of yards, the zoning officer shall establish such yards at his/her sole discretion.

- A. FRONT YARD - the space extending the full width of the lot and situated between the front lot line and the front of the principal building/structure.
- B. REAR YARD – the space extending the full width of the lot and located between the rear lot line and the rear of the principal building/structure.
- C. SIDE YARD - the space located between the side lot line and the side of the principal building/structure and extending from the front yard to the rear yard.



**ZONING PERMIT.** The document issued by the Zoning Officer authorizing the use of the land, building or structure, for which application has been made.

**ZONING DISTRICT.** A geographical area with boundaries that includes surface areas as indicated on the Official Zoning Map...

**ZONING MAP.** The boundaries of the said districts shall be those shown upon the map which is a part of this Ordinance and shall be designated "The Aleppo Township Zoning Map." The said map, together with all notations, references and other things shown thereon, shall be as much a part of this Ordinance as if they were fully set forth.

**ZONING OFFICER.** The Zoning Officer or his authorized representative appointed by the Township Board of Commissioners.

## ARTICLE III

### **Land Uses**

#### **3.1 Land Uses**

No building, structure or land within any zoning district may be used, and no building or structure may be erected, constructed, reconstructed or altered on or after the effective date of this Ordinance unless intended or designed to be used for any uses enumerated in Table 1: Land Uses of this Ordinance. For All Other Uses, see Table 1 of the Borough of Sewickley Zoning Ordinance.

- A. The letter “P” denotes a permitted use by right, subject to the requirements specified by this Ordinance and after a zoning certificate has been issued in accordance with this Ordinance.
- B. The letter “C” denotes a use that is conditional, subject to the requirements specified by this Ordinance and provided that the Borough Council grants the conditional use pursuant to of this Ordinance.
- C. The letter “S” denotes a use that is a special exception subject to the requirements specified by this Ordinance and provided that the Zoning Hearing Board grants the special exception pursuant to this Ordinance.
- D. The letter “A” denotes a use that is an accessory use by right to the principal use on a lot.





*Aleppo Township Zoning Ordinance  
ASO Updates*

**Table 1: Land Use**

Legend

- A Accessory Use
- P Permitted Use
- C Conditional Use
- S Special Exception Uses

|    |  | Zoning Designation |     |     |     |     |     |
|----|--|--------------------|-----|-----|-----|-----|-----|
|    |  | R-1                | R-2 | R-3 | WCV | C-2 | PRD |
| 1  | Accessory structures or uses incidental to a permitted principal use except exterior storage                         |                    |     |     |     | A   |     |
| 2  | Accessory uses incidental to a permitted principal use including but not limited to swimming pools and storage sheds | A                  | A   | A   | A   | A   | A   |
| 3  | Adult oriented establishment   |                    |     |     |     | C   |     |
| 4  | Agricultural support and accessory structures  | C                  |     |     |     |     |     |
| 5  | Agricultural uses, traditional   |                    |     | P   |     |     |     |
| 6  | Automobile and light truck repair  |                    |     |     |     | P   |     |
| 7  | Automobile sales   |                    |     |     |     | P   |     |
| 8  | Automobile service station   |                    |     |     |     | P   |     |
| 9  | Bed and Breakfast  | P                  |     |     |     |     |     |
| 10 | Cabinet or carpenter shop  |                    |     |     |     | P   |     |
| 11 | Catering or food delivery service  |                    |     |     | P   |     |     |
| 12 | Cemetery or masoleum   |                    | C   |     |     | C   |     |
| 13 | Commercial school  |                    |     |     |     | P   |     |
| 14 | Communications tower   |                    |     |     |     | C   |     |
| 15 | Community center   | C                  | C   | C   |     | P   |     |
| 16 | Contractor shops   |                    |     |     |     | P   |     |
| 17 | Convenience store (without fuel/energy recharge station)   |                    |     |     | P   |     |     |
| 18 | Conversion of an existing single family residential structure  | C                  | C   | C   |     |     |     |
| 19 | Day care   |                    |     |     | P   |     |     |
| 20 | Day Nursery  | C                  | C   | C   |     |     |     |
| 21 | Duplex dwelling  | P                  |     | C   | C   |     | P   |
| 22 | Emergency services   |                    |     |     | P   | C   |     |
| 23 | Equipment sales and rental (construction, industrial, agricultural)  |                    |     |     |     | P   |     |
| 24 | Essential services   | P                  | P   | P   | P   | P   | P   |
| 25 | Financial establishments   |                    |     |     | P   | C   |     |
| 26 | Food and grocery store   | P                  | P   | P   | P   |     |     |
| 27 | Forestry   | P                  | P   | P   | P   | P   | P   |
| 28 | Gas (fuel/energy recharge) station   |                    |     |     |     | P   |     |
| 29 | Gas wells  | See Appendix A     |     |     |     |     |     |
| 30 | Granny flat/Carriage house   | A                  | A   | A   | A   |     |     |
| 31 | Group care home  | C                  |     | C   |     |     |     |
| 32 | Heavy equipment service and repair   |                    |     |     |     | C   |     |
| 33 | Home improvement center  |                    |     |     |     | P   |     |

Legend

- A Accessory Use
- P Permitted Use
- C Conditional Use
- S Special Exception Uses

|    |  | Zoning Designation |     |     |     |     |     |
|----|--|--------------------|-----|-----|-----|-----|-----|
|    |  | R-1                | R-2 | R-3 | WCV | C-2 | PRD |
| 34 | Home Occupation, low impact                                  | C                  | C   | C   | C   |     |     |
| 35 | Home Occupation, no impact                                   | P                  | P   |     | P   |     |     |
| 36 | Hotel/motel  |                    |     |     |     | P   |     |
| 37 | Kennels  |                    |     | C   |     |     |     |
| 38 | Library  |                    | C   |     | P   | P   |     |
| 39 | Life care facility   |                    | C   |     |     |     |     |
| 40 | Light manufacturing  |                    |     |     |     | C   |     |
| 41 | Lumber yard  |                    |     |     |     | P   | ●   |
| 42 | Medical office   |                    |     |     | C   | P   |     |
| 43 | Mixed use apartment  |                    |     |     | P   |     |     |
| 44 | Mobile home parks  |                    |     | C   |     |     |     |
| 45 | Multi-story garden apartments                                |                    | C   |     | P   |     |     |
| 46 | Municipal building/use                                       |                    | C   |     | P   | P   |     |
| 47 | Nursing home   |                    | C   |     |     |     |     |
| 48 | Office, business and professional (<5,000 sf)                |                    |     |     | P   | P   |     |
| 49 | Office, business and professional (>5,000 sf)                |                    |     |     | C   | P   |     |
| 50 | Parking lot, public  |                    |     |     | P   |     |     |
| 51 | Personal care home   | C                  | C   | C   |     |     |     |
| 52 | Personal services  |                    |     |     | P   |     |     |
| 53 | Pharmacy   |                    |     |     |     | P   |     |
| 54 | Place of worship/assembly                                    |                    |     |     |     | C   |     |
| 55 | Planned residential development                              |                    |     |     |     | C   |     |
| 56 | Planned Residential Development consisting of at least fifty |                    | C   |     |     |     |     |
| 57 | Planned Residential Development consisting of single         | C                  |     |     |     |     |     |
| 58 | Plant or produce sales                                       |                    |     | P   |     |     |     |
| 59 | Private club   |                    | C   |     |     | C   |     |
| 60 | Private garages and parking areas                            | A                  | A   | A   | A   | A   | A   |
| 61 | Private recreation facility                                  |                    | C   | C   |     | C   |     |
| 62 | Private utility  |                    | C   | C   | P   | P   |     |
| 63 | Public park or recreation facility                           | C                  | C   | C   | P   | C   |     |
| 64 | Public service   |                    |     |     |     | P   |     |
| 65 | Public utility facilities                                    | C                  | C   | C   | P   |     |     |
| 66 | Recreation facilities for private developments               |                    |     |     |     |     | P   |

*Aleppo Township Zoning Ordinance  
ASO Updates*

Legend

- A Accessory Use
- P Permitted Use
- C Conditional Use
- S Special Exception Uses

|    |  | <b>Zoning Designation</b> |            |            |            |            |            |
|----|--|---------------------------|------------|------------|------------|------------|------------|
|    |  | <b>R-1</b>                | <b>R-2</b> | <b>R-3</b> | <b>WCV</b> | <b>C-2</b> | <b>PRD</b> |
| 67 | Research laboratory  |                           |            |            |            | C          |            |
| 68 | Restaurant, fast food  |                           |            |            |            | C          |            |
| 69 | Restaurant, take-out   |                           |            |            | P          |            |            |
| 70 | Resturant, sit-down  |                           |            |            | P          | C          |            |
| 71 | Retail center  |                           |            |            |            | C          |            |
| 72 | Retail store, single or multi-user up to fifty thousand (50,000) square feet |                           |            |            |            | P          |            |
| 73 | Retail store, small-scale  |                           |            |            | P          |            |            |
| 74 | School, private or public  |                           | C          |            | P          |            |            |
| 75 | Service business   |                           |            |            | C          | C          |            |
| 76 | Signs (see corresponding Article)  | A                         | A          | A          | A          | A          | A          |
| 77 | Single-family detached dwellings   | P                         | P          | P          | C          |            | P          |
| 78 | Small appliance and mechanical repair  |                           |            |            |            | C          |            |
| 79 | Stables  |                           |            | C          |            |            |            |
| 80 | Storage yards  |                           |            |            |            | P          |            |
| 81 | Theater  |                           |            |            |            | P          |            |
| 82 | Townhouses dwellings, with a maximum of six (6) units per structure          |                           | P          |            |            |            | P          |
| 83 | Veterinary   | C                         |            | C          | P          |            |            |
| 84 | Warehouse, self-storage  |                           |            |            |            | P          |            |
| 85 | Warehouse/distributor  |                           |            |            |            | P          |            |
| 86 | Wind turbine, other  |                           |            |            |            | C          |            |
| 87 | Wind turbine, residential  | C                         | C          | C          |            |            |            |

## ARTICLE IV

### **Parking And Loading**

#### **4.1 Required Off-Street Parking Facilities**

- A. Existing Parking: Structures and uses in existence at the date of adoption of this Ordinance shall not be subject to the requirements of this Article so long as the kind or extent of use is not changed, provided that any parking facilities now serving such structures or uses shall not in the future be reduced below such requirements.
- B. Change in Requirements: Whenever there is an alteration of a structure or a change or extension of a use which increases an existing structure, the total additional parking required for the alteration, change of extension shall be provided in addition to an adequate number of new spaces in order that the minimum standard for spaces is met for the entire area.
- C. Conflict with Other Uses: No parking area shall be used for any use that interferes with its availability for the parking need it is required to serve, except that it may be used for a stormwater retention basin of a maximum depth of six (6) inches.
- D. Continuing Character of Obligation: All required facilities shall be provided and maintained so long as the use exists which the facilities were designed to serve. Off-street parking facilities shall not be reduced in total extent after their provision except upon the approval of the Zoning Hearing Board and then only after proof that, by reason of diminution in floor area, seating area, the number of employees, or change in other factors controlling the regulation of the number of parking spaces, such reduction is in conformity with the requirements of this Article. Reasonable precautions shall be taken by the owner or sponsor of particular uses to assure the availability of required facilities are designed to serve. Such facilities shall be designed and used in such a manner as to at no time constitute a nuisance, a hazard, or an unreasonable impediment to traffic.
- E. Joint Use: Two (2) or more uses may provide for required parking in a common parking lot if the total space provided is not less than the sum of the spaces required for each use individually. However, the number of spaces required in a common parking facility may be reduced below this total by special exception if it can be demonstrated to the Zoning Hearing Board that the hours or days of peak parking needed for the uses are so different that a lower total will provide adequately for all uses served by the facility. In any case, a reciprocal parking, ingress and egress agreement must be entered into by the landowners involved,

*Aleppo Township Zoning Ordinance  
ASO Updates*

and said agreement recorded prior to the issuance of an occupancy permit for either use.

- F. Maintenance of Parking Area: For parking areas of three (3) or more vehicles, the area not landscaped and so maintained, including driveways, shall be graded, surfaced with asphalt or other suitable material, and drained to the satisfaction of a professional engineer selected by the Municipality to the extent necessary to prevent dust, erosion or excessive water flow across streets or adjoining property. Such off-street parking spaces shall be marked so as to indicate their location. Failure to keep parking areas in satisfactory condition, i.e., free from holes, shall be considered a violation of this Ordinance.
- G. The following uses and minimum required parking spaces shall be applicable:

| Authorized Land Use          |   | Min. Off-Street Parking Requirement<br>(# of spaces)  |
|------------------------------|---|---|
| <b>Residential Land Uses</b> |   |   |
| 1                            | Accessory Uses  | Not Applicable  |
| 2                            | Bed and Breakfast   | 1: guest room + 2   |
| 3                            | Conversion-single family structure to personal care home or day nursery | 1: 2 employees + 1: 3 residents   |
| 4                            | Duplex Dwelling   | 2: D.U.   |
| 5                            | Granny Flat/Carriage House  | 1: D.U.   |
| 6                            | Group Care Home   | 1: 2 employees + 1: 3 residents   |
| 7                            | Home Occupation, Low Impact   | Not Applicable  |
| 8                            | Home Occupation, No Impact  | Not Applicable  |
| 9                            | Hotel/Motel   | 1: each guest room +1: 2 employee Where lounge, restaurant, and meeting room uses are integral, min required parking shall be provided. |
| 10                           | Life Care Facility  | 1: 3 beds of D.U.   |
| 11                           | Mixed Use Apartment   | 1: bedroom  |
| 12                           | Mobile Home Parks   | 2: per dwelling + supplemental parking ratio of 1:6 dwelling units to be centrally located  |
| 13                           | Multi-Story Garden Apartments   | 1: bedroom  |

| <b>Authorized Land Use</b>       | <b>Min. Off-Street Parking Requirement<br/>(# of spaces)</b>                              |   |
|----------------------------------|---|---|
| <b>Residential Land Uses</b>     |   |   |
| 14                               | Nursing Home  | 1: 2 beds   |
| 15                               | Personal Care Home  | 1: 2 employees + 1: 3 residents   |
| 16                               | Planned Residential Development   | 2: D.U.   |
| 17                               | Planned Residential Development -<br>Single Family detached units                         | 2: D.U.   |
| 18                               | Planned Residential Development -<br>50% single family detached units                     | 2: D.U.   |
| 19                               | Single-family detached dwelling   | 2: D.U.   |
| 20                               | Townhouses dwelling   | 2 spaces/dwelling unit and 0.5 visitor spaces/dwelling unit within 300 ft of each dwelling unit   |
| 21                               | Wind turbine, residential   | Not Applicable  |
| <b>Non-Residential Land Uses</b> |   |   |
| 1                                | Accessory uses - including but not limited to swimming pools and storage sheds.           | Not Applicable  |
| 2                                | Accessory structure, commercial   | Not Applicable  |
| 3                                | Accessory structure or uses incidental to permitted principal use except exterior storage | Not Applicable  |
| 4                                | Adult oriented establishment  | 1: 100 s.f.   |
| 5                                | Agricultural support and accessory structures   | Not Applicable  |
| 6                                | Agricultural uses, traditional  | Not Applicable  |
| 7                                | Automobile/ Light Truck Repair  | 1: 300 s.f. of g.f.a. + 1: per employee   |
| 8                                | Automobile Sales  | 5: per each employee on the largest shift   |
| 9                                | Automobile Service Station  | 1: 300 s.f. of g.f.a. , 2: each service bay, whichever is larger + 1: per employee Spaces are not to be part of, nor interfere with, the access ways to the pumps |
| 10                               | Cabinet or Carpenter Shop   | 3: 4 employee on the largest shift or 1: 250 s.f. g.f.a., whichever is greater + 1 each company vehicle normally stored on the premises                           |
| 11                               | Catering or Food Delivery Service   | As determined by the Township   |
| 12                               | Cemetery or masoleum  | 1: per employee and 1: 4 visitors in total capacity of mausoleum, crematory or columbarium  |

*Aleppo Township Zoning Ordinance  
ASO Updates*

| <b>Authorized Land Use</b>       |  | <b>Min. Off-Street Parking Requirement<br/>(# of spaces)</b>   |
|----------------------------------|--|--|
| <b>Non-Residential Land Uses</b> |  |  |
| 13                               | Commercial School  | 1: per faculty member/employee + 1: 3 nonresident students + 1: 5 resident students if residents are permitted to have cars  |
| 14                               | Communications Tower   | Not Applicable   |
| 15                               | Community Center   | 1: 4 seats of 1: 50 s.f. of g.f.a. or use to customer, patrons, clients, guest or members, whichever is greater + 1: per employee  |
| 16                               | Contractor Shop  | 3: 4 employee on the largest shift or 1: 250 s.f. g.f.a., whichever is greater + 1 each company vehicle normally stored on the premises  |
| 17                               | Convenience Store  | 1: 400 s.f. of g.f.a. of building  |
| 18                               | Day Care   | 1: per teacher, administrator and employee   |
| 19                               | Day Nursery  | 1: employee and 1: 300 s.f. of g.f.a. used or intended use as a sale area  |
| 20                               | Emergency Services   | 3: 4 employees on 2 major shifts at max. employment or 4: each fire truck no community room is part of building, whichever requires greater number of parking spaces. Where community room is provide, 2: each fire truck + 1: 50 s.f. of g.f.a. |
| 21                               | Equipment Sales and Rental<br>(consturction, industrial, agricultural) | 1: 250 s.f. indoor sales/office  |
| 22                               | Essential Services   | Not Applicable   |
| 23                               | Financial Establishments   | 1: 300 s.f. of g.f.a. or servicing customers + 1: per employee   |
| 24                               | Food and Grocery Store   | 1: 400 s.f. g.f.a. of building   |
| 25                               | Forestry   | Not Applicable   |
| 26                               | Gas (Fuel/Energy recharge) Station                                     | 1: service bay   |
| 27                               | Gas Wells  | See Appendix A   |
| 28                               | Heavy Equipment Service and Repair                                     | 3: 4 employee on the largest shift or 1: 250 s.f. g.f.a., whichever is greater + 1 each company vehicle normally stored on the premises  |
| 29                               | Home Improvement Center  | 1: 1,000 s.f. of gross lease area  |
| 30                               | Kennels  | 1: per employee and 1: 8 animal in capacity  |



*Aleppo Township Zoning Ordinance  
June 2012*

| <b>Authorized Land Use</b>                         | <b>Min. Off-Street Parking Requirement<br/>(# of spaces)</b>   |
|--|--|
| <b>Non-Residential Land Uses</b>                   |  |
| 31 Library   | 1: 5 seats or 1: 250 s.f. of g.f.a.  |
| 32 Light Manufacturing                             | 3: 4 employee on the largest shift or 1: 800 s.f. of g.f.a., whichever is greater + 1: each company vehicle normally stored on premises  |
| 33 Lumber Yard                                     | 1: 1,000 s.f. of g.f.a.  |
| 34 Medical Office                                  | 6: per doctor + 1: per employee  |
| 35 Municipal Building/Use                          | As determined by the Township  |
| 36 Office, Business and professional (<5,000 s.f.) | 1: 300 s.f. of g.f.a.  |
| 37 Office, Business and professional (>5,000 s.f.) | 1: 300 s.f. of g.f.a.  |
| 38 Parking Lot, Public                             | All shall meet the design standards as established in this Article   |
| 39 Personal Services                               | 1: 400 s.f. of g.f.a. of building  |
| 40 Pharmacy  | 1: 400 s.f. of g.f.a. of building  |
| 41 Place of Worship/Assembly                       | 1: 2 seats provided for members or 1: 25 s.f. of g.f.a. to serve members/guest, whichever is greater + 1: for each employee  |
| 42 Plant or Produce Sales                          | 1: 1,000 s.f. of office area + 1: 500 s.f. of showroom   |
| 43 Private Club                                    | 1: 5 members of total capacity or 1: 50 s.f. of g.f.a. or intended use for service to customers, patrons, clients, guest or members, whichever is greater + 1: per employee          |
| 44 Private Garages and Parking Areas               | Not Applicable   |
| 45 Private Recreation Facility                     | As Determined by the Township  |
| 46 Private Utility                                 | Not Applicable   |
| 47 Public Park or Recreation Facility              | As Determined by the Township  |
| 48 Public Service                                  | Not Applicable   |
| 49 Public Utility Facilities                       | 2:+ 1: per each employee normally in attendance  |
| 50 Recreational Facility for private developments  | 1: 5 persons of total designed capacity or 1: 50 s.f. of g.f.a. or intended use for service to customers, patrons, clients, guest or members, whichever is greater + 1: per employee |

*Aleppo Township Zoning Ordinance  
ASO Updates*

| <b>Authorized Land Use</b>       |   | <b>Min. Off-Street Parking Requirement<br/>(# of spaces)</b>  |
|----------------------------------|---|---|
| <b>Non-Residential Land Uses</b> |   |   |
| 51                               | Research Laboratory                                   | 3: 4 employee on the largest shift or 1: 500 s.f. of g.f.a., whichever is greater + 1: each company vehicle normally stored on the premises |
| 52                               | Restaurant, Fast Food                                 | 1: 100 s.f. of g.f.a., whichever greater + 1: per employee on largest shift   |
| 53                               | Restaurant, Sit-Down                                  | 1: 50 s.f. of g.f.a. + 1 per employee   |
| 54                               | Restaurant, Take-Out                                  | 1: 100 s.f. of g.f.a., whichever greater + 1: per employee on largest shift   |
| 55                               | Retail Center   | 1: 250 s.f. or portion thereof, of gross leasable area up to 400,000 s.f., 4.5: 1,000 s.f. of g.l.a. between 400,000 and 600,000            |
| 56                               | Retail Stores, single or multi-user up to 50,000 s.f. | 1: 200 s.f. of g.f.a. or servicing customers + 1: per employee  |
| 57                               | Retail Stores, small-scale                            | Not Applicable  |
| 58                               | School, Private or Public                             | 1: per faculty member/employee + 1: 2 classrooms and offices (K-10), 1: 10 students (11-12)   |
| 59                               | Service Business                                      | 1: 200 s.f. of g.f.a. or servicing customers + 1: per employee  |
| 60                               | Signs as Provided for in Article XIII                 | Not Applicable  |
| 61                               | Small Appliance / Mechanical Repair                   | 1: 300 s.f. of g.f.a. + 1 per employee  |
| 62                               | Stables   | 1: per employee and 1:4 animal in capacity  |
| 63                               | Storage Yards   | Not Applicable  |
| 64                               | Theater   | 1: 5 seats provided for visitor use   |
| 65                               | Veterinary  | 3: each doctor + 1: per employee + 1: 100 s.f. of examination area  |
| 66                               | Warehouse, Self-Storage                               | 1: 20 storage units + 1: employee on duty   |
| 67                               | Warehouse/Distributor                                 | 3: 4 employee on the largest shift or 1: 1,000 s.f. of g.f.a. whichever is greater + 1 each company vehicle normally stored on premises     |
| 68                               | Wind Turbine, Other                                   | Not Applicable  |

**4.2 Design Standards**

The design standards specified below shall be required for all off-street parking facilities with a capacity of three (3) or more vehicles built after the effective date of this Ordinance. Americans with Disabilities Act requirements shall dictate the number and design of handicap spaces.

- A. The minimum dimensions of stalls and aisles shall be as follows:
  - 1. Stall width shall be at least nine (9) feet for all parking.
  - 2. Stall depth shall be at least eighteen (18) feet with said dimensions measured on the angle for all angle parking and twenty-two (22) feet for parallel parking.
  - 3. Minimum width of aisles providing access to stalls for one-way traffic only, varying with the angle of the parking, shall be:

| Angle of Parking | Minimum Aisle Width |
|------------------|---------------------|
| Parallel         | 12 feet             |
| 30               | 14 feet             |
| 45               | 16 feet             |
| 60               | 20 feet             |
| 90               | 24 feet             |

- 4. Minimum width of aisles providing access to stalls for two-way traffic shall be twenty-four (24) feet.
- B. Parking Areas shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without required the moving of any other motor vehicles. Parking areas shall be graded to a maximum slope of five (5) percent.
- C. The width of entrance and exit drives shall be:
  - 1. A minimum of twelve (12) feet for one-way use only.
  - 2. A minimum of twenty-four (24) feet for two-way use.
  - 3. A maximum of thirty-five (35) feet at the street line and fifty-four (54) feet at the curb line.
- D. For the purpose of servicing any property held under single and separate ownership, entrance and exit drives crossing the street line shall be limited to two (2) along the frontage of any single street and their center lines shall be spaced at least eighty (80) feet apart. On the corner properties, there shall be a space of a minimum of sixty (60) feet, measured at the curb line, between the center line of any entrance or exit drive and the street line of the street parallel to said access drive.
- E. In no case shall industrial or commercial parking areas be designed to require or to encourage cars to back into a public street in order to leave the lot.

- F. All parking spaces and access drives shall be at least five (5) feet from any side or rear lot line.
- G. All parking areas for any purpose other than single-family or PRD residents shall be physically separated from any public street by a planting strip which shall be not less than five (5) feet in depth. Tire bumpers or concrete curb shall be installed so as to prevent vehicle overhang of the sidewalk area. This planting strip shall be parallel to the street line and shall be measured from the right-of-way.
- H. The applicant shall demonstrate to the satisfaction of the Township that all buildings shown on a land development plan can be adequately accessed by emergency fire-fighting vehicles and other emergency equipment. Emergency access shall be required for the purpose of positioning fire-fighting equipment or other emergency vehicles in relation to the building so that the equipment can be effectively used. Emergency access may be provided by a means of a fire lane, a public or private street, a driveway or aisle in a parking area or an unobstructed landscaped area.
  - 1. Emergency access shall be provided on at least one (1) side of each building. The Planning Commission may require emergency access to be provided on more than one (1) side of a building, if warranted by site conditions and the layout of the land development plan.
  - 2. In the event that any applicant disagrees with the determination of the Planning Commission regarding the provision of emergency access, the applicant may appeal that determination to the Zoning Hearing Board.
- I. Access driveways and streets:
  - 1. All required permits for state, county or local highways and roads must be obtained prior to final approval.
  - 2. Neither any driveway nor any junction or intersection of any streets shall be located within:
    - 3. Two hundred fifty (250) feet of the end of any interstate highway ramp;
    - 4. One hundred fifty (150) feet of the intersection of the right-of-way center lines of any state or local highway and any road intersecting therewith.
  - 5. Streets shall intersect at ninety (90) degree angles, except where topographic constraints prevent an appropriate alignment. Angles less than ninety (90) degrees may be designed, subject to the approval of the Aleppo Township Planning Commission. In no case shall proposed streets intersect at an angle of less than seventy-five (75) degrees.
  - 6. All streets, rights-of-way and pavement designs shall conform to the requirements adopted by the Board of Commissioners in effect at the time of construction.

- J. Traffic Control: No design shall be approved which is likely to create substantial traffic hazards endangering the public safety, nor which is inconsistent with the recommendations and findings of any officially adopted Township traffic study. Traffic control devices may include traffic signals, overhead flashing lights and delineators, such as medial barriers, and not be limited to acceleration and deceleration lanes, turning lanes, one-way traffic flow, traffic and land markings and signs. The plan for traffic control shall provide offsite traffic flow and safety. The developer shall be responsible for the construction of any such traffic control devices.
- K. Lighting of parking spaces shall be required for any purpose other than single-family dwellings.
  - 1. There shall be a maximum illumination value shall be one-tenth (0.10) horizontal and vertical footcandles at all lot lines when measured three (3) feet above the ground surface.
  - 2. The maximum on-site illumination value shall be three (3) footcandles and the average on-site illumination value shall be less than or equal to one (1) footcandle when measured three (3) above the ground surface
  - 3. No more than five (5) percent of the fixture's lumens shall be emitted at a ninety (90) degree angle or greater from nadir.
  - 4. All lighting fixtures used shall not exceed thirty-five (35) feet in height.
- L. All artificial lighting used to illuminate any parking space or spaces shall be so arranged that no direct rays from such lighting shall fall upon any neighboring property or streets. Sharp cutoff luminaries shall be used in all cases.

#### **4.3 Off-Street Loading**

- A. Areas provided for loading and unloading of delivery trucks and other vehicles and for the servicing of businesses by refuse collections, fuel and other service vehicles shall be located at the side or rear of all buildings, unless topographic constraints prevent their location, shall be adequate in size and shall be so arranged that they may be used without blockage or interference with the use of accessways or automobile parking facilities.
- B. Off-street loading requirements as specified below shall be provided on any lot on which a building exceeding six thousand (6,000) square feet of gross floor area for business or industry is hereafter erected.
- C. Every retail establishment, storage warehouse or wholesale establishment exceeding six thousand (6,000) square feet shall have at least one (1) off-street loading space. Where there is an aggregate gross floor area of twenty thousand (20,000) square feet or more arranged, intended or designed for such use, there

shall be provided off-street truck loading or unloading berths in accordance with the following table:

| <u>Sq. Feet of Aggregate Gross<br/>Floor Area Devoted to Each Use</u> | <u>Required<br/>Number of Berths</u> |
|---|--------------------------------------|
| 6,000 up to 19,999  | 1                                    |
| 20,000 up to 49,999   | 2                                    |
| For each additional 50,000  | 1 additional berth                   |

- D. Every auditorium, multi-family dwelling of twenty (20) units or more, non-medical office building, restaurant, hotel exceeding six thousand (6,000) square feet shall have at least one (1) off-street loading space. Where there is an aggregate gross floor area of thirty thousand (30,000) square feet or more, arranged, intended or designed for such use, there shall be provided off-street truck loading and unloading berths in accordance with the following table:

| <u>Sq. Feet of Aggregate Gross<br/>Floor Area Devoted to Each Use</u> | <u>Required<br/>Number of Berths</u> |
|---|--------------------------------------|
| 6,000 up to 29,999  | 1                                    |
| 30,000 up to 49,999   | 2                                    |
| For each additional 50,000  | 1 additional berth                   |

**4.4 Design Layout of Off-Street Loading Facilities:**

- A. Off-street loading facilities shall be designed to conform to the following specifications:
1. Each required space shall be no less than twelve (12) feet wide, fifty-five (55) feet long and seventeen (17) feet high, exclusive of drives and maneuvering space and located entirely on the lot being served.
  2. There shall be appropriate means of access to a street or alley as well as adequate maneuvering space.
  3. The maximum width of driveways and sidewalk openings measured at the street line shall be thirty-five (35) feet; the minimum width shall be twenty-four (24) feet.
  4. All accessory driveways and entrance ways shall be graded, surfaced and drained to the satisfaction of the Municipal Engineer, to the extent necessary to prevent nuisance of dust, erosion or excessive off-site water flow.
  5. Such facilities shall be designed and used in such a manner as to at no time constitute a nuisance, a hazard or an unreasonable impediment to traffic.
  6. The exterior lighting requirements of Article VI shall be met when applicable.

- B. All required loading facilities shall be provided and maintained in accordance with the following requirements:
1. They shall be provided and maintained as long as the use exists which the facilities were designed to serve.
  2. They shall not be reduced in total extent after their provision, except when such reduction is in conformity with the requirements of this Article.
  3. Reasonable precautions shall be taken by the owner or sponsor of particular uses to assure the availability of required facilities to the delivery and pick-up vehicles they are designed to serve.

ARTICLE V

**Supplemental Regulations**

**5.1 Height, Occupancy, Lot and Yard Restrictions**

No building, structure or use shall hereafter be erected or altered to exceed the height, to accommodate or house a greater number of families or persons, to occupy a greater percentage of lot area, or to have a narrower or smaller yard than is herein specified for the zoning district in which the building, structure or use is located.

**5.2 Yards**

No part of a yard or other open space about any building, structure or use required for the purpose of complying with the provisions of this Ordinance shall be included as a part of a yard or open space similarly required for another building except when specifically authorized.

**5.3 Public and Private Utility Lines**

Public and private utility lines for the transportation, distribution and control of water, sewage, gas, electricity, oil, steam, telegraph and telephone communication lines and their supporting members other than buildings, shall not be required to be located in specific zoning district.

**5.4 Cable Communications Services**

In the case of cable communications services, the requirements regarding transmission and distribution and placement of lines, specified in Aleppo Township Ordinance #114 shall be applicable.

**5.5 Reserved.**

**5.6 Mediation**

Mediation may be used at the discretion of the Zoning Hearing Board or the Board of Township Commissioners in order to supplement procedures authorized by this Ordinance (See Article XV, Section 15.9)

**5.7 Clear Sight Triangle**

In order to prevent the creation of a traffic hazard by limiting visibility at a street intersection, no structure, building, earthen bank or vegetation exceeding three and one-half (3 1/2) feet in height above the finished paved area at the center of the roadway shall be allowed within the clear sight triangle on corner lots.



## **5.8 Public Utility Facilities**

Public utility facilities as defined in this Ordinance shall be permitted in all districts, subject to restrictions recommended by the Planning Commission and approved by the Board of Commissioners with respect to use, design, yard area, setback and height.

## **5.9 Temporary Uses or structures**

### **A. Commercial Districts**

1. Only the following uses, and appurtenant structures, are permitted as a temporary use within the commercial district:
  - a. Christmas tree sales.
  - b. Sale of seasonal produce.
  - c. Carnival, circus, street fairs and/or festivals.
  - d. Mobile amusements.
2. A written statement from the landowner indicating approval of the temporary use and/or structure shall be provided with the application.
3. ALL temporary uses shall comply with the standards of this Section as a condition to the issuance of a Certificate of Occupancy pursuant to Section 17.7.
4. ALL temporary uses and/or structures shall be subject to the following applicable standards and criteria:
  - a. Approval of temporary uses and/or structures shall be granted for a time period of one (1) to four (4) weeks within one calendar year;
  - b. All temporary uses and/or structures shall be removed within ten (10) days of the expiration of the specific period for which the structure or use is approved;
  - c. Temporary uses or structures which are authorized for a particular event shall be removed within forty-eight (48) hours after the completion of the event;
  - d. The area proposed for temporary uses and/or structures shall provide off-street parking as required by Article 4;
  - e. The area used for the temporary structures shall not obstruct any sidewalk or public right of way, nor shall it obstruct the free flow of pedestrian or vehicular traffic on the site or adjacent property;

- f. All temporary uses shall address the applicable standards of Article 6, Performance Standards;
  - g. All temporary structures shall comply with the requirements of the specific Zoning District for accessory structures;
  - h. The activity shall comply with all applicable requirements of the Fire Code.
- B. All Districts: Temporary construction trailers or offices, or sales offices shall be permitted in any Zoning District subject to the following conditions:
- 1. A permit for the temporary trailer and/or office shall be obtained prior to the placement of the structure and shall be renewed every six (6) months;
  - 2. Temporary construction trailers and/or offices and sales offices shall be permitted only during the period that the construction work is in progress under a valid building permit or under Township approval to install public improvements;
  - 3. The temporary trailer and/or office shall be removed upon completion of the construction authorized by the permit. In the event that construction is phased, the temporary trailer and/or office shall be moved from the completed phase when ninety (90) percent of the required improvements have been installed, as determined by the Township Engineer;
  - 4. Temporary construction trailers and/or offices shall be located on the lot on which the construction is progressing and shall not be located within twenty-five (25) feet of any property line;
  - 5. No combustible materials shall be stored in temporary construction trailers and/or offices;
  - 6. Sales offices shall not be utilized for any dwelling use;
  - 7. Sales offices shall be used primarily for sales associated with the development in which they are located, and shall not be used as the only place of business for the listing agent.

### **5.10 Prohibited Uses**

It being the primary purpose of these regulations to maintain the Township free from those land uses which might injure the health, safety, morals or general welfare of the Township residents, it is hereby provided that no lot or structure in the Township of Aleppo shall be offensive by reason of the emission of odor, dust, smoke, gas, vibration or noise, or which detrimentally affects the public health, safety, morals or the general welfare of the Township residents. A written site development impact report shall be provided with each application to address each of the identified emissions and how they may or may not impact the Township and its residences. Uses not specifically listed or referenced as permitted or conditional uses shall be prohibited.

### **5.11 Conditional Use**

Conditional uses are unique, and their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular parcel of land. At the time of application, a review of the location, design, configuration and potential impact of the proposed use shall be conducted by the Planning Commission. The proposed use shall be analyzed by comparing it to established development standards and design guidelines. This review shall determine whether the proposed use addresses the specific standards identified in this Ordinance, and whether or not it should be permitted by weighing the public need for, and the benefit to be derived from the use, against the impact which it may cause.

#### **A. Application**

1. The application for conditional use approval, as provided by the Township, shall be completed and filed, along with a site plan, to the Township offices.
2. Each applicant shall demonstrate that the development for which the conditional use is being applied for, meets the identified standards and criteria of the requested use.
3. Each applicant shall provide assurance that the conditional use:
  - a. Will not endanger the public health, safety, morals and general welfare if located where proposed;
  - b. Will not deteriorate the environment or generate nuisance conditions such as traffic congestion, noise, dust, smoke, glare and vibration;
  - c. Meets all other requirements of this Ordinance;
  - d. Is an appropriate use on the proposed site as a conditional use;
  - e. Is consistent with the Comprehensive Plan;
  - f. Is in general conformity and is a compatible use in the neighborhood.

- #### **B. Review:** Each conditional application shall be reviewed in accordance with Pennsylvania Municipalities Planning Code Section 913.2 Governing Body's Functions; Conditional Uses.

### **5.12 Fences**

The following general standards shall apply to all fences in the Township. Building permits shall not be required for the erection of fencing except as specifically provided for herein:

- A. A plot plan, acceptable drawing or survey showing the location of the fence must be submitted with the building permit application.

- B. Any fence with in-ground poles must be constructed so as to have such poles facing the landowner on whose lot such fence is located.
- C. Fencing for the purposes of enclosing a garden area, shall comply with all fencing regulations (permit is not required).
- D. Fences in other than the front yard, shall not constructed more than six (6) feet in height.
- E. No fence shall be constructed more than three (3) feet in height within the front yard.
- F. No barbed wire or razor wire will be permitted in any residential district. Electric fence shall be permitted for agricultural uses provided fence is posted as such and installation shall be per manufacturers specifications. Barbed wire shall be permitted for the purpose of fencing livestock.
- G. In zoning districts other than residential, such fencing, wall or barrier shall not be permitted, unless a written request is submitted to the Board of Commissioners and approved by a majority vote at a public meeting.
- H. All fences, walls or other barriers shall be maintained in a sturdy and good condition. Fences, walls or other barriers which overturn, collapse, fall, deteriorate, whether in whole or in part, shall be repaired, replaced or removed within sixty (60) days of receipt of notice thereof. The Township Zoning Officer shall make such determinations of fence condition.
- I. Any fence, wall or other barrier that cannot support one hundred five (105) pounds in weight without bending, breaking, leaning or moving shall be deemed insufficiently sturdy.
- J. Any erosion or sedimentation control barrier installed at the request of the Department of Environmental Protection (DEP) shall be removed within three (3) months following authorization by the Department of Environmental Protection or an authorized agent of the DEP to do so.
- K. In any district, fences and/or walls shall not obstruct the “clear sight triangle” for vehicular traffic.
- L. No fence and/or wall shall be erected in any public right-of-way.

### **5.13 Accessory Structures**

The following general standards shall apply to all accessory structures proposed for erection in Aleppo Township:

- A. A building permit shall be required prior to the erection of a permitted accessory structure.
- B. Home occupations or activities relating to such shall not be housed in an accessory structure.
- C. Accessory structures shall not be permitted in required front yards.
- D. All accessory structures shall be set back a minimum of ten (10) feet from the closest rear and/or side lot boundary line.

#### **5.14 Communication Towers**

The following regulations shall apply to all transmission or transreceiver facilities proposed for placement in the C2 Commercial Industrial District.

- A. Lot dimensions: The lot dimensions (depth and width) shall be dictated by the fall radius of the tower. The minimum dimensions shall be the radius of the height of the tower in each direction. (Example – two hundred (200) feet high tower would be required to have a four hundred (400) feet diameter parcel).
- B. The communications company is required to demonstrate, using technological evidence that the antenna must go where it is proposed, in order to satisfy its function in the company's grid system.
- C. If the communications company proposes to build a tower (as opposed to mounting the antenna on an existing structure), it is required to demonstrate that it contacted the owners of tall structures within a one-quarter (1/4) mile radius of the site proposed, asked for permission to install the antenna on those structures, and was denied for reasons other than economic ones. This would include smoke stacks, water towers, tall buildings, antenna support structures of other communications companies, other communications towers (fire, police, etc.), and other tall structures. Aleppo Township may deny the application to construct a new tower if the applicant has not made a good faith effort to mount the antenna on an existing structure.
- D. The applicant shall demonstrate that the antenna is the minimum height required to function satisfactorily. No antenna that is taller than this minimum height shall be approved. In addition, no antenna shall exceed two hundred (200) feet in height.
- E. All communications towers must be stealth towers, where possible. A stealth tower is a Communications Tower which is not recognizable as a conventional Communications Tower (e.g. a metal lattice structure), but instead is disguised or concealed in such a fashion as to conform to its surroundings. Examples of

such stealth towers include a tower which looks like a tree or a clock tower, or one which is concealed in a church steeple or concrete silo.

- F. The Township Commissioners may waive the stealth tower requirement where the applicant can demonstrate that the requirement is not necessary to protect the health, safety and welfare, considering items such as impact on surrounding and abutting property values; height; screening; number of uses per tower, including public uses; location; and actual setbacks.
- G. Setbacks from base of antenna support structure: If a new antenna support structure is constructed (as opposed to mounting the antenna on an existing structure), the minimum distance between the base of the support structure or any guy wire anchors and any property line shall be the largest of the following:
  - 1. One hundred (100) percent of antenna height.
  - 2. The minimum setback in the underlying zoning district.
  - 3. Fifty (50) feet minimum.
- H. Fencing: A fence shall be required around the antenna support structure and other equipment, unless the antenna is mounted on an existing structure. The fence shall be a minimum of eight (8) feet in height.
- I. Landscaping: The following landscaping shall be required to screen as much of the support structure as possible, the fence surrounding the support structure, and any other ground level features (such as a building), and in general soften the appearance of the cell site. Aleppo Township may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping, if they achieve the same degree of screening as the required landscaping. If the antenna is mounted on an existing structure, and other equipment is housed inside an existing structure, landscaping shall not be required.
  - 1. An evergreen screen shall be required to surround the site. The screen can be either a hedge (planted three (3) feet on center maximum) or a row of evergreen trees (planted ten (10) feet on center maximum). The evergreen screen shall be a minimum height of six (6) feet at planting, and shall grow to a minimum of fifteen (15) feet at maturity.
  - 2. In addition, existing vegetation on and around the site shall be preserved to the greatest extent possible.
- J. In order to reduce the number of antenna support structures needed in the community in the future, the proposed support structure shall be required to accommodate other users, including other communications companies, and local police, fire, ambulance services and municipal authority and road departments. In addition, a linear two (2) mile separation shall be maintained

between communications towers, measured from the base of the support structure.

- K. The communications company must demonstrate that it is licensed by the Federal Communications Commission.
- L. Antenna support structure under two hundred (200) feet in height should be painted silver or have a galvanized finish retained, in order to reduce the visual impact. Support structures may be painted green up to the height of nearby trees. Support structures near airports, shall meet all Pennsylvania Department of Transportation, Bureau of Aviation and Federal Aviation Administration regulations. No antenna support structure may be artificially lighted except as provided for and required by the Pennsylvania Department of Transportation, Bureau of Aviation and FAA. See also Section 5.17.
- M. A land development plan shall be required for all tower sites, showing the antenna, antenna support structure, building, fencing, buffering, access to public rights-of-way, and all other items required in the Aleppo Township Subdivision and Land Development Ordinance. The site plan shall not be required if the antenna is to be mounted on an existing structure.
- N. The applicant shall submit certification from a Pennsylvania Registered Professional Engineer that any 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 and applicable Township building codes.
- O. 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 \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the communications tower and any communications antenna located thereon at his or her cost.
- P. If a communications tower remains unused 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.
- Q. In granting the use, the Commissioners may attach reasonable conditions warranted to protect the public health, safety and welfare, including, but not limited to, location, fencing, screening, increased setbacks and the right to use said facilities for public purposes.

- R. All approvals will be only for specific facilities set forth in the application. No additions or alterations thereto will be permitted without a new application.

### **5.15 Natural Resource Protection Overlay**

- A Purpose. The Natural Resource Protection Overlay is hereby established in order to provide for the following:
  - 1. Protect the public health and safety by mitigating potential hazards such as land subsidence that may arise due to the inappropriate development of lands with sensitive natural resources.
  - 2. Safeguard the public welfare by guiding future development patterns to prevent potential impacts on the region's water and stream quality.
  - 3. Preserve the public health safety and welfare by protecting private property from potential damages that may occur due to uncontrolled development of lands with sensitive natural resources.
  - 4. Promote and protect the community's existing level of quality of life by restricting development that could alter the quality and availability of ground water.



B. Intent.

1. The Natural Resource Protection Overlay provides a rational methodology for:
  - a. Inventorying, mapping and evaluating the carrying capacity of a lot based on the existing natural resources found on said lot.
  - b. Establishing standards to define and determine the amount of development that a lot can reasonably support. The net buildable area, as determined by this overlay process, is the total acreage and general location(s) of permitted disturbance on a lot. Disturbance includes the portions of a lot where grading, construction activities and, subsequently, development occur.
2. The use of the Natural Resource Protection Overlay process is intended to enable:
  - a. Developers to identify, early in the development process, the lot's development capacity and, subsequently, its development opportunities.
  - b. Protection of persons and lots from hazards resulting from the inappropriate development of land in areas that contain sensitive existing natural resources.

C. Applicability.

1. For the purpose of carrying out the provisions of this Ordinance, a Natural Resource Protection Analysis shall be completed and submitted as part of any land development, subdivision or Planned Residential Development within the boundary of the Natural Resource Protection Overlay, except as otherwise stated in Section 6.2.
2. The Natural Resource Protection Analysis shall be completed on the official Township forms provided by the Township Zoning Officer. The official forms required by this Article and other applicable analyses defined by the Township shall be completed and submitted as part of any Application for Land Development (Tentative Approval).

D. Existing Natural Resources.

1. This Ordinance protects specific natural resources that are sensitive to development. These existing natural resources include:
  - a. Steep Slopes;
  - b. Floodplains and Floodways;
  - c. Springs;
  - d. Vernal Pools;
  - e. Wetlands;
  - f. Hydric soils;
  - g. Natural Drainage Ways;
  - h. Lakes/water bodies;
  - i. Colluvial Soils; and,
  - j. Red Bed Soils.
  
2. Refer to the following agencies for information regarding previous land disturbances of a lot. Additional contact information is available at the Municipal Building; however, the applicant is responsible for contacting or referencing all sources, listed below or otherwise, to obtain information related to the assessment of existing natural and cultural resources.
  - a. Commonwealth of Pennsylvania Natural Diversity Inventory (PNDI);
  - b. Bureau of Topographic and Geologic Survey;
  - c. Pennsylvania Department of Environmental Protection, Southwest Regional Offices;
  - d. Allegheny County Division of Computer Sciences Geographic Information Systems Groups;
  - e. Pennsylvania Historical and Museum Commission; and
  - f. National Wetland Inventory.

E. Initial Development Ratios.

1. Protection of the Township's existing natural resources is governed by the development ratio for each sensitive existing natural resource. Initial development ratios represent the maximum amount of disturbance or alteration that a sensitive existing natural resource can sustain without posing a hazard to persons or a lot. Development ratios are specific to the existing natural resources and are further affected by the slope of the natural topography where a sensitive existing natural resource may be found.
2. For the purposes of this Article, slopes used in Table XX: Natural Resource Protection Overlay Worksheet shall be at least twenty-five (25) feet in length, measured on a horizontal plane.

F. Analysis Procedures and Implementation.

1. The Natural Resource Protection Analysis is designed to determine the location and amount of development permitted within any given lot or contiguous lots under common ownership or control, which shall be determined in the following manner:
  - a. Create a 1"=100' scale Slope Map based on a contour interval of not more than five (5) feet where the slope is greater than fifteen (15) percent and at intervals of not more than two (2) feet where the slope is fifteen(15) percent or less. The Slope Map shall delineate the location and extent of the following four (4) slope categories:
    - i. 0-15%;
    - ii. >15-25%;
    - iii. >25-40%; and
    - iv. >40%.
  - b. Inventory floodways and wetlands/hydric soils,
  - c. Inventory natural drainage ways and lakes/water bodies including all land within fifty (50) feet from the centerline of any natural drainage ways fifty (50) feet from the normal pool elevation of any lakes or water bodies, whichever is greater.
  - d. Inventory natural springs and vernal pools including all land within fifty (50) feet from the waterline as established from a normal pool elevation, whichever is greater.
  - e. Inventory any areas containing colluvial soils and red bed soils.

- f. Indicate the location and extent of the existing natural resources defined on the Slope Map. Each existing natural resource shall be uniquely illustrated on the Slope Map.
- g. Official copies of Table2: Resource Protection Worksheet of this Ordinance, as available through the Township, shall be completed to determine the initial net buildable area of the lot.

**Table 2: Resource Protection Worksheet**

| Sensitive Existing Conditions |   | Gross Lot/Site Area (acres)       | Permitted Disturbance Ratio | Net Buildable Area (acres)       |
|-------------------------------|---|-----------------------------------|-----------------------------|----------------------------------|
| <i>Line 1</i>                 | All floodplains, wetlands, and hydric soils   | _____ x                           | 0.0                         | = _____                          |
| <i>Line 2</i>                 | All lakes and waterbodies; and natural drainageways/streams                         | _____                             | 0.0                         | _____                            |
| <i>Line 3</i>                 | All springs and vernal pools (including 100 ft buffer)                              | _____ x                           | 0.0                         | = _____                          |
| <i>Line 4</i>                 | Colluvial Soils and Red Beds on slopes:   | <25% _____ x                      | 0.4                         | = _____                          |
|                               |   | >25% _____ x                      | 0.1                         | = _____                          |
| <i>Line 5</i>                 | Other Areas on slopes 0-25% not calculated as part of Lines 1 through 4 above       | _____ x                           | 1.0                         | = _____                          |
| <i>Line 6</i>                 | Other Area on slopes ≥25 but <40% not calculated as part of Lines 1 through 4 above | _____ x                           | 0.4                         | = _____                          |
| <i>Line 7</i>                 | Other Area on slopes ≥40% not calculated as part of Lines 1 though 4 above          | _____ x                           | 0.1                         | = _____                          |
| <i>Line 8</i>                 | <i>Sum of Lines 1+2+3+4+5+6+7</i>   | _____ (Total Gross Lot/Site Area) |                             | _____ (Total Net Buildable Area) |

2. The layout of all proposed buildings, structures, streets and utilities shall occur only within the portions of a lot that do not contain sensitive existing natural resources documented as part of this Article as well as determined by the Township as represented by the individual permitted disturbance ratios and the Total Net Buildable Area (Table 2: Resource Protection Worksheet).

G. Net buildable area increases.

1. Purpose. To promote the efficient use of land, infrastructure and economic resources; to provide development flexibility; and to enhance development quality and longevity, two (2) methods of increasing the net buildable area of a lot shall be available to a developer and/or landowner. Net buildable area increases shall be granted in return for development enhancements. The two (2) methods include the following:

- a. Storm water run-off reduction measures;
  - b. Green roof construction.
2. Applicability
- a. Net buildable area increases shall be permitted only in areas located on slopes between zero (0) percent and twenty-five (25) percent in gradient. Net buildable area increases shall utilize the existing natural resources in reverse order of sensitivity in accordance with the Resource Protection Worksheet of this Section, whereas least sensitive resource areas shall be utilized first.
  - b. A developer and/or landowner may incorporate one (1) or more of the methods outlined in Subsection C to a land development plan.
  - c. When multiple methods are combined, the net buildable area increase shall be cumulative. However, the combined total net buildable area increase shall not exceed the lot's area containing colluvial soils and red beds located on slopes between zero (0) percent and twenty-five (25) percent in gradient.
  - d. Net buildable area increases shall occur on the same lot where the development enhancement(s) are provided.
  - e. Prior to receiving Planning Commission approval of a green roof related buildable area increase, the developer and/or landowner shall complete a preliminary and/or final slope stability investigation report in conformance with Township standards.
3. Methods
- a. Storm water run-off reduction measures. Upon incorporating any two (2) of the following storm water run-off reduction measures into a land development, a developer and/or landowner shall receive a maximum ten (10) percent net buildable area increase. No preliminary or final slope stability investigation report shall be required to obtain the ten (10) percent net buildable area increase.
    - i. Provide area(s) for groundwater recharge through on-site storm water infiltration for an amount of impervious area equal to one (1) times the net buildable area increase. The minimum required recharge volume shall be equal to one and one-half (1.5) inches of run-off for the area defined.

- ii. Preserve existing trees whose combined canopy area is equal to one (1) times the net buildable area increase. A preserved tree shall be a minimum of ten (10) inches in diameter at breast height (dbh).
  - iii. Install additional landscaping area(s) equal to one and one-half (1.5) times the net buildable area increase. This additional landscaping may be used to treat any cut or fill slopes; to increase the habitat value of any on-site storm water management facility; to re-establish streamside buffers or for other on-site uses. Lawn or turf areas shall not constitute additional landscaping.
  - iv. Utilize porous pavement to reduce storm water runoff. Porous paving, with proof by engineering calculation/soils analysis, may be used if the developer/landowner can demonstrate that this method will produce zero (0) increased storm water runoff. The Township shall review proposed design and engineering of the pavement to verify construction is in accordance with acceptable industry standards and United States Environmental Protection Agency's (EPA) Porous Pavements Phase I – Design and Operational Criteria.
  - v. Propose on-site environmental mitigation of equal or greater environmental value. Mitigation shall include but may not be limited to the removal of landfilled hazardous materials, the remediation and treatment of abandoned mine drainage, or the establishment of quality wetlands. When such mitigation measures are proposed, the Township shall review the proposed mitigation measures and shall make a recommendation on the relative value of the proposed mitigation to the Planning Commission and the Board of Commissioners.
- b) Green roof construction.
- i. A developer and/or landowner that utilize green roof construction in a building design may receive a buildable area increase equal to a maximum of forty (40) percent of the total surface area of the green roof.
  - ii. Green roof construction shall be in accordance to the standards defined by the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) program.
  - iii. All green roofs shall be incorporated into the principal building of the lot.

**5.16 Cluster Lot Development**

- A. Cluster lot development shall be permitted only within the boundaries of the Natural Resource Protection Overlay.
  - 1. No portion of any Cluster Lot Development shall be outside the boundary of the Natural Resource Protection Overlay.
  - 2. If a lot is situated in such a manner that only a portion of that lot is within the Natural Resource Protection Overlay only that portion located within the Overlay may utilize Cluster Lot Development as described in this section.
  - 3. In no case may a lot contain more units than is prescribed by the base zoning district’s maximum density regulations.
  
- B. Cluster lot development is voluntary and not required. However, if a developer and/or landowner does not wish to utilize the cluster development regulations the net density for a development contained within the boundaries of the Natural Resource Protection Overlay shall be calculated by multiplying the buildable area, as defined by the Natural Resource Protection Worksheet, by the permitted density stated within the applicable base zoning district regulations.
  
- C. Bulk Requirements.
  - 1. Cluster lot developments shall utilize the development standards in the table below as to net density, minimum lot area , minimum lot frontage and minimum setbacks.

**Table 3: Cluster Development**

|                                    | <b>Aleppo</b> |                |   |  |  |   |
|------------------------------------|---------------|----------------|---|--|--|---|
|                                    | R1-<br>Sewer  | R1 -<br>Septic | R2 - Sewer  | R2 - Septic  | R3 - Sewer                             | R3 - Septic                             |
| Net Density<br>Units/Acre          | 5.6           | 3              | 6.7   | 3  | 3                                      | 1.6                                     |
| Min. Lot<br>Area SF                | 7,800         | 14,500         | 6,500   | 14,500   | 14,500                                 | 28,000                                  |
| Min. Lot<br>Frontage<br>Units/Acre | 70            | 65             | SFR - 65<br>Dup - 80<br>Twnhs - 120                 | SFR - 65<br>Dup - 80<br>Twnhs - 130                  | SFR - 65<br>Dup - 80<br>Mob. Prk - 120 | SFR - 80<br>Dup - 100<br>Mob. Prk - 120 |
| Setbacks<br>Front/Side/Rear        | 25/10/40      | 30/10/40       | SFR - 25/10/35<br>Dup - 25/10/25<br>Twnhs - 25/5/10 | SFR - 35/10/35<br>Dup - 25/15/25<br>Twnhs - 25/15/25 | SFR - 35/10/35<br>Dup - 25/15/25       | 40/15/40                                |

2. Flag lots shall be permitted where necessary to provide ingress/egress access within a cluster development.
  - a. A flag lot shall meet minimum lot frontage requirements no further than one hundred (100) feet from the roadway in which it gains its access. The pole portion of a flag lot shall not be less than fifty (50) feet in width in order to provide adequate spacing for driveways.
  - b. The front setback requirement for flag lots shall be measured at the point where the lot meets the minimum lot frontage requirement
3. Cul-de-sacs shall be permitted to access cluster developments within the Natural Resource Protection Overlay boundaries. Roadways ending in a cul-de-sac shall be no longer than eight hundred (800) feet in length.
4. The balance of the land not utilized for residential lots shall be reserved as common open space. Ownership of the common open space shall be determined prior to final application approval.

#### **5.17 Airport Hazard Overlay**

- A. Purpose. The Airport Hazard Overlay is established to create an airport district overlay that considers safety issues around the ***Pittsburgh International Airport***, regulates and restricts the heights of constructed structures and objects of natural growth, creates appropriate zones, establishing the boundaries thereof and providing for changes in the restrictions and boundaries of such zones, creates the permitting process for use within said zones and provides for enforcement, assessment of violation penalties, an appeals process, and judicial review.
- B. Airport Hazard Areas are indicated on the Airport Hazard Overlay adopted as part of this Ordinance may be found on file in the Township Municipal Building.
- C. Permit Applications. As regulated by Act 164 and defined by 14 Code of Federal Regulations Part 77.13(a) (as amended or replaced), any person who plans to erect a new structure, to add to an existing structure, or to erect and maintain any object (natural or manmade), in the vicinity of the airport, *shall first notify the Department's Bureau of Aviation (BOA) by submitting PENNDOT Form AV-57 to obtain an obstruction review of the proposal at least 30 days prior to commencement thereof.* The Department's BOA response must be included with this permit application for it to be considered complete. If the Department's BOA returns a determination of no penetration of airspace, the permit request should be considered in compliance with the intent of this Overlay Ordinance. If the Department's BOA returns a determination of a penetration of airspace, the permit shall be denied, and the project sponsor may seek a variance from such regulations as outlined in Subsection D. No notice or review under this section is required for any of the following construction or alteration:



1. Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation.
  2. Any antenna structure of 20 feet or less in height except one that would increase the height of another antenna structure.
  3. Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device, of a type approved by the Administrator, or an appropriate military service on military airports, the location and height of which is fixed by functional purpose.
  4. Any construction or alteration for which notice is required by any other FAA regulation.
- D. Variance. Any request for a variance shall include documentation in compliance with 14 Code of Federal Regulations Part 77 Subpart B (FAA Form 7460-1 as amended or replaced). Determinations of whether to grant a variance will depend on the determinations made by the FAA and the Department's BOA as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable air space. In particular, the request for a variance shall consider which of the following categories the FAA has placed the proposed construction in:
1. No Objection - The subject construction is determined to not exceed obstruction standards and marking/lighting is not required to mitigate potential hazard. Under this determination a variance shall be granted.
  2. Conditional Determination - The proposed construction/alteration is determined to create some level of encroachment into an airport hazard area which can be effectively mitigated. Under this determination, a variance shall be granted contingent upon implementation of mitigating measures as described in Section 9 - Obstruction Marking and Lighting.
  3. Objectionable - The proposed construction/alteration is determined to be a hazard and is thus objectionable. A variance shall be denied and the reasons for this determination shall be outlined to the applicant.

Such requests for variances shall be granted where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and that relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the intent of this ordinance.

- E. Use Restrictions. Notwithstanding any other provisions of this Ordinance, no use shall be made of land or water within the Airport District Overlay in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to

distinguish between airport lights and others, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise endanger or interfere with the landing, takeoff or maneuvering of aircraft utilizing the ***Pittsburgh International Airport***.

- F. Pre-Existing Non-Conforming Uses: The regulations prescribed by this Ordinance shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Ordinance, or otherwise interfere with the continuance of a non-conforming use. No non-conforming use shall be structurally altered or permitted to grow higher, so as to increase the non-conformity, and a non-conforming use, once substantially abated (subject to the underlying zoning ordinance,) may only be reestablished consistent with the provisions herein.
  
- G. Obstruction Marking and Lighting. Any permit or variance granted pursuant to the provisions of this ordinance may be conditioned according to the process described in Section 6 to require the owner of the structure or object of natural growth in question to permit the municipality, at its own expense, or require the person requesting the permit or variance, to install, operate, and maintain such marking or lighting as deemed necessary to assure both ground and air safety.

This page intentionally left blank.

## ARTICLE VI

### **Performance Standards**

#### **6.1 General Performance Standards**

Compliance: All uses in all districts shall be subject to the following standards of operations.

#### **6.2 Environmental Performance Standards**

The developer and/or landowner shall determine the presence of environmental or natural features on any site proposed for land development. Any land development not within the Natural Resource Protection Overlay as shown on the Township's Official Zoning Map or land development on one (1) single family lot or a subdivision in which only one (1) additional lot is created within the Natural Resource Protection Overlay shall meet the requirements of this section. Any other subdivision of land or land development within the Natural Resource Protection Overlay as shown on the Township's Official Zoning Map shall meet the requirements set forth in Section 5.15, Natural Resource Protection Overlay and 5.16, Cluster Development. Site alterations, regrading, filling or clearing of vegetation prior to approval of the plans for development shall be a violation of this Article.

- A. Floodplains: All such lands shall remain as permanent open space, except that roads may cross the floodplain where design approval is obtained from the Pennsylvania Department of Environmental Protection.
- B. Steep Slopes: In areas of steep slopes, i.e., those above twenty-five (25) percent, the following standards shall apply:
  - 1. No more than fifty (50) percent of such areas shall be developed and/or regraded or stripped of vegetation.
  - 2. A geotechnical report shall be submitted with the earth disturbance plan, which report shall document load-bearing capacities, soil stability and interim and long range erosion and sedimentation control measures.
  - 3. All grading activities shall conform to the provisions of Article IV, Design Standards of Aleppo Township Ordinance #105, Subdivision and Land Development.
- C. Forest: No more than fifty (50) percent of any forest as defined, shall be cleared or developed. Where planted bufferyards are required, existing vegetation, including forested areas, may be considered as the requisite planting and shall be excluded from those areas identified as forests.
- D. Ponds, Watercourses or Wetlands: These areas shall be left as permanent open space. No development, filling, piping or diverting shall be permitted except

for required roads, except upon the approval of the Pennsylvania Department of Environmental Protection.

- E. Stormwater Drainage and Management: Stormwater drainage and management plans shall be developed in accordance with the provisions of the Township's Subdivision and Land Development Ordinance.
- F. Soil Erosion and Sedimentation: All developments shall protect streams and ponds from sedimentation damage and control erosion, in accordance with the "Clean Streams Law P.L. 1987," Chapter 102, and current publication of the "Soil Erosion and Sedimentation Control Manual," Pennsylvania Department of Environmental Protection or its approved equivalent. All required permits for discharge of stormwater shall be obtained prior to the commencement of grading activities.

### **6.3 Bufferyards**

Bufferyards: Bufferyards are required for all new mobile home parks, hospitals, nursing homes, continuing care retirement communities and commercial districts on sites abutting any residential use or district. Said bufferyard shall be provided by the developer or applicant of the subject parcel during the initial phase of construction.

- A. The bufferyard shall be measured from the district boundary line or from the nearest property line.
- B. The bufferyard may be coterminous with the required side or rear yards, and in case of conflict, the larger yard requirements shall apply.

- C. Bufferyard location and width. Bufferyard widths may be averaged, where physical constraints prevent the provision of the standard width, with the narrowest portion of the yard being seventy (70) percent of the minimum established width.

**Table 3: Bufferyards**

|             |                           | Adjacent Use              |                          |            |            |               |
|-------------|---------------------------|---------------------------|--------------------------|------------|------------|---------------|
|             |                           | Single Family Residential | Multi Family Residential | Commerical | Industrial | Institutional |
| Subject Use | Single Family Residential |                           |                          |            |            |               |
|             | Multi Family Residential  | 10'                       |                          |            |            |               |
|             | Commerical                | 20'                       | 15'                      |            |            |               |
|             | Industrial                | 20'                       | 15'                      |            |            |               |
|             | Institutional             | 5'                        | 5'                       |            |            |               |

 Not Required; installation at Applicant's Discretion

- D. No structure or manufacturing or processing activity or storage of materials shall be permitted in the bufferyard.
- E. All bufferyards shall include a dense screen planting of trees, shrubs or other plant materials, or both, to the full length of the lot line to serve as a barrier to visibility, airborne particles and glare. Such screen planting shall be in accordance with the following requirements:
1. All bufferyards shall be planted with shrub and tree plantings and/or installed with walls/fencing as permitted by this Ordinance in a pattern that creates no less than twenty (20) percent transparency unless otherwise specified by this Ordinance. Plant materials used in bufferyards shall be at least three (3) feet in height when planted, shall be planted no more than three (3) feet apart, and be of such species as will produce within three (3) years a complete year-round visual screen of at least six (6) feet in height. Trees that are used in the planting of a bufferyard and elsewhere on the lot shall be in accordance with Township standards. In addition, grass or ground cover shall be planted on the ground surface of the bufferyard. Bufferyards shall be maintained and kept free of all debris and rubbish.
  2. The screen planting shall be maintained permanently and any plant material which does not live shall be replaced within one year.
  3. The screen planting shall be so placed that at maturity it will not overhang any street or property line.

4. In accordance with the provisions of Section 5.7, a clear sight triangle shall be maintained at all street intersections and at all points where private accessways intersect public streets.
5. The screen planting shall be broken only at points of vehicular or pedestrian access.
6. Buffer width and planting material shall be laid out to respect existing or proposed off-site uses. The minimum width may be used where compatible single family uses adjoin or where the property abuts non-buildable land. The object of the planting shall be defined in the plan as visual screening or to prevent access to hazardous areas.
7. Where hazardous conditions exist, hedgerow planting shall be provided to make access difficult.
8. Where the bufferyard width is less than the required building setback, self-maintaining ground cover or grass shall be planted to the edge of the bufferyard.

F. Screening:

1. A planted visual barrier or landscape screen shall be provided and maintained on any property in a commercial, industrial or special district which is contiguous to any residential district, except where natural or physical barriers exist which are deemed adequate by the Planning Commission, and except where such contiguity has resulted from an amendment to the zoning district boundaries after the passage of this provision. This screen shall be composed of plants and evergreen trees arranged to form both a low-level and a high-level screen. The high-level screen shall consist of evergreen trees planted to a height of six (6) or more feet and planted at intervals no greater than ten (10) feet. The low-level screen shall consist of shrubs or hedges planted at an initial height of not less than two (2) feet and spaced at intervals of not more than five (5) feet. A low-level screen shall be placed in alternating rows to produce a more effective barrier.
2. Any part or portion of the site which is not used for building, other structures, loading or parking spaces and aisles, sidewalks and designated storage areas shall be planted and maintained with an all-season ground cover and shall be landscaped with trees and shrubs in accordance with an overall landscape plan and shall be in keeping with natural surroundings. Any off-street parking area with five (5) or more spaces shall retain at least five (5) percent of the total parking area for landscaping and shall be graded for proper drainage and paved, or at least one (1) shade tree, of at least two (2) inch caliper, shall be provided per five (5) parking spaces, or portions thereof, within the parking area, the grouping or spacing of which shall be reviewed as part of the landscape plan.

3. Any off-street parking area located in a required front yard shall be set back at least five (5) feet from the road right-of-way, with the area between the right-of-way and parking maintained with mulch, gravel or other appropriate ground cover and landscaped with trees, shrubs or boulders and in accordance with the landscape plan. In lieu of landscaping the above five (5) feet, the applicant may elect to similarly landscape only that area between the road shoulder or berm and the right-of-way line.

#### **6.4 Odor**

Those standards for the control of odorous emissions established by the Allegheny County Department of Health shall be applied in all zoning districts. Where an odor is deemed offensive a duly authorized Township representative shall refer the matter to the County Health Department.

#### **6.5 Storage and Waste Disposal**

- A. No highly flammable, explosive or toxic liquids, solids or gases shall be stored, except as certified by the Allegheny County Fire Marshall and permitted by the Pennsylvania Department of Environmental Protection.
- B. All outdoor storage facilities for fuel, raw materials and products and all fuel, raw materials and products stored outdoors, shall be enclosed by an approved safety fence.
- C. Any article or material stored outside an enclosed building as an incidental part of the primary commercial or industrial operation shall be so screened by opaque ornamental fencing, walls or evergreen planting that it cannot be seen when viewed by a person standing on ground level during any season of the year. All organic rubbish or storage shall be contained in airtight, vermin proof containers which shall also be screened from public view.
- D. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transported off the lot by natural causes or forces; nor shall any substance which can contaminate wells, watercourses, or potable water supplies otherwise render such wells, watercourses, or potable water supplies undesirable as sources of water supply or recreation; nor shall any substance which will destroy aquatic life be allowed to enter any wells, watercourses, or potable water supplies.
- E. Any materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored outdoors only if enclosed in containers adequate to eliminate such hazards.



- F. All nonconforming storage and waste disposal uses must be brought into conformity with this Article within three (3) years of the adoption of this Ordinance.

**6.6 Smoke**

No emission at any point from any chimney or otherwise of visible smoke in excess of that permitted by the air pollution control regulations of Allegheny County and the Pennsylvania Department of Environmental Protection shall be permitted.

**6.7 Dust, Fumes, Vapors, and Gases**

The emission of dust, dirt, fly ash, fumes, vapors or gases which can cause any damage to human health, to animals, to vegetation, or to property or which can cause any soiling or staining of persons or property at any point beyond the lot line of the use creating the emission is herewith prohibited as per the air pollution control regulations of Allegheny County and the Pennsylvania Department of Environmental Protection.

**6.8 Glare**

No use shall produce a strong, dazzling light or a reflection of a strong, dazzling light beyond its lot lines or onto any public road. Manufacturer's catalog cut sheets shall be provided as part of any application.

**6.9 Vibrations**

No use shall cause earth vibrations or concussions detectable beyond its lot lines without the aid of instruments with the exception of vibration produced as a result of temporary construction activity.

**6.10 Discharge**

No discharge at any point into any private sewage disposal system or stream or into the ground, of any materials in such a way or in such nature or temperature as can contaminate any water supply or otherwise cause the emission of dangerous or objectionable elements or the accumulation of solid wastes conducive to the breeding of rodents or insects is permitted as per Pennsylvania Department of Environmental Protection regulations for solid waste disposal.

**6.11 Heat, Cold, Dampness or Movement of Air**

No activities producing heat, cold, dampness or movement of air are permitted which shall produce any material effect on the temperature, motion or humidity of the atmosphere at the lot line or beyond.

**6.12 Noise**

- A. Noise shall be limited to the following:

|            |                      |         |
|------------|----------------------|---------|
| Daytime:   | 7:00 a.m.—10:00 p.m. | 10dB(C) |
| Nighttime: | 10:00 p.m.—7:00 a.m. | 5 dB(C) |

- B. Noise measurement. An officer responding to a complaint shall measure the noise at a centralized location in the complainant's unit corresponding to the noise source located on the offending premises.

**6.13 Electrical Disturbance of Radioactivity**

No activities which emit dangerous radioactivity at any point are permitted and no electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance shall be permitted.

**6.14 Maintenance of Yards, Adjacent Undeveloped Property**

The owner or lessee of the property, whether occupied or vacant located within or adjacent to any developed area shall maintain such premises so that:

- A. Weeds shall be cut prior to their growing to such height as they will go to seed.
- B. All portions of the property shall be kept free of junk, debris, disabled motor vehicles, and dangerous, objectionable or noxious matter.

**6.15 Vehicle and Equipment Maintenance**

In industrial and commercial areas, all vehicles and movable equipment maintenance and repair done on the property must be performed within an enclosed building.

This page intentionally left blank.

## ARTICLE VII

### **R-1 Single Family Residential District Regulations**

#### **7.1 Purpose**

The R-1 Single Family Residential District is hereby established in order to provide for low density housing opportunities while preserving natural features and resources.

#### **7.2 Permitted Uses**

A lot or parcel may be used and a building or structure may be erected and used for any of the following purposes:

A. Principal Uses:

1. See Section 3.1 Land Uses

B. Accessory Uses:

1. Private garages and parking areas.
2. Accessory uses incidental to a permitted principal use including but not limited to swimming pools and storage sheds. All such uses shall be placed on the lot in conformance with those setbacks established for the principal use.
3. Signs as provided for in Article XIII.

#### **7.3 Conditional Uses**

A lot or parcel may be used and a building or structure may be erected and used for any of the following purposes, subject to the granting of a conditional use pursuant to procedures established by this Ordinance.

A. Conversion of an existing single family residential structure to accommodate a personal care home or day nursery use.

B. Planned Residential Development consisting of single family residential detached units. (See Article XII).

C. Personal Care Home subject to the following requirements:

1. No fewer than three (3) residents nor more than eight (8) shall be accommodated at all times.
2. One non-client adult supervisor shall be on the premises at all times.
3. All State and Federal guidelines for licensing shall be met.
4. Conversion of an existing structure for this use must meet development standards for new construction.

5. The name and telephone number of the organization or person in charge of the operation of this use must be supplied to the Township.
- D. Community Center subject to the following requirements:
1. The center may not be operated as a private profit making enterprise.
  2. Outdoor recreation areas shall be located at least sixty (60) feet from an abutting property line and planting screen of varying heights (no less than four (4) feet in height) plus consisting of a fifty (50) percent-fifty (50) percent mix of evergreens and deciduous trees or opaque fencing shall be installed to achieve an overall maximum transparency of fifteen (15) percent. Play areas shall be in rear or side yards.
- E. Day Nursery subject to the following requirements:
1. This use must be conducted within a building designed as a single family dwelling unit or in an existing structure used for religious purposes.
  2. Outdoor play areas shall be placed a minimum of sixty (60) feet from an abutting property line and planting screen of varying heights (no less than four (4) feet in height) plus consisting of a fifty (50) percent-fifty (50) percent mix of evergreens and deciduous trees or opaque fencing shall be installed to achieve an overall maximum transparency of fifteen (15) percent. Play areas shall be in rear or side yards.
  3. All State and Federal regulations for licensing shall be met.
  4. Vehicles "dropping off" or "picking up" must be provided for on site and not in public rights-of-way.
- F. Public Park or Recreation Facility subject to the following requirements:
1. Adequate provision for interior circulation and access must be demonstrated.
  2. Exterior lighting must be installed with no impact of glare on adjacent lots.
  3. The perimeter of an outdoor recreation area shall be screened with natural plantings or fencing a minimum of four (4) feet in height and with a maximum of fifteen (15) percent transparency.
- G. Home occupations, low impact subject to the following requirements:
1. Such use shall be located within the dwelling unit of the person providing the professional services and shall be clearly incidental to the structure's use as a residence.
  2. Not more than ten (10) percent of the square footage of the principal use shall be devoted to the accessory non-medical office use.
  3. Signs shall be permitted in accordance with Article XIII.

- H. Temporary Uses and Structures as provided for in Article XV.
- I. Agricultural Support and Accessory Structures subject to the following requirements:
  - 1. Structures for the storage of products grown on-site shall be located not less than one hundred (100) feet from the closest existing off-site residential use.
  - 2. No stable or building providing shelter for animals shall be located less than two hundred (200) feet from any lot line.
- J. Public Utility Facilities subject to the following requirements:
  - 1. For the purposes of this section public utility facility shall not include incinerators, or public or private landfills.
  - 2. It shall be demonstrated that the site chosen for said facility is the site best suited for the purpose intended.
  - 3. All sites must be screened with a mixture of high and low level plantings from six (6) feet to three (3) feet in height around the entire perimeter within a twenty-five (25) foot wide bufferyard.
  - 4. No non-medical office, storage building or exterior storage yard shall be operated in conjunction with the utility facility.
  - 5. Treatment of sanitary sewage shall be prohibited.
  - 6. Transmission towers shall be prohibited.
- K. Group Care Home subject to the following requirements:
  - 1. Copies of all State and Federal licenses and operating permits shall be supplied to the Township on an annual basis.
  - 2. Public sanitary sewerage and water is required.
  - 3. Parking shall be provided at one (1) space per three (3) residents, plus one (1) space for each employee on the largest shift.
  - 4. Parking areas shall be screened from adjacent lots with planting screen of varying heights (no less than four (4) feet in height) plus consisting of a fifty (50) percent-fifty (50) percent mix of evergreens and deciduous trees or opaque fencing to achieve an overall maximum transparency of fifteen (15) percent.
- L. Private Utility.
  - 1. The utility facility must be contained on a recorded lot and cannot be placed in an area of a subdivision intended for open space.
  - 2. Structures and facilities shall be sited to create least damage to the environment.

3. A bufferyard and screening shall be provided that will adequately shield the use from the view of any street or residentially zoned land. Screening shall consist of natural plantings or fencing a minimum of four (4) feet in height and with a maximum of fifteen (15) percent transparency to adequately screen the use from view.
  4. Parking and storage areas shall be setback from property lines abutting residentially zoned land a minimum of thirty (30) feet and shall be screened with natural plantings or fencing a minimum of four (4) feet in height and with a maximum of fifteen (15) percent transparency in order to minimize impact of the view from any adjacent residential property or those directly across a street.
  5. Normally overhead lines and related equipment may be required to be placed underground in whole or in part of the length of the right-of-way.
  6. In order to ensure the compatibility of proposed buildings with surrounding development in the district, building character shall be complimentary to surrounding properties. Building elevations with exterior materials shall be submitted in conjunction with any applicable site plan.
- M. Wind turbine, residential. Windmills, windwheels, or wind energy conversion systems (WECS) for residential purposes shall be permitted as accessory, subject to the following conditions:
1. No said systems or equipment shall be erected in a front yard or within the area between a front lot line and the front building façade of the principal building on the lot.
  2. The structure supporting the wind rotor unit, including any necessary guideposts and supporting cables, shall be independent of any occupied structure and located a minimum distance of the tower height plus ten (10) feet from any occupied dwelling, and shall not be more than forty-five (45) feet in height.
  3. The minimum distance between the tower and any lot line shall be not less than twice the height of the tower.
  4. The minimum distance between grade and the lowest point of the rotor blade shall be twenty (20) feet.
  5. All electric lines/utility wires shall be buried underground.
  6. Any mechanical equipment associated and necessary for operation, including a building for batteries and storage cells, shall be enclosed by a six (6) foot fence with screening planting in accordance with this Ordinance. When a building is necessary for storage cells or related mechanical equipment, the building shall not exceed one hundred forty (140) square feet.

7. One (1) windmill, windwheel or WECS shall be permitted per lot.
8. The resultant energy harnessed from the wind shall not be used on property other than that on which located, unless all applicable cogeneration requirements are met.
9. The supporting structure and generating unit shall be kept in good repair and sound condition. Upon abandonment of use, the supporting structure and related structures shall be dismantled and removed from the property within sixty (60) days.
10. The applicant shall demonstrate that any noise from the wind generating unit shall not exceed forty five (45) dBA measured at the lot line.
  - a. A “decibel” shall mean a unit for measuring the relative intensity of sounds. More specifically, a unit for expressing the ratio of two (2) amounts of acoustic signal power equal to ten (10) times the common logarithm of this ratio.
  - b. A “weighted” sound level shall mean the total sound level in decibels of all sound as measured with a sound level meter with a reference pressure of twenty (20) micro-pascals using the “A” weighted network (scale) at slow response. The unit of measurement shall be defined as dBA.

N. Veterinary:

1. No outdoor pens, kennels or runs shall be constructed or provided.
2. Noise shall not exceed the levels deemed acceptable by the performance standards of this Chapter.
3. Hours of operation shall be limited to between 8:00 A.M and 8:00 P.M.
4. Parking areas for veterinary services not adjacent to an arterial road shall be limited to a maximum of six (6) parking spaces.

**7.4 Parking Requirements**

- A. See Section 4.1.G

**7.5 Lot Area, Yard and Height Requirements**

- A. All permitted principal and conditional uses shall be conducted on lots with a minimum area of twelve thousand (12,000) square feet, if said use is connected to a public sanitary sewer, except as otherwise specified. Gross density shall not exceed 3.6 units per acre.
- B. All permitted principal and conditional uses shall be conducted on lots with a minimum area of twenty thousand (20,000) square feet if said use is not



connected to a public sanitary sewer, except as otherwise specified. Gross density shall not exceed 2.18 units per acre.

- C. Yard Dimensions: All distances are to be measured to the closest face of the structure on lot, relative to its orientation.
  - 1. Front Yard - fifty (50) feet from the right-of-way line.
  - 2. Side Yard - fifteen (15) feet from the closest point of the abutting property line.
  - 3. Rear Yard - fifty (50) feet from the closest point of the rear property line or right-of-way line.
- D. Lot Width - eighty (80) feet at the building line.
- E. Building Height:
  - 1. One story above grade - twenty (20) feet maximum to peak of roof.
  - 2. Two stories above grade - thirty (30) feet maximum to peak of roof.
  - 3. Accessory structures shall not exceed the permitted height of the principal structure.
- F. Bulk: No structure or combination of structures shall be permitted to exceed twenty five (25) percent of the lot area.
- G. Architectural Projections: No eave, cornice, chimney, bay window, stair landing or other structural attachment shall project more than thirty six (36) inches into any required yard.

## **7.6 Performance Standards**

Environmental impact regulations for the R-1 Single Family Residential District are contained in Article VI.

## **7.7 Permits**

All permits for construction, use and occupancy of structures, and for the use and occupancy of land in this district are required in accordance with procedures outlined in Article XVII.

ARTICLE VIII

**R-2 Multi-Family Residential District Regulations**

**8.1 Purpose**

The R-2 Multi-Family Residential District is hereby established in order to provide for medium density housing opportunities while preserving natural features and resources.

**8.2 Permitted Uses**

A lot or parcel may be used and a building or structure may be erected and used for any of the following purposes:

- A. Principal Uses:
  - 1. See Section 3.1 Land Uses
- B. Accessory Uses:
  - 1. Private garages and parking areas.
  - 2. Accessory uses incidental to a permitted principal use including but not limited to swimming pools and storage sheds. All such uses shall be placed on the lot in conformance with those setback established for the principal use.
  - 3. Signs as provided for in Article XIII.
  - 4. Granny Flat/Carriage House.

**8.3 Conditional Uses**

A lot or parcel may be used and a building or structure may be erected and used for any of the following purposes, subject to the granting of a conditional use pursuant to procedures established by this Ordinance.

- A. Conversion of an existing single family residential structure to accommodate a personal care home or a day nursery.
- B. Planned Residential Development (See Article XII) consisting of at least fifty (50) percent single family units.
- C. Multi-story Garden Apartments subject to the following requirements:
  - 1. Minimum site area three quarters (3/4) of an acre thirty two thousand six hundred seventy (32,670) square feet.
  - 2. Four (4) stories or fifty (50) feet maximum height.
  - 3. Parking required one and one half (1.5) spaces per unit.
  - 4. Parking areas shall have plant screening of varying heights (no less than four (4) feet in height) plus consisting of a fifty (50) percent-fifty (50)

percent mix of evergreens and deciduous trees or opaque fencing installed to achieve an overall maximum transparency of fifteen (15) percent.

- D. Personal Care Home subject to the following requirements:
1. No fewer than three (3) residents nor more than eight (8) shall be accommodated at all times.
  2. One non-client adult supervisor shall be on the premises at all times.
  3. All State and Federal guidelines for licensing shall be met.
  4. Conversion of an existing structure for this use must meet development standards for new construction.
  5. The name and telephone number of the organization or person in charge of the operation of this use must be supplied to the Township.
- E. Library:
1. Hours of operation and events shall be scheduled to minimize negative impacts on the surrounding neighborhood.
  2. All dumpsters and/or waste collection areas shall be enclosed by a solid masonry screen.
  3. Maximum height of outdoor parking area and roadway lighting shall be twenty-five (25) feet.
  4. As a part of all land development, the landowner and /or developer shall provide a plan for photometrics of the lot. Illumination, when measured at a lot line, shall be a maximum of twenty-five hundredths (0.25) foot candles.
  5. If the parking area is adjacent to a single-family residential lot, any parking areas that demand greater than ten (10) automobiles, the following shall apply:
    - a. An additional ten (10) foot setback with one (1) of the following shall be provided along the parking lot's perimeter to minimize the impact of inappropriate noise, dust, light and other disturbances on adjacent residential development.
      - i. One and one-half times (1.5x) the required number of plants for screening and buffering off-street parking and loading areas; or
      - ii. A mound, a minimum of three and one-half (3 1/2) feet in height at its peak, shall be constructed whereas the sides do not exceed a four foot horizontal to one foot vertical (4:1) change in elevation. The mound shall be landscaped with plants that provide four seasons of interest not including turf grass. The landowner and/or

developer shall coordinate lot drainage so that lot development and grading do not create any adverse effects on adjacent properties.

F. School, Private or Public:

1. A traffic impact study shall be submitted to identify projected impacts to Township road network.
2. Ingress and egress locations shall be designed to minimize congestion on adjacent highways and local streets during peak use periods.
3. All required off-street parking areas shall exhibit the minimum surface treatment and be screened from adjoining residential properties with planting material or fencing as recommended by the Planning Commission.

G. Day Nursery subject to the following requirements:

1. This use must be conducted within a building designed as a single family dwelling unit or in an existing structure used for religious purposes.
2. Outdoor play areas shall be placed a minimum of sixty (60) feet from an abutting property line and planting screen of varying heights (no less than four (4) feet in height) plus consisting of a fifty (50) percent-fifty (50) percent mix of evergreens and deciduous trees or opaque fencing shall be installed to achieve an overall maximum transparency of fifteen (15) percent. Play areas shall be in rear or side yards.
3. All State and Federal regulations for licensing shall be met.
4. Vehicles "dropping off" or "picking up" must be provided for on site and not in public rights-of-way.

H. Nursing Home subject to the following requirements:

1. Copies of all State and Federal licenses and operating permits shall be supplied to the Township on an annual basis.
2. Inspection by Township personnel shall be permitted.
3. Parking areas shall be screened from adjoining residential property. A planting screen of varying heights (no less than four (4) feet in height) plus consisting of a fifty (50) percent-fifty (50) percent mix of evergreens and deciduous trees or opaque fencing shall be installed to achieve an overall maximum transparency of fifteen (15) percent.
4. No more than twenty-five (25) percent of the ground area of the lot, on which the nursing care facility is erected, shall be occupied by buildings.
5. There shall be not less than nine hundred (900) square feet of lot area for each bed. The minimum lot area for a nursing care facility shall be two and one half (2 1/2) acres.

6. The nursing care facility must adequately provide for the collection and treatment of sewage and the disposal of wastes and must submit all plans, agreements, and proposal for sewage collection, treatment and disposal for final approval by the Township.
  7. The nursing care facility must otherwise comply with all the general requirements which must be met for the granting of a conditional use under Section 8.3.
- I. Boarding House subject to the following requirements:
1. Converted single family houses must meet minimum building code specification for multiple uses.
  2. Parking must be provided as per Article IV.
- J. Public Park or Recreation Facility, to include Community Centers, subject to the following requirements:
1. Adequate provision for interior circulation and access must be demonstrated.
  2. Exterior lighting must be installed with no impact of glare on adjacent lots.
  3. The perimeter of an outdoor recreation area shall be screened with natural plantings or fencing a minimum of four (4) feet in height and with a maximum of fifteen (15) percent transparency.
- K. Private Recreation Facility subject to the following requirements:
1. For the purposes of this section, Private Recreation shall be limited to the following:
    - a. Racquetball or Tennis Club.
    - b. Health Spa or Gymnasium.
    - c. Indoor Swimming Pool.
  2. Compliance with all land development criteria shall be a prerequisite for building permit issuance.
  3. A twenty (20) foot deep bufferyard shall be provided along the entire length of any property line abutting a developed residential lot. A planting screen of varying heights (no less than four (4) feet in height) plus consisting of a fifty (50) percent-fifty (50) percent mix of evergreens and deciduous trees or opaque fencing shall be installed within said bufferyard to achieve an overall maximum transparency of fifteen (15) percent.
- L. Private Club subject to the following requirements:
1. Shall be of a service nature and not conducted as a profit-making business.
  2. Shall be open to members and their guests only.

3. Shall have two (2) points of vehicular access.
  4. Outdoor recreation areas shall be located a minimum of thirty (30) feet from the closest property line. A planting screen of varying heights (no less than four (4) feet in height) plus consisting of a fifty (50) percent-fifty (50) percent mix of evergreens and deciduous trees or opaque fencing shall be installed within said bufferyard to achieve an overall maximum transparency of fifteen (15) percent.
  5. The perimeter of the lot accommodating such use shall be planted or fenced in accordance with the provisions of this Ordinance to discourage public access.
- M. Home occupation, low impact subject to the following requirements:
1. Such use shall be located within the dwelling unit of the person providing the professional and personal services and shall be clearly incidental to the structure's use as a residence.
  2. Not more than ten (10) percent of the square footage of the principal use shall be devoted to the accessory non-medical office use.
  3. Signs shall be permitted in accordance with Article XIII.
- N. Public utility facilities subject to the following requirements:
1. For the purposes of this section public utility facility shall not include incinerators, or public or private landfills.
  2. It shall be demonstrated that the site chosen for said facility is the site best suited for the purpose intended.
  3. All sites must be screened with a mixture of high and low level plantings from six (6) feet to three (3) feet in height around the entire perimeter within a twenty-five (25) foot wide bufferyard.
  4. No non-medical office, storage building or exterior storage yard shall be operated in conjunction with the utility facility.
  5. Treatment of sanitary sewage shall be prohibited.
  6. Transmission towers shall be prohibited.
- O. Life Care Facility subject to the following requirements:
1. Minimum site area – forty (40) acres.
  2. Access to a site proposed for development of a Continuing Care Retirement Community shall be provided directly from a rural collector roadway. Secondary access shall be provided for emergency or maintenance services from a collector or local roadway.
  3. Continuing Care Retirement Communities shall provide at least one (1) type of residential use in addition to the extended care or nursing facility.

4. The configuration of residential structures other than extended care or nursing facilities may include, but not be limited to, apartments, townhouses (maximum six (6) dwelling units per structure), duplex, triplex or quadraplex, (single family attached), and single family detached structures.
5. The mix of residential uses may include the following categories with no group of uses exceeding seventy-five (75) percent of the total acreage:
  - a. Extended care units (Nursing Home).
  - b. Assisted living units.
  - c. Independent living units (multiple dwelling structures).
  - d. Independent living units (single family attached or detached).
6. Maximum height of structures - four (4) stories or fifty (50) feet, not to include architectural projections or roof-mounted mechanical equipment.
7. All roof-mounted mechanical equipment shall be screened from view from adjacent residential properties and roadways. Such screening shall blend into the architectural design of the building.
8. Maximum permitted gross density shall be calculated separately by residential unit type as follows:
  - a. Extended care units (Nursing Home) - not to exceed a ratio of twenty (20) beds per acre of land.
  - b. Assisted living units - not to exceed a ratio of twenty (20) beds per acre of land.
  - c. Independent living units (multiple dwelling structures) - not to exceed a ratio of twelve (12) dwelling units per acre of land.
  - d. Independent living units (single family detached) - not to exceed four (4) dwelling units per acre of land.
9. A minimum of twenty (20) percent of the site area shall be designated as active or passive open space within which recreational facilities, including but not limited to, a picnic area or walking trail may be provided.
10. No structure shall be situated less than forty (40) feet from any property line.
11. Personal Support Services shall be limited to ten (10) percent of the total floor area of the principal structures.
12. Bufferyards shall comply with Section 6.3 of this Ordinance.
13. Required parking shall consist of one (1) space for each independent living unit on site plus one (1) space for each two (2) employees on the largest

shift, plus one (1) space for each four (4) beds in extended care and assisted living facilities, for visitor parking.

14. Interior streets and roadways shall be designed and constructed to accommodate a vehicular capacity of four hundred (400) average weekday vehicles trips or a minimum of twelve (12) foot lane widths, whichever is greater.
15. Compliance with the provisions of Article V, Section 5.11, Conditional Uses, shall precede final approval for Continuing Care Retirement Community in this zoning district.

P. Private Utility subject to the following requirements:

1. The utility facility must be contained on a recorded lot and cannot be placed in an area of a subdivision intended for open space.
2. Structures and facilities shall be sited to create least damage to the environment.
3. A bufferyard and screening shall be provided that will adequately shield the use from the view of any street or residentially zoned land. Screening shall consist of natural plantings or fencing a minimum of four (4) feet in height and with a maximum of fifteen (15) percent transparency to adequately screen the use from view.
4. Parking and storage areas shall be setback from property lines abutting residentially zoned land a minimum of thirty (30) feet and shall be screened with natural plantings or fencing a minimum of four (4) feet in height and with a maximum of fifteen (15) percent transparency in order to minimize impact of the view from any adjacent residential property or those directly across a street.
5. Normally overhead lines and related equipment may be required to be placed underground in whole or in part of the length of the right-of-way.
6. In order to ensure the compatibility of proposed buildings with surrounding development in the district, building character shall be complimentary to surrounding properties. Building elevations with exterior materials shall be submitted in conjunction with any applicable site plan.

Q. Wind turbine, residential. Windmills, windwheels, or wind energy conversion systems (WECS) for residential purposes shall be permitted as accessory, subject to the following conditions:

1. No said systems or equipment shall be erected in a front yard or within the area between a front lot line and the front building façade of the principal building on the lot.



2. The structure supporting the wind rotor unit, including any necessary guideposts and supporting cables, shall be independent of any occupied structure and located a minimum distance of the tower height plus ten (10) feet from any occupied dwelling, and shall not be more than forty-five (45) feet in height.
3. The minimum distance between the tower and any lot line shall be not less than twice the height of the tower.
4. The minimum distance between grade and the lowest point of the rotor blade shall be twenty (20) feet.
5. All electric lines/utility wires shall be buried underground.
6. Any mechanical equipment associated and necessary for operation, including a building for batteries and storage cells, shall be enclosed by a six (6) foot fence with screening planting in accordance with this Ordinance. When a building is necessary for storage cells or related mechanical equipment, the building shall not exceed one hundred forty (140) square feet.
7. One (1) windmill, windwheel or WECS shall be permitted per lot.
8. The resultant energy harnessed from the wind shall not be used on property other than that on which located, unless all applicable cogeneration requirements are met.
9. The supporting structure and generating unit shall be kept in good repair and sound condition. Upon abandonment of use, the supporting structure and related structures shall be dismantled and removed from the property within sixty (60) days.
10. The applicant shall demonstrate that any noise from the wind generating unit shall not exceed forty five (45) dBA measured at the lot line.
  - a. A “decibel” shall mean a unit for measuring the relative intensity of sounds. More specifically, a unit for expressing the ratio of two (2) amounts of acoustic signal power equal to ten (10) times the common logarithm of this ratio.
  - b. A “weighted” sound level shall mean the total sound level in decibels of all sound as measured with a sound level meter with a reference pressure of twenty (20) micro-pascals using the “A” weighted network (scale) at slow response. The unit of measurement shall be defined as dBA.

R. Community Centers subject to the following requirements:

1. Adequate provision for interior circulation on the lot and access to the lot must demonstrated.
2. Exterior lighting must be installed with no impact of glare on adjacent lots.

3. The perimeter of an outdoor recreation area shall be screened with natural plantings or fencing a minimum of four (4) feet in height and with a maximum of fifteen (15) percent transparency.

S. Municipal Building/Use.

1. All dumpsters and/or waste collection areas shall be enclosed by a solid masonry screen.
2. Maximum height of outdoor parking area and roadway lighting shall be twenty-five (25) feet.
3. As a part of all land development, the landowner and /or developer shall provide a plan for photometrics of the lot. Illumination, when measured at a lot line, shall be a maximum of twenty-five hundredths (0.25) foot candles.

T. Cemetery or Mausoleum.

1. The minimum lot area shall be twenty-five (25) acres; the maximum lot area shall be one hundred (100) acres.
2. A drainage plan, showing the lot's existing and proposed runoff characteristics, shall be submitted with the application for approval.
3. An additional ten (10) feet of yard setback with landscape buffering a minimum of six (6) feet in height for off-street parking, loading areas, outdoor service areas and storage areas shall be provided as defined by this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.
4. At no time shall a corpse be exposed or visible from a public street or adjacent lot.
5. An inventory of type and quantity of all toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases or solids utilized, stored and/or transferred shall be filed with the Township on an annual basis.
6. The owner(s) and operator(s) of a cemetery shall incorporate Best Management Practices as outlined in the Pennsylvania Handbook of Best Management Practices for Developing Areas to minimize negative impacts of erosion, siltation and surface water and groundwater contamination.
7. No more than one (1) sign shall be permitted; said sign shall be a ground or a wall sign.

#### **8.4 Parking Requirements**

- A. See Section 4.1.G

## **8.5 Lot Area, Yard and Height Requirements**

- A. All permitted principal and conditional uses shall be conducted on lots with a minimum area of ten thousand (10,000) square feet, if said use is connected to a public sanitary sewer, except as otherwise specified. Gross density shall not exceed 4.36 units per acre.
- B. All permitted principal and conditional uses connected to public sanitary sewer shall be conducted on lot with a minimum area of twenty thousand (20,000) square feet. Gross density shall not exceed 2.18 units per acre.
- C. Yard Dimensions: All distances are to be measured to the closest face of the structure on lot, relative to its orientation.
  - 1. Front Yard - forty (40) feet from the right-of-way line.
  - 2. Side Yard - fifteen (15) feet from the closest point of the abutting property line.
  - 3. Rear Yard - forty (40) feet from the closest point of the rear property line or right-of-way line.
- D. Lot Width:
  - 1. Sixty-five (65) feet at the building line for single family lots.
  - 2. One hundred (100) feet at the building line for duplex lots.
  - 3. One hundred and sixty-two (162) feet for townhouse lots.
- E. Building Height:
  - 1. One story above grade - twenty (20) feet maximum to peak of roof.
  - 2. Two stories above grade - thirty (30) feet maximum to peak of roof.
  - 3. Three stories above grade - forty (40) feet maximum to peak of roof.
  - 4. Four stories above grade - fifty (50) feet maximum highest elevation.
  - 5. Accessory structures shall not exceed the permitted height of the principal structure.
- F. Bulk: No structure, or combination of structures (principal and/or accessory), shall be permitted to exceed the following percentages of the lot area:
  - 1. Single family residence - thirty (30) percent.
  - 2. Duplex - forty (40) percent.
  - 3. Townhouse - fifty (50) percent.
  - 4. Multi-story Garden Apartment - sixty (60) percent.

- G. Architectural Projections: No eave, cornice, chimney, bay window, stair landing or other structural attachment shall project more than thirty-six (36) inches into any required yard.
- H. Gross density: Where multi-family dwellings are proposed the maximum number of multi-family dwelling units per acre shall not exceed the following:
  - Duplex four (4) units
  - Townhouse six (6) units
  - Garden Apartment eight (8) units

### **8.6 Performance Standards**

Environmental impact regulations for the R-2 Multi-Family Residential District are contained in Article VI.

### **8.7 Permits**

All permits for construction, use and occupancy of structures, and for the use and occupancy of land in this district are required in accordance with procedures outlined in Article XVII.

This page intentionally blank.

ARTICLE IX

**R-3 Rural Residential District Regulations**

**9.1 Purpose**

The R-3 Rural Residential District is hereby established in order to provide for a variety of residential uses compatible with agricultural activities.

**9.2 Permitted Uses**

A lot or parcel may be used and a building or structure may be erected and used for any of the following purposes:

A. Principal Uses:

1. See Section 3.1 Land Uses
2. Agricultural uses, Traditional: This category of uses also includes plant nurseries, horticulture, pasturage, orchards, and forestry subject to the following requirements:
  - a. Lot area shall be a minimum of five (5) acres.
  - b. Pasturage shall not occur within one hundred (100) feet of an abutting property line.
  - c. All support and accessory structures relative to this use category shall be considered as permitted uses subject to the following:
    - i. Structures for the storage of products grown on-site shall be located not less than one hundred (100) feet from the closest existing off-site residential use.
    - ii. No stable or building providing shelter for animals shall be located less than two hundred (200) feet from any property line.

B. Accessory Uses:

1. Private garages and parking areas.
2. Accessory uses incidental to a permitted principal use including but not limited to swimming pools and storage sheds. All such uses shall be placed on the lot in conformance with those setbacks established for the principal use.
3. Signs as provided for in Article XIII.
4. Granny Flat/Carriage House.

### **9.3 Conditional Uses**

A lot or parcel may be used and a building or structure may be erected and used for any of the following purposes, subject to the granting of a conditional use pursuant to procedures established by this Ordinance.

- A. Duplex subject to the following requirements:
  - 1. Lot width is a minimum of one (100) hundred feet.
  - 2. Structure coverage shall not exceed thirty-five (35) percent of lot area.
- B. Conversion of an existing single family residential structure to accommodate a personal care home or a day nursery.
- C. Group Home subject to the following requirements:
  - 1. Copies of all State and Federal licenses and operating permits shall be supplied to the Township on an annual basis.
  - 2. Minimum lot area - twenty thousand (20,000) square feet.
  - 3. Public sanitary sewerage and water is required.
  - 4. Parking shall be provided at one (1) space per three (3) residents, plus one (1) space for each employee on the largest shift.
  - 5. Parking areas shall be screened from adjacent lots with a fifty (50) percent to fifty (50) percent mix of deciduous and evergreen planting material to provide a year round bufferyard.
- D. Day Nursery subject to the following requirements:
  - 1. This use must be conducted within a building designed as a single family dwelling unit or in an existing structure used for religious purposes.
  - 2. Outdoor play areas shall be placed a minimum of sixty (60) feet from an abutting property line and planting screen of varying heights (no less than four (4) feet in height) plus consisting of a fifty (50) percent-fifty (50) percent mix of evergreens and deciduous trees or opaque fencing shall be installed to achieve an overall maximum transparency of fifteen (15) percent. Play areas shall be in rear or side yards.
  - 3. All State and Federal regulations for licensing shall be met.
  - 4. Vehicles "dropping off" or "picking up" must be provided for on site and not in public rights-of-way.
- E. Personal Care Home subject to the following requirements:
  - 1. No fewer than three (3) nor more than eight (8) residents shall be accommodated at all times.
  - 2. One non-client adult supervisor shall be on the premises at all times.

3. All State and Federal guidelines for licensing shall be met.
  4. Conversion of an existing structure for this use must meet development standards for new construction.
  5. The name and telephone number of the organization or person in charge of the operation of this use must be supplied to the Township.
- F. Boarding House subject to the following requirements:
1. Converted single family houses must meet minimum building code specification for multiple uses.
  2. Parking must be provided as per Article IV.
- G. Mobile Home Parks subject to the following requirements:
1. All land included in this use category must be in single ownership per specific site.
  2. Applicable subdivision regulations shall be complied with.
  3. Minimum area for a mobile home park is ten (10) acres.
  4. Public sanitary sewerage shall be required.
  5. Records of rental and/or lease arrangements for units or land within the mobile home park shall be submitted to the Township annually.
  6. A concrete pad five (5) inches in depth, with a minimum of six (6) tie downs shall be provided per mobile home unit.
  7. Minimum yards for each home site shall be as follows:
    - a. Front yard - twenty five (25) feet.
    - b. Side yard - ten (10) feet.
    - c. Rear yard - twenty (20) feet.
  8. All mobile homes shall be provided with skirting between the bottom of the mobile home floor and grade level around the entire perimeter of the unit.
  9. A minimum of nine (9) lots shall be improved as required prior to the installation of any mobile home unit.
- J. Public Park or Recreation Facility subject to the following requirements:
1. Adequate provision for interior circulation and access must be demonstrated.
  2. Exterior lighting must be installed with no impact of glare on adjacent lots.
  3. The perimeter of an outdoor recreation area shall be screened with natural plantings or fencing a minimum of four (4) feet in height and with a maximum of fifteen (15) percent transparency.



- K. Private Recreation Facility subject to the following requirements:
1. For the purposes of this section, Private Recreation shall be limited to the following:
    - a. Racquetball or Tennis Club.
    - b. Health Spa or Gymnasium.
    - c. Indoor Swimming Pool.
  2. Compliance with all land development criteria shall be a prerequisite for building permit issuance.
  3. A twenty (20) foot deep bufferyard shall be provided along the entire length of any property line abutting a developed residential lot. A planting screen of varying heights (no less than four (4) feet in height) plus consisting of a fifty (50) percent-fifty (50) percent mix of evergreens and deciduous trees or opaque fencing shall be installed within said bufferyard to achieve an overall maximum transparency of fifteen (15) percent.
- L. Veterinary:
1. No outdoor pens, kennels or runs shall be constructed or provided.
  2. Noise shall not exceed the levels deemed acceptable by the performance standards of this Chapter.
  3. Hours of operation shall be limited to between 8:00 A.M and 8:00 P.M.
  4. Parking areas for veterinary services not adjacent to an arterial road shall be limited to a maximum of six (6) parking spaces.
- M. Kennels subject to the following requirements:
1. A minimum lot area shall be five (5) acres.
  2. Any exterior fenced area wherein animals exercise or are otherwise exposed must be located a minimum of one hundred (100) feet from any lot boundary line.
  3. The perimeter of the exterior exercise area must be fenced with weatherproof material, a minimum of five (5) feet in height, accessible only through a self-latching gate.
  4. Any structure used to house animals shall be equipped with BOCA code-approved nontoxic noise-dampening material or acoustic tile.
  5. No kennel may be established within one-half (1/2) of a mile of an existing kennel.

- N. Stables subject to the following requirements:
1. Minimum lot area shall be five (5) acres.
  2. No shelter used to house animals shall be located closer than two hundred (200) feet from any lot boundary line.
- O. Home Occupation, Low Impact subject to the following requirements:
1. Such use shall be located within the dwelling unit of the person providing the professional and personal services and shall be clearly incidental to the structure's use as a residence.
  2. Not more than ten (10) percent of the square footage of the principal use shall be devoted to the accessory non-medical office use.
  3. Signs shall be permitted in accordance with Article XIII.
- P. Public Utility Facility subject to the following requirements:
1. For the purposes of this section public utility facility shall not include incinerators, or public or private landfills.
  2. It shall be demonstrated that the site chosen for said facility is the site best suited for the purpose intended.
  3. All sites must be screened with a mixture of high and low level plantings from six (6) feet to three (3) feet in height around the entire perimeter within a twenty-five (25) foot wide bufferyard.
  4. No non-medical office, storage building or exterior storage yard shall be operated in conjunction with the utility facility.
  5. Treatment of sanitary sewage shall be prohibited.
  6. Transmission towers shall be prohibited.
- Q. Private utility subject to the following requirements:
1. The utility facility must be contained on a recorded lot and cannot be placed in an area of a subdivision intended for open space.
  2. Structures and facilities shall be sited to create least damage to the environment.
  3. A bufferyard and screening shall be provided that will adequately shield the use from the view of any street or residentially zoned land. Screening shall consist of natural plantings or fencing a minimum of four (4) feet in height and with a maximum of fifteen (15) percent transparency to adequately screen the use from view.
  4. Parking and storage areas shall be setback from property lines abutting residentially zoned land a minimum of thirty (30) feet and shall be screened

with natural plantings or fencing a minimum of four (4) feet in height and with a maximum of fifteen (15) percent transparency in order to minimize impact of the view from any adjacent residential property or those directly across a street.

5. Normally overhead lines and related equipment may be required to be placed underground in whole or in part of the length of the right-of-way.
  6. In order to ensure the compatibility of proposed buildings with surrounding development in the district, building character shall be complimentary to surrounding properties.
- R. Wind Turbine, residential. Windmills, windwheels, or wind energy conversion systems (WECS) for residential purposes shall be permitted as accessory uses, subject to the following conditions:
1. No said systems or equipment shall be erected in a front yard or within the area between a front lot line and the front building façade of the principal building on the lot.
  2. The structure supporting the wind rotor unit, including any necessary guideposts and supporting cables, shall be independent of any occupied structure and located a minimum distance of the tower height plus ten (10) feet from any occupied dwelling, and shall not be more than forty-five (45) feet in height.
  3. The minimum distance between the tower and any lot line shall be not less than twice the height of the tower.
  4. The minimum distance between grade and the lowest point of the rotor blade shall be twenty (20) feet.
  5. All electric lines/utility wires shall be buried underground.
  6. Any mechanical equipment associated and necessary for operation, including a building for batteries and storage cells, shall be enclosed by a six (6) foot fence with screening planting of equal or greater height and a maximum of fifteen (15) percent transparency. When a building is necessary for storage cells or related mechanical equipment, the building shall not exceed one hundred forty (140) square feet.
  7. One (1) windmill, windwheel or WECS shall be permitted per lot.
  8. The resultant energy harnessed from the wind shall not be used on property other than that on which located, unless all applicable cogeneration requirements are met.
  9. The supporting structure and generating unit shall be kept in good repair and sound condition. Upon abandonment of use, the supporting structure and related structures shall be dismantled and removed from the property within sixty (60) days.

10. The applicant shall demonstrate that any noise from the wind generating unit shall not exceed forty five (45) dBA measured at the lot line.
  - a. A “decibel” shall mean a unit for measuring the relative intensity of sounds. More specifically, a unit for expressing the ratio of two (2) amounts of acoustic signal power equal to ten (10) times the common logarithm of this ratio.
  - b. A “weighted” sound level shall mean the total sound level in decibels of all sound as measured with a sound level meter with a reference pressure of twenty (20) micro-pascals using the “A” weighted network (scale) at slow response. The unit of measurement shall be defined as dBA.
- S. Community Centers subject to the following requirements:
  1. Adequate provision for interior circulation and access must be demonstrated.
  2. Exterior lighting must be installed with no impact of glare on adjacent lots.
  3. The perimeter of an outdoor recreation area shall be screened with natural plantings or fencing a minimum of four (4) feet in height and with a maximum of fifteen (15) percent transparency.

#### **9.4 Parking Requirements**

- A. See Section 4.1.G

#### **9.5 Lot Area, Yard and Height Requirements**

- A. All permitted principal and conditional uses shall be conducted on lots with a minimum area of one-half (1/2) acre (twenty one thousand seven hundred eighty (21,780) square feet), if said use is connected to a public sanitary sewer, except as otherwise specified.
- B. All permitted principal and conditional uses shall be conducted on lot with a minimum area of one (1) acre (forty three thousand five hundred sixty (43,560) sq. feet) if said use is not connected to a public sanitary sewer, except as otherwise specified.
- C. Yard Dimensions: All distances are to be measured to the face of the structure on lot, relative to its orientation.
  1. Front Yard - fifty (50) feet from the right-of-way line.
  2. Side Yard - fifteen (15) feet from the closest point of the abutting property line.
  3. Rear Yard - forty (40) feet from the closest point of the rear property line or right-of-way line.

- D. Lot Width:
  - 1. One hundred (100) feet at the building line for single family lots.
  - 2. One hundred twenty (120) feet at the building line for duplex lots.
- E. Building Height:
  - 1. One story above grade - twenty (20) feet maximum to peak of roof.
  - 2. Two stories above grade - thirty (30) feet maximum to peak of roof.
  - 3. Three stories above grade - forty (40) feet maximum to peak of roof.
  - 4. Accessory structures shall not exceed the permitted height of the principal structure.
- F. Bulk: No structure, or combination of structures (principal and/or accessory), shall be permitted to exceed the following percentages of the lot area:
  - 1. Single family residence - thirty (30) percent.
  - 2. Duplex - forty (40) percent.
- G. Architectural Projections: No eave, cornice, chimney, bay window, stair landing or other structural attachment shall project more than thirty-six (36) inches into any required yard.
- H. Gross density: Where a group of multi-family dwellings or a mobile home park is proposed, the maximum number of dwelling units per acre shall not exceed the following:
  - 1. Duplex four (4) units
  - 2. Mobile Home Park six (6) units

## **9.6 Performance Standards**

Environmental impact regulations for the R-3 Rural Residential District are contained in Article VI.

## **9.7 Permits**

All permits for construction, use and occupancy of structures, and for the use and occupancy of land in this district are required in accordance with procedures outlined in Article XVII.

ARTICLE X

**WCV Weber's Corner Village District Regulations**

**10.1 Purpose**

- A. Provide for a compatible mix of residential and small-scale commercial uses to serve the surrounding residential development.
- B. Integrate the following land uses into a single, cohesive neighborhood:
  - 1. Residential development - Lots intended for the placement of dwellings fronting on public streets. Residential lots may be occupied by more than one dwelling but, other than home occupations, shall be utilized exclusively for residential purposes.
  - 2. Non-residential development - Lots developed for commercial or office purposes only.
  - 3. Mixed-use development - Buildings designed to accommodate any combination of residential and/or non-residential uses. Mixed-use buildings should generally front on a centrally located area or occupy other prominent central locations.
  - 4. Civic amenities - Centrally located areas of private and public improvements for the intended purpose of accommodating cultural education and municipal activities.
- C. Establish pedestrian-oriented development by encouraging the provision of streetscape and civic amenities.

**10.2 Authorized Uses**

In the Weber's Corner Village District the following uses are authorized:

- A. See Section 3.1 Land Uses
- B. Conditional Uses
  - 1. Home-Occupation, Low Impact subject to the following requirements:
    - a. Such use shall be located within the dwelling unit of the person providing the professional and personal services and shall be clearly incidental to the structure's use as a residence.
    - b. Not more than ten (10) percent of the square footage of the principal use shall be devoted to the accessory non-medical office use.

- c. Signs shall be permitted in accordance with Article XIII.
- 2. Office, business and/or professional (> 5,000 sf), subject to the following:
  - a. A traffic impact analysis shall be required to be provided by the Applicant and approved by the Township Engineer, which shall demonstrate the following:
    - i. The projected impact of the proposed development on all intersections within one quarter (.25) miles from the site.
    - ii. The location of interior circulation signage and the need for traffic control signage or facilities on abutting public rights-of-way, where warranted.
- 3. Office, Medical
  - a. The Township shall require the landowner and/or developer to prepare and submit a traffic impact analysis of the proposed development.
- 4. Single-Family Detached Dwelling
  - a. The maximum lot area of a single-family dwelling shall be one (1) acre.
- 5. Duplex subject to the following requirements:
  - a. The minimum lot area of a duplex shall be 21,780 square feet.
  - b. The minimum lot width shall be one (100) hundred feet.
  - c. Structure coverage shall not exceed thirty-five (35) percent of lot area.

### **10.3 Street System and Parking Requirements**

- A. To minimize pedestrian and vehicle conflicts, the street system within the Weber's Corner Village District shall act as a functional and visual link between residential neighborhoods, open spaces, civic and non-residential uses.
- B. The circulation system shall include streets, alleys, service/access drives and parking aisles. All streets and access/service drives shall conform to the Township's Construction Standards and shall be dedicated to the Township upon request.
- C. Parking areas shall be constructed within centralized location(s) accessible to multiple land uses. Multiple parking areas shall be inter-connected to the greatest extent possible.

- D. If said shared layout, described in (C) above, can be demonstrated not to be physically feasible, then no more than twenty-five (25) percent of all required parking spaces shall be permitted at the front of buildings adjacent to Glen Mitchell or Weber Roads. Remaining spaces shall be located to the rear or side of the lot's structures.
- E. All parking, loading, and service areas shall be located between the building's rear face and the rear lot line.
- F. Parking lots shall be designed so that adjacent lots are interconnected, allowing for secondary vehicular movements and minimizing congestion on the arterial roadways. The landowner and/or developer of the lot shall construct an access from the lot to any adjoining lots for the purpose of providing immediate or potential automobile access between developments.
- G. The design and construction of all vehicular cartways and parking areas shall incorporate concrete curbs.
- H. A minimum five (5)-foot wide planting strip shall be provided for the installation of street trees along all streets. The planting strip shall be located behind the back of the curb.
- I. With the exception of alleys, vehicular cartways shall be twenty-four (24) feet in width as measured between the inside of curbs.
- J. Outdoor storage and/or outdoor sale of goods and the like shall not be permitted within the Weber's Corner Village District.

#### **10.4 Lot Area, Yard, Height, Bulk and Orientation Requirements**

- A. The maximum number of dwelling units per acre (gross density) shall be seven (7). Otherwise, the minimum lot area in the Weber's Corner Village District shall be 21,780 square feet.
- B. The maximum gross building square footage within the Weber's Corner Village District shall be ten thousand (10,000) square feet per lot.
- C. Yard dimensions and setbacks
  - 1. The minimum front yard setback for buildings shall be thirty-five (35) feet.
  - 2. The minimum setback of any parking area from the Glen Mitchell or Weber Road rights-of-way shall be fifteen (15) feet.
  - 3. The minimum side yard setback for buildings and parking areas shall be ten (10) feet.



4. The minimum rear yard setback for non-residential buildings shall be thirty-five (35) feet when adjacent to any residential land use or vacant land zoned residential. The minimum rear yard setback for buildings shall otherwise be twenty-five (25) feet.
  5. The minimum rear yard setback for parking areas shall be fifteen (15) feet and include applicable landscaping/screening per the provisions of this Ordinance.
- D. Building Height. The maximum building height in the Weber's Corner Village District shall be two (2) stories.
  - E. The maximum floor area ratio of all buildings in the Weber's Corner Village District shall be 0.50.
  - F. The maximum amount of impervious area shall be seventy-five (75) percent.
  - G. Eighty (80) percent of window glazing in all non-residential buildings located within the Weber's Corner Village District shall be transparent.
    1. No front facade on the ground floor of any building or structure shall have less than seventy-five (75) percent of its surface area constructed of glazing.
    2. No front or rear facade on the upper floor of any building or structure shall have less than fifty (50) percent of its surface area constructed of glazing.
  - H. A development proposed within the Weber's Corner Village District shall be based on a Development Plan submitted as part of an application for Tentative Approval or the Preliminary Approval of a subdivision or land development. The Development Plan may be prepared and submitted by a landowner and/or developer and shall be recommended by the Township Planning Commission and approved by the Township Board of Commissioners.

## **10.5 Landscaping**

- A. Landscaping in the Weber's Corner Village District shall conform to the requirements of Section 6.3, except that where the following requirements are stricter.
- B. Any part or portion of a lot which is not used for buildings, other structures, loading or parking spaces and aisles, sidewalks and designated storage areas shall be planted with native and/or non-invasive trees, shrubs and groundcover and shall be landscaped in accordance with the landscape plan prepared for the lot.
- C. The landowner and/or developer shall provide:

1. A minimum ten (10) foot wide building perimeter landscape area immediately adjacent to the principal building foundation; and
  2. When applicable, uses as listed in Section 3.1.D.2.a shall provide screening as described in said section.
  3. A building perimeter landscaping area shall consist of native and/or non-invasive trees, shrubs and groundcover. The landowner and/or developer shall provide a minimum of two (2) shrubs and three (3) ground cover-type plants per ten (10) linear feet of each building facade.
  4. A minimum of two (2) native and/or non-invasive trees shall be provided, whether existing or proposed, for every twenty-five thousand (25,000) square feet of lot area or portion thereof. Street trees shall be not be used in the calculations to meet this requirement
- D. Native and/or non-invasive street trees shall be a minimum of four (4) inches in diameter at breast height (dbh). One (1) tree shall be planted a maximum average of every thirty-five (35) feet on center within buffer areas and along all streets.
- E. One (1) landscape island measuring one hundred-fifty (150) square feet in area shall be constructed for every seven (7) parking spaces. The island shall contain a minimum of one (1) native and/or non-invasive deciduous tree a minimum of four (4) inches in diameter at breast height (dbh). Native and/or non-invasive groundcover shall be provided for a minimum of fifty (50) percent of the landscape island's area at installation.

#### **10.6 Sidewalks.**

- A. In addition to the applicable plans, studies and reports as required as part of this Ordinance, all landowners and/or developers shall prepare a sidewalk plan that shall illustrate all facilities for pedestrian movement and that shall comply with Township Construction Standards or other applicable Ordinances.
- B. Sidewalks shall be constructed along all rights-of-way including both sides of each road that is internal to a development. Sidewalks shall be interconnected with one another and shall minimize conflicts with vehicular circulation.
- C. Sidewalks immediately adjacent to buildings shall have a minimum width of six (6) feet. Sidewalks within parking lots or that connect parking lots to a building shall have a minimum width of five (5) feet. Sidewalks or pedestrian connections adjacent to a public right-of-way shall be a minimum of five (5) feet wide.

- D. Sidewalks are permitted within the building foundation landscape area but shall not exceed fifty (50) percent of the total area along each facade. Sidewalks shall be constructed of concrete, brick or stone in accordance with Township standards.

**10.7 General requirements**

- A. Dumpsters, mechanical equipment areas and fire escapes shall not be visible from public right-of-ways, adjacent residential lots, on-site residential development or from lots in surrounding residential districts. Dumpsters shall be fenced and locked and shall not contain hazardous and/or medical waste.
- B. All utilities located within a land development situated within the Weber's Corner Village District shall be located underground.

ARTICLE XI

**C-2 Commercial Industrial District Regulations**

**11.1 Purpose**

The C-2 Commercial Industrial District is hereby established in order to provide for a variety of commercial and light industrial uses and economic opportunities relative to those uses.

**11.2 Authorized Uses**

- A. See Section 3.1 Land Uses.
- B. Private Club subject to the following requirements:
  - 1. Shall be of a service nature and not conducted as a for-profit-making business.
  - 2. Shall be open to members and their guests only.
  - 3. Shall have two (2) point of vehicular access.
  - 4. Outdoor recreation areas shall be located a minimum of thirty (30) feet from the closest property line.
  - 5. The perimeter of the lot accommodating such use shall be planted or fenced in accordance with the provisions of this Ordinance to discourage public access.
- C. Emergency Service Facility subject to the following requirements:
  - 1. Minimum lot area shall be one acre.
  - 2. Controlled vehicular access shall be provided.
  - 3. Fund raising events of an assembly nature shall not be held more than once each month.
- D. Retail Center subject to the following requirements:
  - 1. Single or multi use structures, strip malls and retail centers in excess of fifty thousand (50,000) square feet shall demonstrate:
    - a. The projected traffic impact analysis on the Township's road network.

- b. The location of interior circulation signage and the need for traffic control signage or facilities on abutting public rights-of-way, where warranted.
  2. A minimum eighteen (18) foot wide fire lane shall be provided on at least two (2) sides of the structure. Traffic access aiseways may function as fire lanes.
- G. Service Business subject to the following requirements:
  1. For the purpose of this Article, the following service businesses are considered conditional uses in the C-2 Commercial Industrial District:
    - a. Barber Shop
    - b. Beautician salon
    - c. Laundry and dry cleaner
    - d. Shoe repair
    - e. Tailor
    - f. Photography studio
    - g. Travel agency
    - h. Tax preparation
  2. Businesses of a service nature not listed in Subsection A may be considered appropriate as conditional uses at the discretion of the Planning Commission and Board of Commissioners.
- H. Financial Establishments including banks, savings and loan associations, credit unions and similar institutions.
- I. Sit-Down Restaurant subject to the following requirements:
  1. All food and beverage must be served by persons employed by the restaurant.
  2. Seating at tables, counters or booths inside the structure shall take place.
  3. Take-out service may be offered.
  4. The sale and consumption of alcoholic beverages must be incidental to the sale and consumption of food.
- J. Fast-Food Restaurant: Subject to the following requirements:
  1. An interior circulation plan shall be submitted illustrating a minimum of three (3) consecutive vehicles in stacking position.

*Aleppo Township Zoning Ordinance*  
*ASO Updates*

2. A minimum eighteen (18) foot wide fire land shall be provided on at least two (2) sides of the structure. Traffic access aisleways may function as fire lanes.
- K. Small Appliance and Mechanical Repair excluding state licensed motor vehicle repair.
- L. Heavy Equipment Service and Repair including trucks, excavating equipment and industrial machinery.
- M. Temporary Use as provided for in Article XVII.
- N. Communication Tower (See Section 5.14).
- O. Adult Entertainment Establishment, subject to the following requirements.
1. No adult entertainment establishment shall be located within two thousand (2,000) feet of another adult entertainment establishment, as measured from property line to property line.
  2. No adult entertainment establishment shall be located within one thousand (1,000) feet of any of the following land uses:
    - a. church
    - b. school
    - c. school bus stop
    - d. child care facility
    - e. nursery school
    - f. park
    - g. playground
    - h. community center
    - i. public library.
  3. No stock in trade which depicts, describes or relates to "specified sexual activities" and/or "specified anatomical areas" as defined herein, shall be permitted to be viewed from the street, sidewalk or highway.
  4. No sign which can be viewed by the public which depicts, describes or relates to "specified sexual activities" and/or "specified anatomical areas" shall be permitted.
- P. Wind Turbine, Industrial subject to the following:
1. No said systems or equipment shall be erected within a front or side yard or outside the building envelope. All windmills, wind turbines and windwheels shall maintain a setback from any adjoining side or rear lot line equivalent to one hundred and twenty-five (125) percent of the maximum

height of the windmill, wind turbine and/or wind wheel as measured from its point of anchoring to the outer tip of its rotor blade.

2. The structure supporting the wind rotor unit, including any necessary guideposts and supporting cables shall be certified by a professional structure engineer licensed as such in Pennsylvania.
3. All owners of a WECS shall provide the Borough with a structural safety assessment report prepared by a professional structural engineer licensed as such in Pennsylvania every five (5) years. Said reports shall be provided to the Zoning Officer on the anniversary date of when the zoning certificate was issued.
4. All electric lines/utility wires shall be buried underground and installed in accordance with applicable building and electrical codes.
6. Any mechanical equipment associated and necessary for operation, including a building or structure for batteries and storage cells, shall be enclosed by an eight (8) foot high fence with screening planting in accordance with this Chapter.

Q. Cemetery or Mausoleum.

1. The minimum lot area shall be twenty-five (25) acres; the maximum lot area shall be one hundred (100) acres.
2. A drainage plan, showing the lot's existing and proposed runoff characteristics, shall be submitted with the application for approval.
3. An additional ten (10) feet of yard setback with landscape buffering a minimum of six (6) feet in height for off-street parking, loading areas, outdoor service areas and storage areas shall be provided as defined by this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.
4. At no time shall a corpse be exposed or visible from a public street or adjacent lot.
5. An inventory of type and quantity of all toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases or solids utilized, stored and/or transferred shall be filed with the Township on an annual basis.
6. The owner(s) and operator(s) of a cemetery shall incorporate Best Management Practices as outlined in the Pennsylvania Handbook of Best Management Practices for Developing Areas to minimize negative impacts of erosion, siltation and surface water and groundwater contamination.

7. No more than one (1) sign shall be permitted; said sign shall be a ground or a wall sign.

R. Place of worship/assembly.

1. All buildings and structures shall be setback at least one hundred (100) feet from all lot lines and right-of-ways.
2. A place of worship shall have direct access to an arterial or collector street. The point of ingress/egress shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.
3. Hours of operation and worship events shall be scheduled to minimize negative impacts on the surrounding neighborhood.
4. All dumpsters and/or waste collection areas shall be enclosed by a solid masonry screen.
5. Maximum height of outdoor parking area and roadway lighting shall be twenty-five (25) feet.
6. As a part of all land development, the landowner and /or developer shall provide a plan for photometrics of the lot. Illumination, when measured at a lot line, shall be a maximum of twenty-five hundredths (0.25) foot candles.
7. If the parking area for a place of worship or place of assembly is adjacent to a single-family residential lot, any parking areas that demand greater than ten (10) automobiles, the following shall apply:
  - a. An additional ten (10) foot setback with one (1) of the following shall be provided along the parking lot's perimeter to minimize the impact of inappropriate noise, dust, light and other disturbances on adjacent residential development.
    - (i) One and one-half times (1.5x) the required number of plants for screening and buffering off-street parking and loading areas; or
    - (ii) A mound, a minimum of three and one-half (3 1/2) feet in height at its peak, shall be constructed whereas the sides do not exceed a four foot horizontal to one foot vertical (4:1) change in elevation. The mound shall be landscaped with plants that provide four seasons of interest not including turf grass. The landowner and/or developer shall coordinate lot drainage so that lot development and grading do not create any adverse effects on adjacent properties.



S. Research Laboratory:

1. Any outdoor storage conducted on the lot shall comply with the regulations for outdoor storage as defined in this Chapter.
2. A research and development facility shall have one (1) point of ingress and egress to an arterial road.
3. Hours of operation and activities must be appropriately scheduled to protect the operation of the surrounding neighborhood from detrimental noise, dust, odor, vibration, light or other disturbance or interruption.
4. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.
5. An inventory of toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases or solids shall be updated annually and filed with the Township Fire Marshal.
6. No more than one (1) sign shall be permitted; said sign shall be a ground or a wall sign.

T. Public Park or Recreation Facility subject to the following requirements:

1. Adequate provision for interior circulation and access must be demonstrated.
2. Exterior lighting must be installed with no impact of glare on adjacent lots.
3. The perimeter of an outdoor recreation area shall be screened with natural plantings or fencing a minimum of four (4) feet in height and with a maximum of fifteen (15) percent transparency.

U. Private Recreation Facility

1. Compliance with all land development criteria shall be a prerequisite for building permit issuance.
2. A twenty (20) foot deep bufferyard shall be provided along the entire length of any property line abutting a developed residential lot. A planting screen of varying heights (no less than four (4) feet in height) plus consisting of a fifty (50) percent-fifty (50) percent mix of evergreens and deciduous trees or opaque fencing shall be installed within said bufferyard to achieve an overall maximum transparency of fifteen (15) percent.

## **11.4 Parking**

1. See Section 4.1.G

### **11.5 Lot Area, Yard, Bulk and Height Requirements**

- A. All permitted and conditional uses shall be conducted on lots with a minimum area of twenty thousand (20,000) square feet.
- B. Yard dimensions: All distances are to be measured to the face of the structure on lot, relative to its orientation:
  - 1. Front yard - thirty (30) feet from right-of-way line.
  - 2. Side yard - ten (10) feet from side property line.
  - 3. Rear yard - twenty-five (25) feet from rear property line or right-of-way line.
- C. Height: Any structure in excess of five stories on a lot abutting an R-1 or R-2 District boundary line shall be set back an additional fifteen (15) feet from the adjoining lot lines for each story over five (5).
- D. Bulk: No structure or combination of structures shall occupy in excess of sixty-five (65) percent of the total lot area.

### **11.6 Performance Standards**

Environmental impact regulations for the C-2 Commercial Industrial District are contained in Article VI.

#### 11.7 Site Design Criteria

All land developments in the C-2 Commercial Industrial District shall comply with the provisions of Articles III and IV.

### **11.8 Permits and Construction**

All permits for the construction use and occupancy of structures, and for the occupancy of land in this district are required in accordance with procedures outlined in Article XVII.

## ARTICLE XII

### Planned Residential Development

#### **12.1 Planned Residential Development:**

- A. Purpose: The purpose of the Planned Residential Development (PRD) regulations is to permit residential development as the conditional use which is more creative and imaginative than is generally possible under conventional zoning district controls and subdivision requirements. Further, these regulations are intended to promote more economical and efficient use of the land while providing a compatible blend of housing types, amenities and community facilities of high quality, oriented to the specific development site and preservation of the natural scenic qualities of open areas.
- B. Application: A PRD may be permitted as defined on Table 1, subject to the standards, restrictions, qualifications, criteria, requirements, conditions, regulations and procedures enumerated, as set forth herein. Certain provisions of this Ordinance and the respective Subdivision Ordinance shall not be applied to PRD proposals accepted for review, except when specifically indicated by the provisions contained herein.

#### **12.2 Ownership Requirements**

- A. The minimum land area for a PRD shall be ten (10) contiguous acres. Public easements or private roads shall not be construed as an interruption or division of a tract of land proposed for a PRD.
- B. Prior to the Pre-Application Conference, the developer of a PRD shall evidence a full ownership interest in the land, which for purposes of this ordinance shall be either legal title or an executed binding sales agreement evidencing equitable title in it.
- C. A PRD shall be in single legal, as well as equitable, ownership coincident with approval of the Final Development Plan.

#### **12.3 Availability of Public Services and Access**

- A. Where the municipality determines that public sewage and water facilities are available and are capable of being extended to the development site, the developer shall connect the PRD to such facilities.
- B. In the absence of public sewage facilities, the developer shall provide within a PRD a sanitary sewage system acceptable to Aleppo Township and which shall be subject to the standards, rules and regulations of Allegheny County and the

Department of Environmental Protection of the Commonwealth of Pennsylvania or any successor thereto.

- C. Central water services shall be supplied to each building or structure to be erected in a PRD.
- D. The developer shall provide within a PRD a storm drainage system which shall be of sufficient size and design to collect, carry off and dispose of all predictable surface water run-off within the PRD and shall be so constructed as to conform with applicable statutes, ordinances, and regulations of the Commonwealth of Pennsylvania and Aleppo Township and to conform to the requirements of Subdivision Ordinance #105.
- E. A PRD shall be related to the local regional highway systems. The developer must demonstrate through a traffic study and report to the satisfaction of the Township that traffic circulation problems will not be created and that the proposed road system is adequate in terms of traffic volume capacity and construction type to accommodate the projected PRD generated traffic.

#### **12.4 Administration and Procedures**

- A. The PRD provisions of this Ordinance shall be applied by the Township, which shall review all applications on the basis of specified standards, restrictions, qualifications, criteria, requirements, conditions, regulations and procedures. The Board of Commissioners shall conduct public hearings and have final authority to approve, modify or disapprove a PRD.
- B. A developer shall obtain required approvals for a PRD by following a four (4) step review process which shall consist of a Pre-Application Conference, a Preliminary Development Plan Review, Public Hearings, and a Final Development Plan Review.
  - 1. Pre-Application Conference: Each applicant may confer with the Township Secretary to schedule a Pre-Application Conference. It shall be the responsibility of the Township Secretary to arrange a conference with the Planning Commission. The conference shall include members of the Planning Commission and designated members of the Board of Commissioners. The Solicitor, local utility service representatives, Township Engineer, Police Department and others deemed appropriate may also be requested to attend such conference. Items to be addressed at the pre-application conference shall include but not be limited to the following:
    - a. Location of the proposed PRD site;
    - b. Points of access and road names;
    - c. Utilities and location of utility line extensions;

- d. Topography of the proposed PRD site;
  - e. Conceptual stormwater management plan; and
  - f. Significant stands of trees, size and species.
2. Preliminary Development Plan (Application for Tentative Approval): Within one hundred and twenty (120) days following the Pre-Application Conference, fifteen (15) copies of a Preliminary Development Plan shall be presented in sufficient detail to provide the Planning Commission with a major substantive review of the proposed PRD, which Preliminary Development Plan shall constitute the Application for Tentative Approval. The following documentation shall be submitted in support of the Application:
- a. Written Documents:
    - i. A legal description of the total tract proposed for development, including a statement of present and proposed ownership.
    - ii. A statement of planning objective to be achieved by the PRD through the particular approach proposed by the developer. The statement shall include a description of the character of the proposed development.
    - iii. Quantitative data for the following: total number and type of dwelling units, parcel size, proposed lot coverage of buildings and structures, approximate gross and net residential densities, total amount of open space (including a separate figure for common open space and usable open space), economic feasibility studies or market analyses where reasonably necessary and other studies as may be designated by the Township.
    - iv. Preliminary geo-technical report.
    - v. Preliminary stormwater management report.
    - vi. Traffic study and report.
  - b. Location Map: This map shall clearly show the location and area of the tract proposed for development with relation to all lands, buildings and structures within five hundred (500) feet of its boundaries, the location and distance to existing related highways, streets or roads and the names of owners of properties adjacent to the tract.

- c. Site Plan and Supporting Maps: A site plan at a scale no smaller than one inch equals fifty feet (1"=50') and any maps necessary in the opinion of the Township on a scale as required by it to show the major details of the proposed PRD, which site plan and maps shall also contain the following minimum information:
  - i. The existing site conditions including Slope Map (contours at a minimum intervals of five (5) feet), watercourses, floodplains, forest cover, soils, and natural features considered significant by the Township.
  - ii. Proposed lot lines and subdivision plan, if any.
  - iii. The location of all existing and proposed buildings, structures, and other improvements, including maximum heights, types of dwelling units and density per type. Preliminary elevations and/or architectural renderings of typical structures shall be provided. Such drawings shall be sufficient to relay the basic architectural intent of the proposed improvements.
  - iv. The location and size in acres or square feet of all areas to be conveyed, dedicated or reserved as common open space.
  - v. The existing and proposed vehicular circulation system of collector and local streets or roads, including off-street parking areas, service areas, loading areas and major points of access to public rights-of-way (including major points of ingress and egress to the development).
  - vi. The existing and proposed pedestrian circulation system, including its interrelationships with the vehicular circulation system and indicating proposed treatment of points of conflict.
  - vii. The existing and proposed utilities systems, including sanitary sewers, storm sewers, water, electric, gas, cable T.V. and telephone lines.
  - viii. Any additional information required by the Township deemed as necessary for it to evaluate the character and impact of the proposed PRD.
  - ix. The Buildable Area Analysis as required. All applications for PRD approval must meet the requirements of §5.15 Natural Resource Protection Overlay.

- d. Projected Scheduling of Stages: In the case of development plans which call for development over a period of years, a schedule showing such stages shall be provided. This schedule shall be reviewed annually with the Planning Commission by the developer on the anniversary of the tentative approval or as each stage of development is completed, whichever shall first occur.
3. Public Hearings and Approval:
- a. Within sixty (60) days following receipt of a completed Application for Tentative Approval of a PRD, with required documentation, a public hearing pursuant to public notice on such Application shall be held by the Board of Commissioners. Said public hearing may be continued from time to time but shall be concluded no more than sixty (60) days after the date of the first public hearing.
  - b. The Board of Commissioners may offer mediation as an aid in completing proceedings authorized by this Article prior to final approval as outlined in Article XV.
  - c. The Board within sixty (60) days following the conclusion of the public hearing or within one hundred eighty (180) days after the date of filing of the application, which occurs first, shall, by official written communication to the developer, either:
    - i. Grant tentative approval of the Preliminary Development as submitted;
    - ii. Grant tentative approval of the Preliminary Development Plan subject to specified conditions not included in the Preliminary Development Plan as submitted; or
    - iii. Deny tentative approval.
  - d. Failure to so act within such period of time shall be deemed to be a grant of tentative approval of the Preliminary Development Plan as submitted. In the event, however, that the tentative approval of the Preliminary Development Plan is granted subject to specified conditions, the developer may within thirty (30) days after receiving a copy of the official written communication of the Board of Commissioners notify such Board of his refusal to accept all such conditions, in which event tentative approval of the Preliminary Development Plan is deemed to be denied. In the event the developer does not, within said period, notify the Board of Commissioners of his refusal to accept all said conditions, tentative approval of the Preliminary Development Plan, with all said conditions, shall stand as granted.

- e. 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 shall 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 interest, including, but not limited to, findings of fact and conclusions on the following:
  - i. In those respects in which the development is or is not consistent with the comprehensive plan for the development of the Township.
  - ii. 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.
  - iii. The purpose, location and amount of the common open space in the planned residential development, the reliability of the propose 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 proposed density and type of residential development;
  - iv. 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;
  - v. The relationship, beneficial or adverse, of the proposed planned residential development to the neighborhood in which it is proposed to be established; and
  - vi. In the case of a development plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public and of the residents of the planned residential development in the integrity of the development plan.
- f. In the event a development plan is granted tentative approval, with or without conditions, the Board of Commissioners 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 three (3) 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 be not less than twelve (12) months.

4. Criteria for Tentative Approval: The Board of Commissioners may give tentative approval to a Preliminary Development Plan, if and only if, it is found to meet the following criteria:
  - a. The proposed Preliminary Development Plan complies with all standards, restrictions, qualifications, criteria, requirements, conditions, regulations, and procedures of this Ordinance, preserves the Community Development Objectives of this Ordinance and complies with all relevant county and state regulations.
  - b. Where the proposed Preliminary Development Plan provides standards varying from those in this Ordinance and the Township Subdivision Ordinance otherwise applicable to the subject property, such departure is in the public interest and promotes the conservation of the environment, health, safety and general welfare of the public.
  - c. The proposals for the maintenance and conservation of any proposed common open space are reliable and meet the standards of this Ordinance, and the amount and extent of improvements of the remaining land are appropriate with respect to the purpose, use and type of residential development proposed.
  - d. The physical design of the proposed Preliminary Development Plan adequately provides for public services, traffic facilities and parking, light, air, recreation and visual enjoyment.
  - e. The total environment of the proposed Preliminary Development Plan, including lot layout and design, street configuration and preservation of natural amenities, is consistent with the neighborhood in which it is located.
  - f. The proposed Preliminary Development Plan will afford adequate protection of natural water courses, topsoil, trees, and other features of the natural environment and will prevent erosion, landslides, siltation and flooding.

- g. In the case of a Preliminary Development Plan which proposes development over a period of years, the terms and conditions thereof are sufficient to protect the interest of the public and of the residents of the PRD in the integrity of the Final Development Plan.
  - h. The grant or denial of tentative approval shall include findings of fact relating to the proposed Preliminary Development as submitted for approval and reasons for such decisions shall be set forth with particularity, including but not limited to whether the proposed Preliminary Development Plan would or would not be in the public interest with respect to each of the above criteria.
5. Final Development Plan (Application for Final Approval): After the Preliminary Development Plan is tentatively approved by the Board of Commissioners, the developer shall thereafter submit fifteen (15) copies of the Final Development Plan, which shall consist of detail plans for any part or section of the land for which he desired final approval, which Final Development Plan constitute the Application for Final Approval. No building permit shall be issued until after final approval by the Board of Commissioners of the detailed plans for the part or section in which the proposed development is located. Final approval of any detailed plans shall lapse unless construction is started in that part or section within one (1) year after such approval.
- a. 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 the ordinance and the official written communication of tentative approval, the municipality shall, within 45 days from the date of the regular meeting or the governing body or the planning agency, whichever first reviews the application, next following the date the application is filed, grant such development plan final approval. Provided, however, that should the next regular meeting occur more than 30 days following the filing of the application, the 45-day period shall be measured from the 30th day following the day the application has been filed.
  - b. Changes in the location and siting of building structures deemed minor by the Board of Commissioners may be authorized by it without additional public hearings, if required by engineering or other circumstances not foreseen at the time the Preliminary Development Plan was tentatively approved. However, gross and net density established by the tentatively approved Preliminary Plan shall not change.
  - c. The Final Development Plan shall comply with the provisions of other existing ordinances related to development within the Township, County and State shall include:

- i. All data required for final plan as specified in Subdivision Ordinance #105.
- ii. Accurately dimensioned locations of all proposed buildings, structures, parking areas and common open space.
- iii. The number of families to be housed in each building or structure and intended use of each building or structure.
- iv. A statement indicating those units or buildings which will be retained by the developer, his heirs or assigns for use as rental properties.
- v. The Landscape Development Plan, including the location and types of materials of sidewalks, trails, recreation facilities as permitted by this Ordinance.
  - a). A general landscape plan indicating the treatment and material used for active and passive open space.
  - b). The proposed landscaping treatment of the perimeter of the PRD.
- vi. Supplementary data to include any covenants, grant of easements or other restrictions to be imposed on the use of land, buildings and structures and provisions for the maintenance, ownership and operation of common open space facilities.
- vii. An engineering report which shall include the following data wherever pertinent: Profiles, cross sections and specifications for proposed highway, street or road improvements. Profiles and other explanatory data concerning installation of water distribution systems, storm sewers and sanitary sewers. Feasibility of the sewage system in terms of capacity to serve the proposed development.
- viii. An Erosion and Sedimentation Control Plan which shall specifically indicate all erosion and sedimentation control measures to be utilized on the site. The Erosion and Sedimentation Control Plan shall be designed to prevent accelerated erosion and sedimentation and shall consider all factors which contribute to erosion and sedimentation, including but not limited to the following:
  - a) The topographic features of the site area;
  - b) The types, depth, slope and extent of the soils by area;

- c) The proposed alteration to the site area;
  - d) The amount of runoff from the site area and the upstream watershed area;
  - e) The staging of earthmoving activities;
  - f) Temporary control measures and facilities of use during earthmoving.
  - g) Permanent control measures and facilities for long-term protection.
  - h) A maintenance program for the control facilities including disposal of materials removed from the control facilities or site area.
- ix. Final geo-technical report indicating subsurface conditions, including data on slope stability, past or possible future mining activity and operations for oil and gas as well as surface support for buildings and infrastructure.
  - x. A minimum of three (3) sections showing existing and proposed contours and their relationship to proposed buildings, structures, highways, streets, roads, parking areas and walkways and to existing woodlands.
  - xi. Evidence of compliance with the Environmental Performance Standards (Article VI).
  - xii. Location and type of temporary construction or sales office and equipment parking and storage areas.
  - xiii. Stormwater management report including, but not limited to pipe sizing, detention, infiltration and mitigation.
  - xiv. Any additional information required by the Township as necessary for it to evaluate the character and impact of the proposed PRD.
- d. In the event the development plan as submitted contains variations from the development plan given tentative approval, the approving body may refuse to grant final approval and shall, within 45 days from the date of the regular meeting of the governing body or the planning agency, whichever first reviews the application, next following the date the application is filed, 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. Provided, however, that should the next regular meeting occur more than 30

days following the filing of the application, the 45-day period shall be measured from the 30<sup>th</sup> day following the day the application has been filed. In the event of such refusal, the landowner may either:

- i. Refile his Application for Final Approval without the variations objected to, in which case the Board of Commissioners shall, within thirty (30) days of such refiling, grant such Final Development Plan final approval; or
  - ii. File a written request with the Board of Commissioners for a public hearing on the refused Application for Final Approval, in which case the Board of Commissioners shall, within thirty (30) days following the conclusion of the public hearing, render its determination on the refused Application for Final Approval.
  - iii. 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 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 alternate 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 30 days after request for the hearing is made by the landowner, and the hearing shall be conducted in the manner described in this article for public hearings on applications for tentative approval. Within 30 days after the conclusion of the hearing, the approving body 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 article. Failure of the governing body or agency to render a decision on an application for final approval and communicate it to the applicant within the time and in the manner required by this section shall be deemed an approval of the application for final approval, as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner or presentation of communication shall have like effect.
- e. The Final Development Plan, or any part thereof, which has been given final approval shall be so certified without delay by the Board of Commissioners and shall be recorded forthwith by the developer in the

office of the Recorder of Deeds of Allegheny County before any development shall take place.

- f. If the sequence of construction of various portions of the Development is to occur in stages, then the common open space and/or recreational facilities shall be developed, or development commitment made thereto, in proportion to the number of dwelling units intended to be developed during any given stage of construction as approved. Furthermore, at no time during the construction of the Development shall the number of constructed dwelling units per acre of developed land exceed the overall density per acre established by the approved Final Development Plan.

## **12.5 Standards and Requirements**

- A. Density: Residential density shall not exceed six (6) permissible dwellings per any one (1) acre of netbuildable area, as defined, although such dwelling may be clustered. The Board of Commissioners reserves the right to make a density level more restrictive in any part of the proposed PRD where it determines that:
  1. The average grade of any part of the land area, prior to development, is twenty-five percent (25%) or greater; or
  2. There is unsafe or inadequate vehicular access to the Development; or
  3. Traffic congestion of adjoining highways, streets or roads will be generated which is beyond the safe carrying capacity thereof as determined by accepted standards; or
  4. There is another unsafe condition created by any part of the developer's proposed density level.
- B. Lot and Building or Structure Requirements:
  1. Lot Area: There shall be no minimum lot area, percentage of lot coverage or lot width. However, every one (1) family dwelling shall have access to a common street, road, court, walk or other area available for use. No other structure or group of structures shall be erected within twenty (20) feet of any other structure or group of structures.
  2. Buffer: There shall be a bufferyard of at least twenty-five (25) feet along the entire perimeter of each PRD tract, within which no construction or disturbance of existing vegetation shall be permitted except as specifically provided for.
  3. Length: There shall be no continuous building or structure of townhouses containing more than six (6) dwelling units.
  4. Location of Buildings or Structures: The proposed location and arrangement of buildings or structures shall be such that sunlight or air from the direction of adjacent buildings or structures within the development site area or from existing buildings or structures located adjacent to the proposed

development, are not obstructed to the extent that such arrangement is possible.

C. Common Open Space:

1. Area Limitation: Within a PRD the following percentages of the total gross land area shall be devoted to specified use as indicated herein;
  - a. A minimum of thirty (30) percent of the site area, exclusive of road rights-of-way, easements and stormwater detention facilities, shall be set aside and preserved for common open space. Where significant or unique natural amenities exist on the site, the Board of Commissioners shall have the authority to enforce their preservation as part of the required common open space. These amenities may include, but are not limited to, natural features such as rock outcroppings, virgin timber, groves of trees, ravines, ponds, stream beds and stream valleys. Common open space may be of two (2) types:
    - i. Improved: Active land area of the site containing recreational structures and facilities, as long as the total impervious surfaces (paving, roofs, etc.) constitute no more than five (5) percent of the improved common open space.
    - ii. Unimproved: Passive land area of the site void of buildings, structures, parking areas, and street rights-of-way.
  - b. A maximum of seventy (70) percent of the site area may be devoted to residential use, which shall include building coverage, parking areas, private yards and courts which abut and serve residences or groups of residences and other usable space.
2. Protection of Common open space: Common open space between structures, including that space being used as common open space or usable space, shall be protected by adequate covenants running with the land or by conveyances or dedications. A PRD shall be approved subject to the submission of a legal instrument or instruments setting forth a plan and schedule for permanent care and maintenance of such space, recreational area and communally owned facilities. No such instrument shall be acceptable until approved by the Board of Commissioners following review by the Township Solicitor as to legal form and effect. In cases where Aleppo Township will not be accepting dedications of alleys, recreation area or common open space, the developer shall provide for an organization, or Homeowner's Association, for ownership and maintenance thereof including financial consideration for income necessary to maintain improvement.
3. Common open space Maintenance: In the event that the organization established to own and maintain common open space, or any successor thereto, shall at any time after establishment of the Final Development Plan

fail to maintain the common open space, including all alleys, driveways and recreational facilities, in reasonable order and condition in accordance with the Final Development Plan, the Municipality may take remedial action to cause the common open space to be properly maintained, as provided by the Pennsylvania Municipalities Planning Code, as amended.

D. Permitted Uses:

1. Land and buildings in a Planned Residential Development may be used for the following purposes:
  - a. Single Family dwellings.
  - b. Duplexes.
  - c. Townhouses.
  - d. Recreation facilities which are for the use of residents of the development and which shall only include hiking, walking or bicycle trails, tennis, paddle tennis, basketball and volleyball courts, putting greens, swimming pool and related facilities; and such additional recreational uses as deemed appropriate by the Township.
2. All buildings and structures on the perimeter of the development must be well-screened in a manner approved by the Township.
3. Each PRD shall be planned as an entity which includes an acceptable unitary site plan, mixture of housing types and land uses, usable common open space, site related vehicular and pedestrian circulation systems and preservation of significant natural features.

E. Parking: Parking shall be provided as follows:

1. The number of parking spaces shall be provided in accordance with the requirements of this Ordinance.
2. There shall be a minimum of one twenty-two (22) foot wide garage attached to each dwelling unit. Such space shall be situated under cover.
3. There shall be a minimum of one (1) nine (9) foot by eighteen (18) foot off-street parking space, excluding driveway for every two (2) dwelling units in the PRD for visitor parking placed within one hundred (100) feet of the dwelling units generating the need for such parking.
4. Visitor parking areas shall be designed to minimize excessive numbers of vehicles in any one (1) area. Continuous rows of more than six (6) vehicles shall be interrupted with a landscaped island.



F. Circulation:

1. Vehicular access within the PRD shall be designed to permit smooth traffic flow with the minimum hazard to vehicular or pedestrian traffic at intersections.
2. A pedestrian circulation or walkway system shall be established where stipulated by the Township and that system shall be reasonably segregated from vehicular traffic.
3. Streets and roads in a PRD should be designed and built to Township specifications and dedicated to public use but may be retained under private ownership. Any such dedication is not binding on the Township unless and until it is accepted by the enactment of an ordinance to that effect.

## **12.6 Surety and Improvements**

- A. The Board of Commissioners shall request an approved performance bond, irrevocable letter of credit, or such other acceptable security as determined by the Board of Commissioners following review by the Township Solicitor, to be furnished and filed with the Township Secretary. An escrow agreement and account approved by the Board of Commissioners as to form and content shall be required in the amount of one hundred and ten (110) percent of the estimated construction costs and engineering for each stage of development. All estimates of cost to be approved by the Township Engineer. Such escrow amount shall accompany the request for final approval of the Final Development Plan to insure completion of all public and private site improvements, streets, roads, parking areas, sewers, utilities, recreation facilities, stormwater management facilities, landscaping, plantings and screening.
- B. Before any grading or building permit may be issued in regard to the PRD, all agreements, contracts, deed restrictions, other instruments and sureties shall be in a form acceptable to the Municipality.

## **12.7 Fees**

- A. At the time of application for Tentative Approval and/or Final Approval of a PRD or a phase or section thereof, a fee established by the Board of Commissioners for review shall be payable to the Municipality.
- B. The developer shall also place into escrow sufficient funds as determined at the time of Final Approval Application, to provide for necessary Township contracted services including, but not limited to, engineering, inspection and review, legal costs, advertising and stenographic services. This page intentionally left blank.

**ARTICLE XIII**  
Signs

**13.1 Definition**

Any sign hereafter erected or maintained shall conform to the provisions of this Article and any other municipal ordinance or regulations. A sign is hereby defined as any signboard, ground sign, wall sign, illuminated sign, projecting sign, temporary sign, pylon or pole sign, marquee, awning, canopy or street clock and shall include any announcement, declaration, demonstration, display illustration or insignia used to advertise or promote the interests of any person when the same is oriented toward the public right-of-way and the view of the general public.

**13.2 Area of Signs**

The area of a sign shall be construed to include all lettering, wording and accompanying designs and symbols together with the background whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself.

- A. The area of a sign painted upon or applied to a building shall be considered to include all lettering, wording and accompanying designs or symbols together with any backing associated with the sign.
- B. Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or other regular geometric shape that can enclose such letter or symbols.
- C. In computing square foot area of a double-face sign, only one (1) side shall be considered provided both faces are identical. If the interior angle formed by the two (2) faces of the double-faced sign is greater than forty-five (45) degrees, then both sides of such sign shall be considered in calculating the sign area.

**13.3 Illumination of Signs**

- A. Directly Illuminated Sign: A sign designed to give forth artificial light directly (or through transparent or translucent material) from a source of light within such sign, including but not limited to neon and exposed lamp signs. Directly illuminated signs are not permitted.
- B. Indirectly Illuminated Sign: A sign illuminated with a light so shielded that no direct rays therefore are visible elsewhere on the lot where said illumination occurs. If such shielding device is defective, such sign shall be deemed to be a directly illuminated sign.

- C. Flashing Sign: An illuminated sign on which the artificial light is not maintained stationary and constant in intensity and color at all times when in use. Flashing signs are not permitted.
- D. Non-Illuminated Sign: A sign which is not illuminated either directly or indirectly.

### **13.4 Types of Signs**

- A. Free-standing Sign: A self-supporting sign resting on or supported by means of poles or standards on the ground. The height of free-standing signs shall be measured from the average grade at the sign base to the top of the sign. Free-standing signs shall not overhang the sidewalk. Exposed wires, chains or other connections shall not be made part of the permanent support of the free-standing sign.
- B. Building Mounted Sign (Flush): A sign mounted affixed to, applied to and/or parallel to a wall or other vertical building surface. Parallel signs shall not extend beyond the edge of any wall or other surface to which they are mounted or shall not project more than eight (8) inches from its surface.
- C. Projecting Sign: Any sign mounted to a wall or other vertical building surface other than a parallel sign. Projecting signs shall not project more than two (2) feet from the wall or surface to which they are mounted, shall not extend beyond the edge of any wall or any surface on which they are mounted, shall be at least eight (8) feet to the bottom of the sign above ground level immediately below and shall not in any interfere with normal pedestrian or vehicular traffic. No signs shall overhang or project above the public sidewalks, streets or alleys.
- D. On-Premise Sign: A sign which directs attention to an activity conducted on the same lot.
- E. Off-Premise Sign: A sign which directs attention to an activity not conducted on the same lot. Off-premise signs are not permitted except as noted in Section 13.6.2.
- F. Business Sign: An on-premise sign which directs attention to a business, commodity, service, industry or other activity which is sold, offered or conducted other than incidentally on the premises upon which such sign is located or to which it is affixed.
- G. Window Sign: A window sign is any business sign which is oriented to the public right-of-way and is attached to the outside or inside of a window. Only temporary window signs made from non-permanent material such as paper are permitted. All window signs shall be limited in size to twenty percent (20%) of the total glass area of the window.

### **13.5 Signs and Flags in Residential Districts and PRD's**

The following types of signs and flags and no other shall be permitted in Residential Districts and PRD's:

A. On-Premises Signs and Flags:

1. Non-illuminated signs displayed strictly for the direction, safety or convenience of the public, including signs which identify real estate for sale or rental, rest rooms, telephone booths, parking area entrances or exits, freight entrances or the like, provided the area of any one (1) side of any such sign shall not exceed two (2) square feet.
2. Flags representing governmental, education or religious organizations.
3. One (1) non-illuminated sign posted in conjunction with door bells or mailboxes, provided that the area on any one side of any such sign shall not exceed thirty-six (36) square inches.
4. One (1) sign for home occupation or accessory non-medical office indicating only names of persons and their occupations, provided that the area of any such sign shall not exceed two hundred (200) square inches. Provisions of Section 13.8 are not applicable to signs permitted by this paragraph.
5. One (1) non-illuminated or indirectly illuminated bulletin or announcement board or identification sign for a permitted institutional use, provided that the area on any one (1) side of any such sign shall not exceed twenty (20) square feet.
6. One (1) non-illuminated or indirectly illuminated sign in connection with a lawfully maintained nonconforming commercial or institutional use, provided that the area on any one (1) side of any such sign shall not exceed twelve (12) square feet.
7. Except for PRD's, one (1) temporary non-illuminated sign advertising the sale or rental of the premises upon which said sign has been erected, provided that the area of any such sign shall not exceed four (4) square feet and such sign shall be removed upon settlement or rental of the property. All signs shall be located at least fifteen (15) feet away from property line unless structure is located closer to front line.
8. Advertising the sale or rental of a unit in a PRD shall only be permitted as one (1) sign in the window of the dwelling, for sale or rental.
9. One (1) temporary non-illuminated sign erected in connection with the development or proposed development of the premises by a builder, contractor, developer or other persons interested in such sale or development, provided that the area of any such sign shall not exceed

twenty (20) square feet and such sign shall be removed within twenty (20) days after construction was begun on the last structure.

10. Temporary non-illuminated signs of mechanics or artisans may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected, provided that such signs shall be removed upon completion of work by the mechanic or artisan, and the total areas of all such signs shall not exceed six (6) square feet.
  11. Signs announcing no trespassing; signs indicating the private nature of the road, driveway or premises; and signs controlling the fishing or hunting on the premises, provided that the area of any one (1) side of any such sign shall not exceed two hundred (200) square inches.
  12. Non-illuminated or indirectly illuminated memorial signs or historical signs or tablets.
  13. Identification signs at the main entrance to a residential development. Such sign shall not exceed twenty-four (24) square feet exclusive of structure to which the sign is mounted.
- B. Off-Premises Signs: Off-premises signs are not permitted except as follows: Signs permitted within this section may also be on premises:
1. Signs necessary for the direction, regulation, and control of traffic, street name signs, legal notices, warnings at railroad crossings, and other official signs which are similarly authorized or erected by a duly constituted governmental body.
  2. Temporary non-illuminated signs directing persons to temporary exhibits, shows or events and sponsored by a nonprofit organization may be erected subject to the following requirements:
    - a. Signs shall not exceed twenty (20) square feet in area.
    - b. Signs shall not be posted earlier than four (4) weeks before the occurrence of the exhibit, show or event and shall be removed within one (1) week after termination of the exhibit, show or event.
    - c. Said signs shall be subject to applicable fees as set by the Township.

C. General Regulations in Residential Districts:

1. Free-standing roof signs are prohibited. Free-standing ground signs may not exceed six (6) feet to the top of the sign.

No sign shall violate the corner visibility restrictions in of Exhibit #1.

**13.6 Signs Permitted in the C-2 and WCV Commercial District**

A. On-Premises Signs: No on-premises sign shall be permitted except as follows:

1. All signs permitted at the standards prescribed therein except as otherwise provided in this Section.
2. Free-standing business signs, provided:
  - a. Only one (1) such sign shall be permitted on each property.
  - b. The area of any such sign shall not exceed twenty (20) square feet per half acre up to a maximum of eighty (80) square feet. Such sign may be double-faced.
  - c. Free-standing signs mounted or otherwise affixed to the roof of a building are not permitted.
  - d. The maximum height of free-standing business signs shall be eleven (11) feet from curb level to top of sign, with a minimum of six (6) feet from the bottom of the sign to grade where such sign is placed within fifty (50) feet of an intersection.
  - e. Gasoline Service Stations: Such stations shall be permitted one (1) free-standing brand-name sign in compliance with Section 2 herein. Such sign shall allow at least ten (10) feet from the bottom of the sign to grade. No flags, pennants, pin wheels, nor temporary signs shall be permitted.

B. Building Mounted Signs (Flush): A sign mounted parallel to a wall or other vertical building surface. Parallel signs shall not extend beyond the edge of any wall or other surface to which they are mounted or shall not project more than eight (8) inches from its surface.

C. Off-Premises Signs: All signs permitted in Section 13.6.2 at the standards prescribed therein shall be permitted in the WCV district.

D. Sign Controls for Free-standing Directory Signs in Industrial Parks: A sign listing the names of various business or professional establishments within a defined contiguous area to be erected primarily as a service to the motoring or the pedestrian public shall be permitted, subject to the following requirements:

1. Such signs shall be located on a property serviced by the sign.
2. Such signs shall be limited to one (1) at the main entrance.
3. Multiple directory signs may list only a name, address and primary product or service of each firm or business, and may contain a graphic directory (street map) to assist in locating destinations.
4. The respective permitted areas of information on multiple directory signs shall be limited to no more than three (3) square feet per firm listed, no more than ten (10) square feet per graphic directory and no more than three (3) square feet for a general sign title, provided that the total sign area does not exceed thirty-six (36) square feet.
5. Multiple directory signs shall be located a minimum of ten (10) feet from the street curb.
6. Multiple directory signs shall be located in a minimum of twenty-five (25) feet from the nearest paved edge of any street access driveway intersection.
7. Multiple directory signs shall not extend above a height of eight (8) feet.

### **13.7 General Sign Regulations**

- A. Flashing signs shall not be permitted in any district.
- B. Political signs not to exceed six (6) square feet in size shall be permitted. They may be erected four (4) weeks prior to election and shall be removed within one (1) week after the election. (See Section 13.5.4)
- C. No sign shall be so located or arranged that it interferes with traffic by causing glare, by causing blocking of reasonable sight lines for streets, sidewalks or driveways, by causing confusion with a traffic-control devices (by reason of color, location, shape or other characteristic) or by any other means.
- D. All signs except temporary signs shall be constructed of durable materials and kept in good condition and repair or must be removed by the landowner.
- E. Signs existing at the time of passage of this Ordinance and which do not conform to the requirements of the Ordinance shall be considered nonconforming signs and once removed shall be replaced only with conforming signs: however, nonconforming signs may be repainted or repaired, provided such repainted or repaired sign does not exceed the dimension of the existing sign.
- F. If an establishment has walls fronting on two (2) or more streets, the sign area for each street may not be computed separately.
- G. No signs except those of a duly constituted governmental body, including traffic signs and similar regulatory notices, shall be allowed within a right-of-way.

- H. No portion of any free-standing or projecting sign shall be located over the public right-of-way. If this requirement cannot be met, then free-standing or projecting signs shall be prohibited on such properties.
- I. Any vehicle to which a sign is affixed in such a manner that the carrying of such sign or signs no longer is incidental to the vehicle's primary purpose, but becomes a primary purpose in itself, shall be considered a free-standing sign and as such be subject to the provisions regarding free-standing signs in the district in which such vehicle is located.

**13.8 Permit Requirements for Signs**

All signs, as defined in Section 13.1 over six (6) square feet in total overall area, shall require the issuance of a Sign Permit before erection or replacement.



This page intentionally left blank.

ARTICLE XIV

**Nonconforming Uses And Structures**

**14.1 Nonconforming Structures**

A nonconforming structure may continue so long as it remains otherwise lawful subject to the following:

- A. A nonconforming structure may be enlarged or altered as long as the enlargement or alteration will not increase its nonconformity.
- B. In the event any nonconforming building is destroyed by an act of God or any other cause not within the control of the owner, the owner may rebuild the destroyed building or one designated for the same use and may use the building for such use regardless of whether the provisions of this Ordinance may otherwise prohibit the construction of such a building or prohibit such a use in a district in which the land is located, provided however that the rebuilding of such structure shall commence not more than two (2) years from the date of the event which caused the loss of the original structure and provided further that the use of said rebuilt structure shall commence within one year from the completion of said building as provided for herein.
- C. Should any nonconforming structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located, after it is moved.

**14.2 Nonconforming Uses of Structures**

If a lawful use of a structure and premises in combination exists on the effective date of adoption or amendment to this Ordinance that would not be allowed in the district under the terms of this Ordinance or Ordinance Amendment, the lawful use may be continued so long as it remains otherwise lawful, subject to the following:

- A. No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located, shall be enlarged, extended vertically or horizontally or moved except in changing the use of the structure to a use permitted in the district in which it is located, except as otherwise provided for herein or except as may be accomplished or provided for under the variance procedure as set forth herein.
- B. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance but no such use shall be extended to occupy any land outside such building.

- C. Any structure or structure and land in combination in or on which a nonconforming use is superseded by a permitted use shall thereafter conform to the regulations for the district in which such structure is located and the nonconforming use may not thereafter be resumed.
- D. When a nonconforming use of a structure or structure and premises in combination is discontinued or abandoned, for any other reason, for twelve (12) consecutive months or for eighteen (18) months during any three (3) year period, the structure or structure and premises in combination, such nonconforming use shall cease and shall not thereafter be used except in conformance with the regulations of the district in which it is located.

### **14.3 Registration**

All nonconforming uses existing at the time of the effective date of this Ordinance Amendment may be registered by the Zoning Officer. Certificates of occupancy shall be issued to all nonconforming uses by the Zoning Officer. Any person, partnership, corporation or legal entity with an ownership interest in a nonconforming lot, structure, use or combination of nonconforming characteristics, may also register such nonconformity with the Zoning Officer, provided verification of the nonconformity is provided.

### **14.4 Lots of Record Not Meeting Lot Area Requirements**

Nothing in the zoning district regulations shall be held to prohibit the erection of a single family dwelling in a zoning district, upon a lot whose size is inadequate to meet the lot area regulations set for the district, provided that such lot on the effective date of this Ordinance is held under separate ownership from the lots adjoining thereto, has the right of direct access to a public street, and its use complies with all other applicable zoning district regulations.

## ARTICLE XV

### **Zoning Hearing Board**

#### **15.1 Creation of Board**

The Township Board of Commissioners shall and hereby does create a Zoning Hearing Board. Unless the context clearly indicates otherwise, the term "Board" shall refer to such Zoning Hearing Board.

#### **15.2 Jurisdiction**

- A. Jurisdiction shall be in conformance with Pennsylvania Municipalities Planning Code Section 909.1

#### **15.3 Membership of Board**

The membership of the Board shall consist of three (3) residents of the Township appointed by the Township Board of Commissioners. Their terms of office 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 Township Board of Commissioners 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 elected or appointed office in the municipality nor shall any member be an employee of the municipality..

#### **15.4 Alternate Members**

The Township Board of Commissioners may appoint by resolution at least one (1) but no more than three (3) residents of the Township to serve as alternate members of the Zoning Hearing Board. Alternates shall serve three (3) year terms and shall be entitled to participate in all proceedings and discussions and to cast a vote if designated as a voting alternate member. Alternates shall hold no other elected or appointed office in the municipality, including service as a member of the planning commission or zoning officer, nor shall any alternate be an employee of the municipality.

#### **15.5 Removal of Members**

Any Board member or alternate may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Township Board of Commissioners 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.

#### **15.6 Organization of Board**

Organization of the Board shall conform to the requirements of the Pennsylvania Municipalities Planning Code.

**15.7 Expenditures for Services**

Within the limits of funds appropriated by Township Board of Commissioners, 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 by the Township Board of Commissioners, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the Township Board of Commissioners.

**15.8 Hearings**

Hearings shall be conducted in conformance with the Pennsylvania Municipalities Planning Code.

### **15.9 Mediation**

Parties before the Board may utilize mediation as an aid in completing such proceedings. Mediation shall supplement, not replace those procedures outlined in this Article and shall not be interpreted as expanding or limiting municipal police powers. Participation shall be voluntary and be determined by the willingness of parties to negotiate. Terms and conditions of mediation are as follows:

- A. Parties must establish a method of funding of the mediation;
- B. The selected mediator shall have a working knowledge of Municipal Zoning and Subdivision procedures and demonstrate skills in mediation;
- C. A time limit for completion or for suspending mediation must be agreed upon;
- D. Suspension of time limits otherwise authorized by this Article, provided there is written consent by the mediating parties and by the applicant or Zoning Hearing Board if either is not a party at the mediation, may be agreed upon;
- E. All parties must be identified and afforded an opportunity to participate;
- F. Subject to legal restraints, parties shall determine whether some or all mediation sessions are open or closed to the public;
- G. Mediated solutions shall be in writing, signed by participating parties and become subject to review and approval by the Zoning Hearing Board pursuant to procedures set forth in this Article;
- H. No offers or statements made in other than the final written mediated agreement shall be admissible as evidence in any subsequent judicial or administrative proceedings.

### **15.10 Board's Functions - Challenge to the Validity of any Ordinance or Map**

The Board shall hear challenges to the validity of a zoning ordinance amendment within thirty (30) days after the effective date of such ordinance or amendment or map, except as otherwise provided by law. In all such challenges, the Board shall take evidence and make a record thereon as provided by the applicable provisions of the Pennsylvania Municipalities Planning Code as it may be amended from time to time. At the conclusion of the hearing, the Board shall decide all contested questions and shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court.

### **15.11 Board's Functions - Variances**

The Board shall hear requests for variances where it is alleged that the provisions of this Ordinance or the provisions of the Floodplain or Flood Hazard Ordinance inflict unnecessary hardship upon the applicant. The Board may by rule prescribe the form of application and may require a preliminary application to the Zoning Officer. The Board

may grant a variance provided all of the following findings are made where relevant in a given case:

- A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot area 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 Ordinance in the neighborhood or district in which the property is located;
- B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
- C. That such unnecessary hardship has not been created by the appellant;
- D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, not be detrimental to the public welfare; and
- E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulations in issue.

In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Pennsylvania Municipalities Planning Code, as it may be amended from time to time, and of this Ordinance.

### **15.12 Parties Appellant Before Board**

Appeals under Section 15.10 hereof and proceedings to challenge an Ordinance under Section 15.6.9 hereof 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 Section 15.12 hereof may be filed with the Board by any landowner or any tenant of a landowner with the permission of such landowner.

### **15.13 Time Limitations**

The time limitations for initiating certain proceedings with the Board shall be in accordance with the Pennsylvania Municipalities Planning Code.

**15.13 Stay of Proceedings**

Upon filing of any proceeding, and during its pendency before the Board, all land development pursuant to any challenged Ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action thereunder shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or any other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such persons to post bond as a condition to continuing the proceeding before the Board. The question whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court.



This page intentionally left blank.

ARTICLE XVI  
**Amendments**

**16.1 Procedure**

The Township Board of Commissioners may, from time to time, on their own motion or on petition, amend, supplement, change, modify, or repeal by Ordinance, the boundaries of zoning districts, regulations or restrictions established by this Ordinance or provisions contained herein. Any proposed amendment, supplement, change, modification, or repeal shall be submitted to the County Planning Agency forty-five (45) days prior to the date of the scheduled hearing and to the Township Planning Commission for its recommendations and report. Upon the filing of the recommendations and report by the Township Planning Commission and comments from the County Planning Agency with respect to any proposed amendment, supplement, change, modification, or repeal, the Township Board of Commissioners shall proceed to hold a public hearing in relation thereto pursuant to public notice. If no recommendation is received from the planning commission or County planning agency within the forty-five (45) day review period, the Township Board of Commissioners may make its decision. If, after any public hearing held upon an amendment, the proposed amendment is revised, or further revised, to include land previously not affected by it, the Township Board of Commissioners shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment. See also Sections 303(b), 304(b), and 609(b)(1) and (2) of the Pennsylvania Municipalities Planning Code.

**16.2 Mediation**

Mediation shall be made in accordance with the Pennsylvania Municipalities Planning Code.

**16.3 Procedure for landowner curative amendment**

A landowner who desires to challenge on substantive grounds the validity of this Ordinance, the Zoning Map attached and made a part hereof, or any provision hereof, which prohibits or restricts the use or development of land in which he has an interest may submit a curative amendment to the Township Board of Commissioners with a written request that his challenge and proposed amendment or amendments be heard and decided in the manner prescribed by Act 247, the "Pennsylvania Municipalities Planning Code," Article VI and all amendments thereto and further defined as follows:

- A. Procedure for filing for curative amendment:
  - 1. If the submission is made by the landowner to the governing body, the request also shall be accompanied by an amendment or amendments to the ordinance proposed by the landowner to cure the alleged defects therein.
  - 2. The governing body of a municipality which has determined that a validity challenge has merit may accept a landowner's curative amendment, with or without revision, or may adopt an alternative amendment which will cure the challenged

defects. The governing body shall consider the curative amendments, plans and explanatory material submitted by the landowner and shall also consider:

- (a) the impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities;
  - (b) if the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the ordinance or map;
  - (c) the suitability of the site for the intensity of use proposed by the site's soils, slopes, woodlands, wetlands, flood plains, aquifers, natural resources and other natural features;
  - (d) the impact of the proposed use on the site's soils, slopes, woodlands, wetlands, flood plains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts; and
  - (e) the impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.
3. The request shall be accompanied by plans and other materials describing the use or development proposed by the landowner. Such plans and other material may be general in nature, but should provide a sufficient base for evaluating the challenge.
  4. If the Township of Aleppo does not accept a landowner's curative amendment brought in accordance with this subsection and a court subsequently rules that the challenge has merit, the court's decision shall not result in a declaration of invalidity for the entire Zoning Ordinance and map, but only those provisions relating to the landowner's challenge.

**B. Public Hearing:**

1. Upon petition, the Township Board of Commissioners shall hold a hearing thereon within sixty (60) days of the filing of the request.
2. At least thirty (30) days prior to the hearing, the Township Board of Commissioners shall refer the proposed amendment to the Township Planning Commission and County Planning Agency for recommendation.
3. The public notices of the hearing shall, in addition to the requirements for advertisement for any amendment, indicate that the validity of this Ordinance or Zoning Map is in question and shall indicate the place and times when a copy of the landowner's request, including all plans submitted and the proposed amendment(s) may be examined by the public.
4. The public hearing shall be conducted within the following guidelines:
  - a. The President of the Township Board of Commissioners presiding shall have the 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.

- b. The parties 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.
  - c. Formal rules of evidence shall not apply but irrelevant, immaterial or unduly repetitious evidence may be excluded.
  - d. The Township Board of Commissioners shall keep a stenographic record of the proceedings and a transcript of the proceedings as well as copies of graphic or written material received in evidence shall be made available to any party at cost.
  - e. The Township Board of Commissioners shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate; shall not take notice of any communication, reports, staff memoranda, or other materials 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 representatives unless all parties are given an opportunity to be present.
5. The hearing may be postponed or continued at the request of the landowner or by mutual consent of the parties.
- C. Procedure for rendering formal action: Upon completion of the hearing, the Township Board of Commissioners shall render a decision and communicate said decision to all parties within forty-five (45) days.
1. Approval of the amendment shall be granted by formal affirmative vote at a regular or special meeting of the Township Board of Commissioners.
  2. The landowner's request shall be considered denied when:
    - a. the zoning hearing board or governing body, as the case may be, fails to commence the hearing within the time limits set forth in subsection (d);
    - b. the governing body notifies the landowner that it will not adopt the curative amendment;
    - c. the governing body adopts another curative amendment which is unacceptable to the landowner; or
    - d. the zoning hearing board or governing body, as the case may be, fails to act on the request 45 days after the close of the last hearing on the request, unless the time is extended by mutual consent by the landowner and municipality.

- D. Per the Pennsylvania Municipalities Planning Code, where the municipality has adopted a multimunicipal comprehensive plan and all municipalities participating in the multimunicipal comprehensive plan have adopted and are administering zoning ordinances generally consistent with the provisions of the multimunicipal comprehensive plan, and a challenge is brought to the validity of a zoning ordinance of a participating municipality involving a proposed use, then the zoning hearing board or governing body, as the case may be, shall consider the availability of uses under zoning ordinances within the municipalities participating in the multimunicipal comprehensive plan within a reasonable geographic area and shall not limit its consideration to the application of the zoning ordinance on the municipality whose zoning ordinance is being challenged.

#### **16.4 Procedure for Municipal Curative Amendment**

If the Township of Aleppo determines that its Zoning Ordinance or any portion thereof is substantially invalid, it shall take the following action:

- A. The Township shall declare by formal action, its Zoning Ordinance or portions thereof substantively invalid and propose a curative amendment to overcome such invalidity. Within thirty (30) days of such declaration the Township Board of Commissioners shall:
1. By resolution make specific findings setting forth the invalidity which may include:
    - a. References to specific uses which are not permitted or not permitted in sufficient quantity;
    - b. Reference to a class of use or uses requiring revision;
    - c. Reference to the entire Ordinance which requires revisions.
  2. Begin to prepare and consider a curative amendment to correct the declared invalidity.
- B. Within one hundred and eighty (180) days from the date of the declaration and proposal, the Township of Aleppo shall enact a curative amendment to validate or reaffirm the validity of its Zoning Ordinance pursuant to the provisions of Act 247, "Pennsylvania Municipalities Planning Code," Article VI and all amendments thereto.
- C. Upon declaration of invalidity, the Township Board of Commissioners shall not be required to consider a landowner's curative amendment nor shall the Zoning Hearing Board be required to give a report subsequent to the declaration and proposal to remedy said invalidity.
- D. The Township of Aleppo may not again utilize said procedure for a thirty-six (36) month period following the date of enactment of a curative amendment unless a change in statute or a court decision requires such curative amendment.

**16.5 Publication, Advertisement and Availability**

Proposed zoning ordinance text or map amendments shall not be enacted unless notice of proposed enactment is given, including the time and place of the meeting at which passage will be considered, a reference to the availability of the text for review, without charge, or a copy thereof for the cost of said copy. A summary of the proposed ordinance or amendment shall appear in a newspaper of general circulation in the municipality not more than sixty (60) days nor less than seven (7) days prior to passage. A copy of the full text of the proposed ordinance or amendment shall be supplied to a newspaper of general circulation in the Township at the time the public notice is published and an attested copy of the proposed ordinance shall be filed in the County Law Library.

**16.6 Readvertisement**

In the event that substantive revisions or amendments are made in the proposed ordinance text or map amendments before enactment, a brief summary of said revisions shall be advertised in a newspaper of general circulation in the municipality, at least ten (10) days prior to final enactment.

**16.7 Copy to County Planning Commission**

Following enactment of a zoning amendment or revision to the zoning map, a copy of said amendment shall be forwarded to the County Planning Agency within thirty (30) days of enactment.



ARTICLE XVII

**Administration**

**17.1 Establishment of Zoning Districts**

In order to carry out the stated purpose of this Ordinance, the entire Township is hereby divided into zoning districts.

**17.2 Aleppo Township Zoning Districts and Overlays**

The locations and boundaries of the areas classified within each of zoning districts and overlays are set forth on the Zoning Map attached hereto and made a part hereof by this reference, and adopted at the time of enactment of this Ordinance. All notation, references, explanatory matter and other information on the Zoning Map are adopted and incorporated herein by this reference. The Zoning Map shall be kept on file for public inspection in the Township Building.

**17.3 Interpretation of Zoning District Boundaries**

The zoning district boundaries shall be shown on the Zoning Map with heavy solid lines and placement of the Short Names of the respective zoning districts within such boundaries to indicate the areas located within the various zoning districts. Where uncertainty exists as to the precise location or extent of any zoning district:

- A. Where district boundaries are indicated as approximately coinciding with the centerlines of streets, ways, alleys, highways, railroad lines or streams, such center lines shall be construed to be such boundaries.
- B. Where district boundaries are indicated as approximately coinciding with plotted lot lines, such lot lines shall be construed to be such boundaries, or where district boundaries are indicated as extensions of plotted lot lines or connections of the intersections of plotted lot lines, such lines shall be construed to be such boundaries.
- C. Where district boundaries are indicated as approximately parallel to centerlines of streets, alleys, ways, highways, railroad lines or streams, lot lines or other physical features, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Zoning Map, provided that distances not indicated specifically on the Zoning Map shall be determined by measurement according to the scale of the Zoning Map.
- D. Where district boundaries are indicated as coinciding with municipal boundary lines, such municipal boundary lines shall be construed as such district boundaries.
- E. Where physical or cultural features existing on the ground are at variance with the district boundaries as shown on the Zoning Map, or as interpreted pursuant



to this Article, the Zoning Hearing Board, upon application, shall interpret the district boundaries.

#### **17.4 Zoning Officer**

A Zoning Officer shall be appointed by the Township Board of Commissioners. The Zoning Officer shall serve at the convenience and pleasure of the Township Board of Commissioners, shall not hold elective office and shall have a working knowledge of zoning and subdivision procedures.

#### **17.5 Powers and Duties**

The Zoning Officer shall administer this Ordinance 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 the requirements of this Ordinance. The Zoning Officer is hereby authorized to institute civil enforcement proceedings as a means of enforcement within the scope of his responsibilities. Within this power, the Zoning Officer shall have duties as follows:

- A. The Zoning Officer shall receive applications for, and issue zoning and sign permits, certificates of use and occupancy and stop-work orders in accordance with the provisions of this Ordinance.
- B. The Zoning Officer shall make all the required inspections or he may, subject to the approval of the Township Board of Commissioners, engage such expert opinion as he may deem necessary to report upon unusual technical issues that may arise.
- C. At least annually, the Zoning Officer shall submit to the Township Board of Commissioners a written statement of all zoning and sign permits, certificates of use and occupancy issued, and notices and orders issued.
- D. An official record shall be kept of all business and activities of the office of the Zoning Officer specified by provisions of this Zoning Ordinance and all such records shall be open to public inspection at the Municipal Building during regular business hours.

#### **17.6 Building and Zoning Permits**

- A. No building or structure shall be erected, added to, or structurally altered until a building permit therefore has been issued by the Zoning Officer. Where the property or structure is jointly owned, all owners of record must sign the application. Remodeling or structural improvements of existing buildings which do not alter the basic structure, create additional lot coverage or change the use of the lot or building and any detached accessory structure one hundred (100) square feet or less in area, are exempt from this specific requirement.

- B. There shall be submitted with each application for a building permit, two (2) copies of a layout or plot plan drawn to scale showing actual dimensions of the lot, the exact size and location on the lot of the building and accessory buildings, estimated costs of construction and such other information as may be necessary to determine and provide for the enforcement of this Ordinance.
- C. No structure shall be erected, added to, or structurally-altered for use as an adult entertainment establishment without first obtaining a building permit as required by this Section and an Occupancy Permit, as required by Section 17.7, and all other applicable permits required by law."
- D. One (1) copy of such layout or plot plan shall be returned when approved by the Zoning Officer together with such permit, to the applicant.
- E. Building permits shall expire at the end of eighteen (18) months where substantial completion of the work for which the permit was issued has not occurred. The Zoning Officer may extend a building permit for one (1) six (6) month period where circumstances beyond the control of the permittee have prevented substantial completion, however, no building permit shall remain in effect after two (2) years or twenty-four (24) months.

#### **17.7 Certification of Occupancy**

- A. After completion of a building or structure for which a building permit has been issued and if inspection has determined that all requirements of all ordinances of the Township have been met, a certificate of occupancy shall be issued by the Zoning Officer stating that the building and proposed use thereof complies with the provisions of this Ordinance.
- B. No nonconforming use shall be maintained, renewed, or changed without a certificate of occupancy having been secured from the Zoning Officer within one hundred and eighty (180) days from notice of non-conformity as issued by the Township..
- C. A certificate of occupancy shall be applied for at the same time as the application for a building and zoning permit. Such certificate will be issued within ten (10) days after the erection or alteration and inspection, if the building and use are found to be in accordance with all ordinances of the Township.
- D. The Zoning Officer shall maintain a record of all certificates and copies will be furnished upon request to any person having a proprietary or tenancy interest in the building affected.
- E. No building permit shall be issued until an application has been made for a certificate of occupancy.

**17.8 Sign Permit**

No sign as listed in Article XIII of this Ordinance shall be erected or altered prior to the issuance of a sign permit by the Zoning Officer.

**17.9 Schedule of Fees**

The Board of Commissioners shall establish, by resolution, a schedule of fees for and the obtaining of permits required under the provisions of this Ordinance. Such review of applications, resolutions shall be duly recorded in the resolution book of the Township, and such fee schedule shall be reproduced and made available upon request at the Township Building. The resolution providing for the various fees shall be periodically reviewed and amended when necessary by resolution of the Board of Commissioners. The issuance of a permit shall be contingent upon the payment of the proper fee as established by the resolution and fee schedule.

## ARTICLE XVIII

### **Enforcement Remedies**

#### **18.1 Civil Damages**

Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of any zoning ordinance enacted under this act or prior enabling laws shall, upon being found liable therefor in a civil enforcement proceeding commenced by a municipality, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by a municipality 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 municipality 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 the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the 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 municipality whose ordinance has been violated.

#### **18.2 Enforcement Remedies**

In case any building, structure, or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of the provisions of this Ordinance, the Township Board of Commissioners, or, with the approval of the Township Board of Commissioners, an officer of the Township, in addition to other remedies, may institute in the name of the Township any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation.

#### **18.3 Notice of Violation**

If it appears to the municipality that a violation of any zoning ordinance enacted under this act or prior enabling laws has occurred, the municipality shall initiate enforcement proceedings by sending an enforcement notice as provided in this section. The notice of violation for the purpose of enforcement of the provisions of this Ordinance shall consist of the following:

- A. The name of the owner of record and any other person against whom the municipality intends to take action.
- B. The location of the property in violation.
- C. The specific violation describing requirements not met and the applicable provisions of the ordinance violated.

- D. Dates for commencement of compliance activity and dates by which compliance must be achieved.
- E. That the recipient of the violation notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time in accordance with procedures set forth in Article XV
- F. That failure to comply within the time specified unless extended by appeal to the Zoning Hearing Board, constitutes a violation with possible penalties resulting.

ARTICLE XIX

**Enactment**

**19.1 Enactment**

A copy of the approved enactment shall be available on file at the Township Municipal Building.