

**TOWNSHIP OF PENN
COUNTY OF BUTLER, PENNSYLVANIA**

ORDINANCE NO. 176

AN AMENDMENT TO ORDINANCE NO. 166 KNOWN AS THE “PENN TOWNSHIP ZONING ORDINANCE” TO AMEND SECTIONS 2.04, 2.05, 2.06, TABLE 2.07, CHAPTER 3, CHAPTER 4, CHAPTER 5, CHAPTER 6, CHAPTER 7, CHAPTER 8, CHAPTER 9, CHAPTER 10, CHAPTER 15, CHAPTER 18, SECTION 22.02, AND APPENDIX A.

WHEREAS, as authorized by the Pennsylvania Municipalities Planning Code (“MPC”), the Board of Supervisors of the Township of Penn (the “Township”) regulates land use and zoning within the Township through its comprehensive Zoning Ordinance, currently Ordinance No. 166 of the Township, as amended; and

WHEREAS, upon the recommendation of its Land Use Administrator and Planning Commission, the Township Board of Supervisors wishes to amend Sections 2.04, 2.05, 2.06, Table 2.07, Chapter 3, Chapter 4, Chapter 5, Chapter 6, Chapter 7, Chapter 8, Chapter 9, Chapter 10, Chapter 15, Chapter 18, Section 22.02, and Appendix A of the Zoning Ordinance; and

WHEREAS, this Ordinance was prepared by the Township Planning Commission who formally recommended the proposed amendments contained herein to the Township Board of Supervisors at its duly noticed and held public meeting on August 24, 2024; and

WHEREAS, the Township Board of Supervisors held a duly noticed and advertised public hearing to take public comment on the proposed zoning ordinance text amendments; and

WHEREAS, the Township Board of Supervisors, having received such public comment as may have been given at the public hearing, and having received the recommendations of the Township’s Planning Commission, the Butler County Planning Commission, and the Township Land Use Administrator, finds that enactment of this proposed zoning ordinance amendment will be beneficial to the health, safety, and welfare of the Township and consistent with the PA MPC.

NOW, THEREFORE, be it enacted and ordained by the Township of Penn Board of Supervisors, as follows:

SECTION 1: AMENDMENT TO EXISTING SECTIONS 2.04, 2.05 AND 2.06 OF ORDINANCE NO. 166

The Township Zoning Ordinance, Ordinance No. 166, as amended, is hereby further amended as follows:

- a. Section 2.04 – Accessory Uses and Structures – is hereby repealed in its entirety and replaced as follows:

2.04 ACCESSORY USES AND STRUCTURES

Accessory uses and structures shall be permitted as a subordinate use or structure within a zoning district, when they are incidental to or associated with a principal use or structure. They must be customarily required or provided for the principal use or structure. Detached garages shall be considered accessory uses and structures.

- b. Section 2.05 – Location of Unattached Accessory Structures – is hereby repealed in its entirety and replaced as follows:

2.05 LOCATION OF UNATTACHED ACCESSORY STRUCTURES

On residential lots of one acre or less, unattached accessory structures may be located to the side or rear of the principal structure and shall meet all minimum yard setback requirements for accessory structures in the applicable zoning district.

On residential lots larger than one-acre, unattached accessory structures may be located to the front, side or rear of the principal structure, provided that all minimum yard setback requirements for accessory structures in the applicable zoning district are met.

- c. Section 2.06 – Number of Accessory Structures – is hereby repealed in its entirety and replaced as follows:

2.06 ACCESSORY BUILDING SIZES.

1. The maximum gross floor area of all accessory buildings and/or structures on residentially used property shall be limited as follows:

If the area of the property is:	Then the maximum gross floor area of all detached accessory buildings shall be:
Less than 1 acre	1500 sq.ft.
At least 1 acre but less than 2 acres	2000 sq.ft.
At least 2 acres but less than 5 acres	3000 sq.ft.
At least 5 acres but less than 10 acres	4000 sq.ft.
10 acres or more	5000 sq.ft.

2. The maximum gross floor area of all accessory buildings and/or structures on commercially used property shall not exceed (in gross floor area) more than twenty-five percent (25%) of the area of the principal use structure.
3. Buildings and structures used in active farm operations shall not be subject to this Section 2.06.

SECTION 2: AMENDMENT TO TOWNSHIP ZONING ORDINANCE, ORDINANCE NO. 166

The Township Zoning Ordinance, Ordinance No. 166, as amended, is hereby restated, in part, and further amended as follows by inserting the **highlighted** text and deleting the stricken text:

207 USE TABLES

Use Category	S	RE	R-1	C-1	C-2	I-L
Farmettes	GP	GP	GP			

2-family dwelling ***				P	C	
Small Solar Energy Facility	A	A	A	A	A	A
Principal Solar Energy System		C	C		C	C
Wind Energy Facility						C

CHAPTER 3-S CONSERVANCY DISTRICT

The Conservancy District is intended to protect the rural integrity of the municipality (including natural, scenic, cultural, aesthetic, and historic areas) by restricting uses to agriculture and recreation, as well as single-family dwellings, schools, and churches. Preservation of environmentally sensitive areas is a goal of this district.

3.00 PERMITTED USES

Permitted use: Agricultural and related activities, Forestry/reforestation, Farm produce stands, Farmettes, Stables, private, Single-family dwelling unit, and Home occupations-no impact.

The permitted uses can be found in the Use Table in Section 2.07.

3.01 CONDITIONAL USES

Conditional Uses: Agribusiness, Nurseries/greenhouses, Farmettes, Farmworker residences, Carriage house/granny flats, Bed and Breakfasts, Schools, Places of worship, Parks-active, Parks-passive, and Essential public services/facilities & utilities.

The Conditional Uses are listed in the Use Table in Section 2.07.

3.02 PERMITTED ACCESSORY USES & STRUCTURES

Accessory buildings and uses customarily incidental to the permitted principal uses. ~~not to exceed, in square footage, the area of the principal structure, except that the square footage of agricultural accessory structures, such as horse and cattle barns, may exceed the square footage area of the principal structure.~~

Examples of Conservancy District permitted accessory uses include:

- (A) Agricultural structures (barns, stables, storage facilities, sheds).
- (B) Garages (Residential).
- (C) Recreation facilities for single-family residences (pools, private courts).
- (D) Signs, in accordance with Chapter 21.
- (E) Other customary uses incidental to permitted uses.
- (F) Small Solar Energy Facility.

All accessory buildings and/or structures shall comply with the applicable requirements set forth in Section 2.04, 2.05, and 2.06 of the Township Zoning Ordinance and all minimum yard setback requirements and height requirements set forth below.

3.03 MINIMUM YARD SETBACKS FOR PRINCIPAL STRUCTURES

All principal structures shall meet the following yard requirements:

- (A) Front Yard depth - There shall be a minimum front yard depth of not less than seventy-five feet (75') from the right-of-way line, or one hundred feet (100') from the centerline of the street, whichever is greater.
- (B) Side Yard(s) width - There shall be a minimum side yard width of fifty feet (50') on each side. The depth of a side yard abutting a street shall not be less than the depth of the front yard required on the adjoining lot on that street.
- (C) Rear Yard depth – There shall be a minimum rear yard depth of seventy-five feet (75'), except that for a through lot, the required rear yard depth shall be the same as the required front yard depth.

Accessory structures – 1,000 square feet or less must meet the front yard same as principal use; side and rear yards – twenty-five feet (25') minimum. 1,001 square feet or more shall meet the requirements of Section 3.03 A, B, and C).

3.04 MINIMUM LOT REQUIREMENTS

All principal uses shall meet the following lot requirements;

- (A) Minimum Lot Area
 - Minimum lot area per single – family dwelling is two (2) acres.
 - Farmette – five (5) acres.

- Farming – ten (10) acres.
 - All other permitted uses – two (2) acres.
- (B) Minimum Lot Width
- Interior lot – two hundred feet (200').
 - Corner lot – two hundred seventy-five feet (275').
- (C) Maximum Lot Coverage
- Maximum Coverage 25%.

3.05 HEIGHT LIMITATIONS

The maximum height of structures, except as otherwise provided, in this district, shall be:

- (A) Principal use structures shall not exceed thirty-five feet (35') in height. ~~Thirty-five feet (35') and no more than two (2) stories for a single-family dwelling.~~
- (B) ~~Thirty-five feet (35') and no more than three (3) stories for other principal structures.~~
- (C) Accessory use structures shall not exceed twenty-five feet (25') in height.
- (D) Accessory agricultural structures, such as barns and silos, shall be exempt from maximum height restrictions.

CHAPTER 4—RE RESIDENTIAL ESTATE DISTRICT

The Residential Estate (RE) District is intended to provide a rural environment for large-lot single-family homes, allowing a greater variety of permitted and conditional uses.

4.00 PERMITTED USES

Permitted Uses: Agricultural and related activities, Forestry/reforestation, Farm produce stands, Farnettes, Stables-private, Single-family dwelling unit, Home occupations-no impact, Planned Residential Developments, Parks-active, Parks-passive, and Recreation-non-profit.

Permitted use list can be found in Use Table in Section 2.07

4.01 CONDITIONAL USES

Conditional Uses: Agribusiness, Nurseries/greenhouses, Farnettes, Animal

hospital/veterinary, Animal kennels-commercial, Stables-boarding/riding academies, Farmworker residences, Carriage house/granny flats, Cluster housing, Group care facilities, Personal care/boarding home, Homeless shelter, Home occupations, Bed and Breakfasts, Mobile Home Park/ RV Campgrounds, Day care centers/Pre-school, Schools, Places of worship, Educational/religious/philanthropic institutions, Libraries/cultural facilities, Airports, Helipads, Cemeteries, Golf course/country club, Essential public services/facilities & utilities, Mining/excavation, and extraction, and Principal Solar Energy System.

The Conditional Uses are identified in the Use Table in Section 2.07.

4.02 PERMITTED ACCESSORY USES & STRUCTURES

Accessory buildings and uses customarily incidental to the permitted principal uses. ~~not to exceed, in square footage, the area of the principal structure, except that the square footage of agricultural accessory structures, such as horse and cattle barns, may exceed the square footage area of the principal structure.~~

Examples of Residential Estate (RE) District permitted accessory uses include:

- (A) Animal kennels, private.
- (B) Residential Garages, and sheds.
- (C) Recreational facilities for single-family residences (pools, private courts).
- (D) Off-street parking facilities.
- (E) Signs in accordance with Chapter 21.
- (F) Small Solar Energy Facility.

All accessory buildings and/or structures shall comply with the applicable requirements set forth in Section 2.04, 2.05, and 2.06 of the Township Zoning Ordinance and all minimum yard setback requirements and height requirements set forth below.

4.03 MINIMUM YARD SETBACKS FOR PRINCIPAL STRUCTURES

All principal structures shall meet the following requirements:

- (A) Front Yard depth
 - Fifty feet (50') measured from the right-of-way line, or seventy-five feet (75') from the centerline of the street, whichever is greater.
- (B) Side Yards depth

- Twenty feet (20') on each side.
 - Except, a side yard abutting a street shall be not less than the depth of a front yard required on the adjoining lot on that street.
- (C) Rear Yard depth
- Fifty feet (50'), except that for a through lot the required rear yard depth shall be the same as the required front yard depth.

Accessory structures – 1,000 square feet or less must meet the front yard same as principal use; side and rear yards – twenty feet (20') minimum. 1,001 square feet or more shall meet the requirements of Section 4.03 A, B, and C).

4.04 MINIMUM LOT REQUIREMENTS

All principal uses shall meet the following lot requirements:

- (A) **Minimum Lot Area**
- Farming – ten (10) acres minimum.
 - Commercial kennels – eight (8) acres minimum.
 - Single-family dwelling and other permitted uses - one (1) acre minimum.
 - Farmette – five (5) acres.
- (B) **Minimum Lot Width**
- Interior lot – one hundred fifty feet (150').
 - Corner lot – one hundred seventy-five feet (175')
- (C) **Maximum Lot Coverage**
Maximum Coverage 25%

4.05 HEIGHT LIMITATIONS

The maximum height of structures, except as otherwise provided in this district, shall be:

- (A) **Principal use structures shall not exceed thirty-five feet (35') in height.** ~~Thirty-five feet (35') not exceeding two (2) stories for a single-family dwelling.~~
- (B) ~~Thirty-five feet (35') not exceeding three (3) stories for other permitted principal structures.~~
- (C) Accessory use structures shall not exceed twenty-five feet (25') in height.
- (D) Accessory agriculture structures, such as barns and silos, shall be exempt from maximum height restrictions.

CHAPTER 5 - R-1 LOW-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT

The Low-Density Single-Family Residential District (R-1) reflects a traditional residential lot for most municipalities. Lots are smaller than in the Conservancy and Residential Estate Districts, but larger than the residential lots found in very early municipal subdivisions. The majority of the land in the District is dedicated to residential uses.

5.00 PERMITTED USES

Permitted Uses: Agricultural and related activities, Forestry/reforestation, Farm produce stands, **Farmettes**, Stables-private, Single-family dwelling unit, Home occupations-no impact, Planned Residential Developments, Parks-passive, and Essential Public Services/Facilities & Utilities.

The permitted use list can be found in Use Table in Section 2.07

5.01 CONDITIONAL USES

Conditional Uses: Agribusiness, Nurseries/greenhouses, **Farmettes**, Animal hospital/veterinary, Animal kennels-commercial, Stables-boarding/riding academies, Single-family dwelling zero lot line, Farmworker residences, Carriage house/granny flats, Cluster housing, Transitional dwellings, Personal care/boarding home, Homeless shelter, Home occupations, Bed and Breakfasts, Mobile Home Park/RV Campgrounds, Day care centers/Pre-school, Schools, Places of worship, Educational/religious/philanthropic institutions, Libraries/ cultural facilities, Cemeteries, Parks-active, Golf course/country club, Essential public services/facilities & utilities, Private membership clubs, Mining/excavation and extraction, **and Principal Solar Energy System.**

The Conditional Uses in the R-1 District are identified in the Use Table in Section 2.07.

5.02 PERMITTED ACCESSORY USES & STRUCTURES

Accessory buildings and uses customarily incidental to the permitted principal uses, ~~not to exceed, in square footage, the area of the principal structure, except that the square footage of agricultural accessory structures, such as horse and cattle barns, may exceed the square footage area of the principal structure.~~

Examples of Low-Density Single-Family Residential (R-1) permitted accessory uses include:

- (A) Fences.
- (B) Garages, and sheds (residential).
- (C) Off-street parking facilities.
- (D) Animal kennels, private.
- (E) Recreational facilities for single-family residences.
- (F) Signs as authorized in Chapter 21.
- (G) Small Solar Energy Facility.

All accessory buildings and/or structures shall comply with the applicable requirements set forth in Section 2.04, 2.05, and 2.06 of the Township Zoning Ordinance and all minimum yard setback requirements and height requirements set forth below.

5.03 MINIMUM YARD SETBACKS FOR PRINCIPAL STRUCTURES

All principal structures shall meet the following yard requirements:

- (A) Front Yards
 - For single-family dwellings with or without public water or sewers, there shall be a minimum front yard of forty feet (40') measured from the right-of-way line, or sixty-five feet (65') from the centerline of the street, whichever is greater.
- (B) Side Yards
 - For single-family dwellings with or without public water or sewers, there shall be a minimum side yard of ten feet (10').
- (C) Rear Yards
 - For single-family dwellings with or without public water or sewers, there shall be a minimum rear yard of thirty feet (30'), except for a through lot, the required rear yard depth shall be the same as the required front yard depth.

Accessory structures – 1,000 square feet or less must meet the front yard same as principal use; side and rear yards – ten feet (10') minimum. 1,001 square feet or more shall meet the requirements of Section 5.03 A, B, and C).

5.04 MINIMUM LOT REQUIREMENTS

All principal uses shall meet the following lot requirements:

- (A) **Minimum Lot Area**
 - Farming – minimum of ten (10) acres.
 - Commercial kennels – minimum of eight (8) acres.
 - Single-family dwelling without public water and sewer – minimum of one (1) acre.
 - Single-family homes with public water and sewer – minimum of twenty-five thousand (25,000) square feet.
 - Farmette – five (5) acres.

- (B) **Minimum Lot Width**
 - Interior lot without public water and sewer – one hundred fifty feet (150').
 - Corner lot without public water and sewer – one hundred seventy-five feet (175').
 - Interior lot with public water and sewer – one hundred twenty-five feet (125').
 - Corner lot with public water and sewer – one hundred twenty-five feet (125').

- (C) **Maximum Lot Coverage**
 - **Maximum Coverage 25%.**

5.05 HEIGHT LIMITATIONS

The maximum height of structures, except as otherwise provided, in this district shall be:

- (A) **Principal use structures shall not exceed thirty-five feet (35') in height.** ~~Thirty-five feet (35') and not more than two (2) stories for a single-family dwelling.~~
- (B) ~~Thirty-five feet (35') and not more than three (3) stories for other permitted principal structures.~~
- (C) Accessory structures shall not exceed twenty-five feet (25') in height.
- (D) Accessory agricultural structures, such as barns and silos, shall be exempt from maximum height restrictions.

CHAPTER 6- C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

The Neighborhood Commercial District (C-1) is intended to be small commercial areas providing limited retail goods and services, such as groceries and dry cleaning, for nearby residential customers. These are generally sub-areas of a municipality intended to accommodate pedestrian-oriented facilities and services. Some districts may be along streets that have historically had a storefront commercial character (i.e. the front facades of most of the buildings are along a sidewalk or walkway adjacent to a main street, as in a traditional downtown). This District is intended to foster new development that is compatible with this established character.

6.00 PERMITTED USES

Permitted Uses: Animal hospitals/veterinary, Single-family dwelling unit, Single-family dwelling zero lot line, 2-family dwelling, Multi-family dwelling, conversion of SF to a 2F, conversion of SF to MF, Home occupation - no impact, Home occupations, Bed & breakfasts, Mixed-use buildings/residential upper floors, Day care centers/pre-schools, medical clinics/offices, places of worship, libraries/cultural facilities, essential public services, facilities & utilities, Lodge/fraternal/civic assembly, postal service, retail sales, business equipment, convenience store, grocery/market, bars& taverns, restaurants/deli's, Entertainment/sports facilities-small(<300 capacity), Business support, Offices-professional, Studios-are/music/photography, Personal services, Laundromat, Rental halls, and Repairs-consumer.

The permitted uses in the Neighborhood Commercial District are listed in the Use Table in Section 2.07.

6.01 CONDITIONAL USES

Conditional Uses: Farmers Market (permanent), Animal shelters, Animal kennels-private, Boarding homes for sheltered care, Transitional dwellings, Group care facilities, personal care/boarding homes, Homeless shelter, Nursing home, Lodging hotels/motels, Drug/alcohol rehab facilities, Parks-active, Parks-passive, Recreation-indoor facilities, Private membership clubs, and Funeral home/crematory.

The Conditional Uses are listed in the Use Table in Section 2.07.

6.02 PERMITTED ACCESSORY USES & STRUCTURES

Accessory buildings and uses customarily incidental to the permitted principal uses

such as; not to exceed in square footage the area of the principal structure; including uses such as:

- (A) Bike racks.
- (B) Garages & storage facilities/sheds.
- (C) Public communication systems.
- (D) Off-street parking.
- (E) Signs in accordance with Chapter 21.
- (F) Small Solar Energy Facility.

All accessory buildings and/or structures shall comply with the applicable requirements set forth in Section 2.04, 2.05, and 2.06 of the Township Zoning Ordinance and all minimum yard setback requirements and height requirements set forth below.

6.03 MINIMUM YARD SETBACKS FOR PRINCIPAL STRUCTURES

All principal structures shall meet the following yard requirements:

- (A) Front Yard depth
- (B) Fifty feet (50') measured from the right-of-way line.
- (C) Side Yard(s) depth(s)
- (D) Fifteen feet (15'), except in the following instances:
 - A side yard abutting a street – twenty-five feet (25')
 - A side yard abutting a residential use/district – fifty feet (50').
- (E) Rear Yard depth
- (F) Fifty feet (50').
- (G) If a through lot, fifty feet (50') from the right-of-way line.

Accessory structures – 1000 square feet or less must meet the front yard same as principal use; side and rear yards – ten feet (10') minimum. 1001 square feet or more shall meet the requirements of Section 6.03 A, B, and C).

6.04 MINIMUM LOT REQUIREMENTS

All principal uses shall meet the following lot requirements:

- (A) Minimum Lot Area – minimum of one (1) acre.
- (B) Minimum Lot Width
 - Interior lot – minimum of one hundred fifty feet (150').
 - Corner lot – minimum of one hundred seventy-five feet (175').

- With public water and sanitary sewer – a minimum of one hundred twenty-five feet (125') for either interior or corner lots.

(C) Maximum Lot Coverage

- **Maximum Coverage 50%.**

6.05 HEIGHT LIMITATIONS

All principal uses shall meet the following maximum height requirements:

- (A) **Principal use structures shall not exceed thirty-five feet (35') in height.** ~~Thirty-five feet (35') and not exceeding two (2) stories for a principal structure.~~
- (B) Accessory use structures shall not exceed twenty-five feet (25') in height.

CHAPTER 7 – C-2 HIGHWAY COMMERCIAL DISTRICT

The Highway Commercial District (C-2) accommodates auto-oriented commercial development along principal highways and arterials to serve community and regional needs. Businesses located in this District are dependent upon both a large flow of traffic and convenient access, and/or otherwise cater to the traveling public, both auto and truck.

7.00 PERMITTED USES

Permitted Uses: Nurseries/greenhouses, Farm produce stands, Farming/gardening/landscaping retail services, Animal hospitals/veterinary, Animal kennels-commercial, Bed & breakfast, lodging-hotels/motels, mixed-use buildings/residential upper floors, Day care centers/pre-schools, medical clinics/offices, places of worship, educational/religious/philanthropic institutions, libraries/cultural facilities, recreation-indoor facilities, golf course/country club, essential public services, facilities & utilities, lodge/fraternal/civic assembly, private membership clubs, postal service, retail sales, business equipment, convenience store, grocery/market, big box retail, auto/RV/truck – new, used & rental, farm/garden/landscape, gasoline & fuel sales, bars & taverns, restaurant/deli's, restaurant w/drive-through windows, drive-thru businesses, sales-wholesale, entertainment/sports facilities-small (<300 capacity), entertainment/sports facilities-large (>300 capacity), funeral home/crematory, building maintenance, building support, construction w/sales, offices-professional, studios-art/music/photography, personal services, Laundromat, rental halls, repairs-equipment, repairs-consumer, parking-commercial and recycling facilities (<1000 SF).

The Permitted uses in the C-2 District are listed in the Use Table in Section 2.07.

7.01 CONDITIONAL USES

Conditional Uses: Farmers market, Animal Shelters, Animal Kennels-private, stables-boarding/riding academies, 2-family dwellings, Multi-family dwellings, group care facility, personal care/boarding homes, nursing home, drug/alcohol rehab facilities, hospitals, schools, parks-active, parks-passive, recreation, non-profit, manufactured homes, lumber yards, equipment-heavy w/rental, drive-in theaters, mini storage facilities, warehousing-light, storage of vehicles-commercial boats/RV's/cars/equipment/fleet, manufacturing- limited, research & development, laundry-industrial and Recycling (>1,000 SF).

The Conditional Uses for the C-2 District are listed in the Use Table in Section 2.07.

7.02 PERMITTED ACCESSORY USES & STRUCTURES

Accessory buildings and uses customarily incidental to the permitted principal uses such as: may exceed (in square footage) the area of the principal use structure by twenty five percent (25%).

- (A) Signs in accordance with Chapter 21.
- (B) Small Solar Energy Facility.
- (C) Garages and sheds.
- (D) Recreational facilities for residential uses.

All accessory buildings and/or structures shall comply with the applicable requirements set forth in Section 2.04, 2.05, and 2.06 of the Township Zoning Ordinance and all minimum yard setback requirements and height requirements set forth below.

7.03 MINIMUM YARD SETBACKS FOR PRINCIPAL STRUCTURES

All principal structures shall meet the following requirements:

- (A) Front Yard depth
 - Fifty feet (50') measured from the right-of-way.
- (B) Side Yard width – twenty –five feet (25') required except in the following instance:
 - When a side lot abuts any "R" District – fifty feet (50') is required.

- (C) Rear Yard depth – twenty-five feet (25') required except in the following instances:
- When the rear lot line abuts any “R” District – fifty feet (50') is required.
 - For a through lot – same as required front yard depth – fifty feet (50').

(Accessory structures – 1000 square feet or less must meet the front yard same as principal use; side and rear yards – ten feet (10') minimum. 1001 square feet or more shall meet the requirements of Section 7.03 A, B, and C).

7.04 MINIMUM LOT REQUIREMENTS

- (A) Minimum Lot Area for permitted uses – one (1) acre.
- (B) Minimum Lot Area for conditional uses when new construction is proposed – two (2) acres.
- (C) Lot Coverage
- Maximum Coverage – 50%.

7.05 HEIGHT LIMITATIONS

- (A) Principal use structures shall not exceed thirty-five feet (35') in height. For principal structures – There are no maximum height requirements for principal uses.
- (B) Accessory use structures shall not exceed twenty-five feet (25') in height.

7.06 MULTIPLE USES

In the C-2 Highway Commercial District, parcels or lots may accommodate more than one permitted principal use, or a unit group including an approved conditional use or a use by special exception, when they are developed as an integrated land development.

CHAPTER 8 – I-L LIMITED INDUSTRIAL DISTRICT

The Limited Industrial District (I-L) is intended to accommodate establishments engaged in the indoor manufacturing, assembly, fabrication, packaging, or other industrial processing of finished products or parts, primarily from previously prepared materials, or the indoor provision of industrial services, where there are few external effects across property lines. This District includes but is not limited to businesses engaged in the processing, fabrication, assembly, treatment, or packaging of food, textiles, leather, wood, paper, chemical, plastic, or metal products, but does not include basic industrial processing from raw materials. It can also include uses such as wholesale activities and

mini-warehouses. No explosive materials or processes are allowed.

8.00 PERMITTED USES

Permitted uses: Agricultural & related activities, Agribusiness, Agricultural R&D, forestry/reforestation, nurseries/greenhouses, farming/gardening/landscaping retail services, animal hospitals/veterinary, animal shelters, animal kennels-commercial, daycare centers/pre-schools, libraries/cultural facilities, essential public services, facilities & utilities, lodge/fraternal/civic assembly, postal services, business equipment, grocery/market, farm/garden/landscape, manufactured homes, lumber yards, equipment-heavy w/rental, bars & taverns, restaurant/deli's, entertainment/sports facilities-large (>300 capacity), funeral home/crematory, building maintenance, business support, construction w/sales, office-professional, studios-art,/music/photography, rental halls, repairs-equipment, parking-commercial, mini storage facilities, warehousing-light, manufacturing-limited, research & development, laundry-industrial, Medical Marijuana Grow/Processors, Marijuana Dispensaries.

The specific Permitted Uses for the I-L District are listed in the Use Table in Section 2.07.

8.01 CONDITIONAL USES

Conditional Uses: Composting-commercial, Animal kennels-private, Stables-boarding/riding academies, Lodging-hotels/motels, Correctional facilities, Schools, parks-active, Parks-passive, Recreation-indoor facilities, Recreation-nonprofit, Essential communication facilities, Pawn shops, Check cashing shops, Adult-oriented business, Storage of vehicles-commercial boats/RV's/cars/equipment/fleet, Storage of explosive materials, Terminal-freight, and Laundry-industrial.

The Conditional Uses for the I-L District are listed in the Use Table in Section 2.07.

8.02 PERMITTED ACCESSORY USES & STRUCTURES

Accessory buildings and uses customarily incidental to the permitted principal uses. ~~shall not exceed (in square footage) the area of the principal use structure.~~

Accessory uses need not be within a closed building and could include:

- (A) Office, as an accessory to the principal use.
- (B) Signs in accordance with Chapter 21.
- (C) Small Solar Energy Facility.

All accessory buildings and/or structures shall comply with the applicable requirements set forth in Section 2.04, 2.05, and 2.06 of the Township Zoning Ordinance and all minimum yard setback requirements and height requirements set forth below.

8.03 MINIMUM YARD SETBACKS FOR PRINCIPAL STRUCTURES

All principal structures shall meet the following yard requirements:

- (A) Front Yard Depth
 - A minimum front yard of seventy-five feet (75') from the right-of-way line or one hundred feet (100') from the centerline of the street, whichever is greater.
- (B) Side Yards
 - There is a twenty-five-foot (25') side yard requirement if the principal use abuts a commercial or industrial zoned lot.
 - If the principal use abuts a residential zoned lot, the minimum side yard shall be seventy-five feet (75').
 - If the principal use abuts a street, that minimum side yard depth shall be not less than fifty feet (50').
- (C) Rear Yards
 - There is a twenty-five foot (25') minimum rear yard requirement if principal use abuts a commercial or industrial zoned lot.
 - If the principal use abuts a residential zoned lot, the minimum rear yard shall be seventy-five feet (75').
 - For a through lot, the required rear yard depth shall be the same as the front yard depth.
- (D) The Planning Commission may require a permanent, contiguous wood or metal fence not less than four feet (4') nor more than eight feet (8') high, of which at least fifty percent (50%) of the surface is opaque, or an evergreen shrub or hedge shall be maintained at not less than four feet (4') nor more than eight feet

(8') in height at maturity, to be placed along the perimeter line of a commercial development proposal in this I-L District where it abuts an RE or R-1 District.

(Accessory structures – 1,000 square feet or less must meet the front yard same as principal use; side and rear yards – ten feet (10') minimum. 1,001 square feet or more shall meet the requirements of Section 8.03 A, B, and C).

8.04 MINIMUM LOT REQUIREMENTS

- (A) Minimum Lot Area is two (2) acres.
- (B) Maximum Lot Coverage.
 - Maximum Coverage – 70%.

8.05 HEIGHT LIMITATIONS

There are no maximum height requirements for principal uses.

CHAPTER 9 – OZ-1 RENFREW OVERLAY DISTRICT

9.00 PURPOSE AND INTENT

The purpose of these overlay districts is to provide for the flexible development of existing structures. The intent is to provide for the expansion and development of pre-existing structures for the comfort of life.

9.01 RESTRICTIONS

New Construction of single-family houses shall comply with the underlying zoning district requirements of the R-1 Zoning District.

9.02 PERMITTED USES

- (A) Single-family dwelling.
- (B) Farming, general gardening, and growing of trees and nursery stock provided any roadside sales stand and the raising or boarding of livestock conforms to Section 15.01.
- (C) Any Permitted uses in the R-1 list in Section 2.07.

9.03 ACCESSORY USES

- (A) Accessory buildings and uses customarily incidental to the permitted principal use
- (B) Signs, as prescribed in Chapter 20.

(C) Small Solar Energy Facility.

All accessory buildings and/or structures shall comply with the applicable requirements set forth in Section 2.04, 2.05, and 2.06 of the Township Zoning Ordinance and all minimum yard setback requirements and height requirements set forth below.

9.04 CONDITIONAL USES

The following Conditional Uses may be granted or denied:

- (A) Private membership club.
- (B) Essential service buildings, structures, facilities, and installations.
- (C) Government use or structure.
- (D) Educational, religious, or philanthropic institution.
- (E) Hospital, sanitarium, nursing home, or personal care home.

9.05 LOT AREA, HEIGHT, AND YARD REQUIREMENTS

Development proposals which exceed these standards are encouraged.

(A) Minimum Lot or Parcel Area

- Farming - minimum ten (10) acres.
- Existing single-family dwelling without public water and sanitary sewers – three-quarter (3/4) acre (32,670 sq. ft.) minimum.
- Existing single-family dwelling with public water and sanitary sewers - half (1/2) acre (21,780 sq. ft.) minimum.

(B) Minimum Lot Width

- Interior lot - one hundred feet (100').
- Corner lot - one hundred and fifty feet (150').
- Interior lot with public water and sanitary sewers - seventy-five feet (75').
- Corner lot with public water and sanitary sewers - seventy-five feet (75').

(C) Yard Requirements

- Front yard depth - the average of the setbacks of the adjacent buildings on both sides of a proposed addition.
- Side yard width - minimum five feet (5') on one side; fifteen feet (15') total on both sides.

- Rear yard depth – minimum twenty feet (20').
 - Accessory structures - Front yard same as the principal use. Side and rear yards, five feet (5') minimum.
- (D) **Height:** The maximum height of structures, except as otherwise provided, in this district, shall be:
- Principal use structures shall not exceed thirty-five feet (35') in height. ~~Thirty five feet (35') not exceeding two (2) stories for a single-family dwelling.~~
 - Accessory use structures shall not exceed twenty-five feet (25') in height.
 - Accessory agricultural structures such as barns and silos shall be exempt from maximum height restrictions.'
- (E) **Maximum Lot Coverage**
- Maximum coverage – 70%.

9.06 FLOODPLAIN

Any uses in the floodplain shall reference the Penn Township Flood Plain Ordinance regarding required permits.

9.07 PARKING

See Chapter 16 - Off-Street Parking and Loading Facilities.

9.08 PERMITS

A Zoning/Building permit shall be required prior to the erection, construction, placement or alteration of any structure proposed in relation to those uses enumerated in this Chapter.

CHAPTER 10 – OZ-2 PORT-O-CALL OVERLAY DISTRICT

10.00 PURPOSE AND INTENT

The purpose of this district is to provide for the flexible development of existing structures. The intent is to allow for the expansion and development of pre-existing structures for the comfort of life.

10.01 RESTRICTIONS

New construction of single-family houses (excluding the replacement of a mobile home)

shall comply with the underlying zoning district requirements of the RE Zoning District.

10.02 PERMITTED USES

In this district, the land and structures may be used, and structures may be erected, altered, enlarged, and maintained for the following uses only:

- (A) Single-family dwelling.
- (B) Farming, general gardening, and growing of trees and nursery stock provided any roadside sales stand and the raising or boarding of livestock conforms to Section 15.01.
- (C) Accessory Uses
 - Accessory buildings and uses customarily incidental to the permitted principal uses.
 - Signs, as prescribed in Chapter 20.
All accessory buildings and/or structures shall comply with the applicable requirements set forth in Section 2.04, 2.05, and 2.06 of the Township Zoning Ordinance and all minimum yard setback requirements and height requirements set forth below.

10.03 CONDITIONAL USES

- (A) Mobile home parks.
- (B) Private membership clubs.
- (C) Essential service buildings, structures, facilities, and installations.
- (D) Government use or structure.
- (E) Educational, religious, or philanthropic institution.
- (F) Hospital, sanitarium, nursing home, or personal care home.

10.04 LOT AREA, YARD, AND HEIGHT REQUIREMENTS

These standards are hereby established as the minimum necessary to achieve the community goals and objectives identified. Development proposals which exceed these standards are encouraged.

- (A) Minimum Lot or Parcel Area
 - Farming - minimum ten (10) acres.
 - One-family dwelling – one half (1/2) acre (21,780 sq. ft.) minimum without public water and sanitary sewers.

- One-family dwelling - one quarter (1/4) acre (10,890 sq. ft.) minimum with public water and sanitary sewers.

(B) **Minimum** Lot Width

- Interior lot - one hundred feet (100').
- Corner lot - one hundred and fifty feet (150').
- Interior lot with public water and sanitary sewers - seventy-five feet (75').
- Corner lot with public water and sanitary sewers - seventy-five feet (75').

(C) Yard Requirements

- Front yard depth - the average of the setbacks of the adjacent buildings on both sides of a proposed new building or addition.
- Side yard width - minimum five feet (5') on one side; **minimum** fifteen feet (15') total both sides.
- Rear yard depth – **minimum** twenty feet (20').
- Accessory structures - Front yard same as principal use, side and rear yards five feet (5') minimum.

10.05 HEIGHT

The maximum height of structures, except as otherwise provided, in this district shall be:

- (A) **Principal use structures shall not exceed thirty-five feet (35') in height.** ~~Thirty-five feet (35') not exceeding two (2) stories for a single-family dwelling.~~
- (B) Accessory use structures shall not exceed fifteen feet (15') in height.
- (C) Accessory agricultural structures such as barns and silos shall be exempt from maximum height restrictions.

10.06 PARKING

See Chapter 16 – Off-Street Parking and Loading Facilities.

10.07 PERMITS

A Zoning/Building permit shall be required prior to the erection, construction, placement, or alteration of any structure proposed in relation to those uses enumerated in this Chapter.

CHAPTER 15 – SUPPLEMENTAL REGULATIONS

15.00 TABLE OF BULK, DIMENSIONAL & GENERAL REQUIREMENTS

Table 15.00 is hereby repealed and replaced in its entirety with the new Table 15.00 attached hereto and incorporated herein as Exhibit "1".

15.01 GENERAL USE PROVISIONS AND EXCEPTIONS

- ~~Farmettes – Approved as a conditional use.~~ Shall meet the following requirements and receive a zoning permit:
 - Shall have a five (5)–acre minimum area.
 - ~~Animal amounts are the permitted maximum per total acre.~~
 - The number of animals is permitted in combinations but at no time can the number of animals exceed the maximum in combination per acre.
 - Examples of maximum animal amounts are as follows: A 9-acre parcel can have a maximum of nine cows (nine acres) and NO other animals, or a 9-acre parcel can have five cows (five acres) and eight sheep (four acres), or combinations of animals that would meet the maximum per acre. A 6-acre parcel could have twelve poultry (two acres), eight alpaca (two acres), and two horses (two acres).
 - ~~An example would be: A five (5)– acre parcel could have a maximum of three (3) cows and twelve (12) poultry total, or for that same five acres one could have four (4) sheep, one (1) cow, four (4) llama or six (6) poultry.~~

Types	Maximum Per Acre
Cattle, Horse, Swine or Equivalent Size	1
Sheep or Goat	2
Llama	4
Alpaca	4
Poultry	6
Rabbit or Equivalent Size	10

- (B) Poultry, hens only, on less than five (5) acres.
 - Poultry is not permitted to be free-ranging and must be in a coop or have a penned-in area.
- (C) These ratios are not applicable to owners or operators of farms as defined by this Zoning Ordinance.

- (D) Animals must be kept on property via a fence.
- (E) Manure piles shall be a minimum of fifty feet (50') from all property lines.
- (F) Structures housing the animals shall not be closer than twenty-five feet (25') from side or rear yard and shall not be allowed in front yard.

15.06 (C) Accessory Solar

Small Solar Energy Facilities shall be permitted as an accessory use as designated in the Use Table in Section 2.07; provided that the following conditions are met.

- a) Small Solar Energy Facilities shall primarily supply power to a principle on-site structure or use.
- b) Roof-mounted facilities shall fit securely and shall not extend beyond the limits of the existing roof line to which it is mounted.
- c) Roof-mounted facilities shall not exceed the maximum height requirements established for the underlying zoning district.
- d) The surface area for a ground-mounted facility plus the surface area for the principle structure shall not exceed the maximum coverage requirements established for the underlying zoning district.
- e) Ground-mounted facilities, including all required support equipment, shall not be located in front yard areas.
- f) Ground-mounted facilities, including all required support equipment, shall not project into any minimum front, side, or rear yard setbacks established for the underlying zoning district.
- g) Ground-mounted facilities, including all required support equipment, shall not exceed fourteen feet (14') in height.
- h) Ground-mounted facilities, including all required support equipment, shall not exceed 10,000 s.f. in surface area.
- i) All mechanical equipment serving Small Energy Solar Facilities shall be screened from adjacent residentially zoned or used property. (see definition of "screening" in Appendix A – Definitions)

j) All electrical cabling between the Solar Facilities and the primary structure shall be buried or concealed to the extent practical.

k) No Small Solar Energy Facilities shall violate any Performance Standards established in §15.08 of this Ordinance.

15.11 BUFFERYARDS

- (A) Where land in the C-1 (Neighborhood Commercial District), C-2 (Highway Commercial), and I-L (Limited Industrial) Districts abuts residentially used residentially-zoned properties, a permanent buffer of fifteen feet (15') minimum width shall be provided which separates the uses in the C-1, C-2 and I-L Districts for the abutting residentially-zoned used properties. No structures, paving or lighting standards shall be permitted within the designated buffer areas. Maintenance of all buffer areas shall be the responsibility of the property owner, and existing vegetation may be used to provide the screening characteristics of said buffer area.
- (B) Required buffer yards shall be provided by the developer or applicant/owner of the subject parcel during the initial phase of construction where a project is developed in phases, and maintained throughout the development period until occupancy occurs.
- (C) The buffer yard shall be measured from the zoning district boundary line or from the street line where a street serves as the district boundary line.
- (D) In all buffer yards, a fifteen foot (15') width shall be maintained and kept clean of all debris, rubbish, weeds and tall grass. Buffer yard widths may be averaged with the most narrow portion of the yard being seventy percent (70%) of the minimum established width or ten point five feet (10.5') where physical constraints prevent the provision of the standard width.
- (E) No structure, manufacturing activity or storage of materials shall be permitted in the buffer yard.
- (F) All buffer yards 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.
- Plant materials used in the screen planting shall be a minimum of fifty percent (50%) evergreen and of such other species and initial heights as will produce a dense visual screen at least eight feet (8') high within five (5) years.

- The screen planting shall be maintained permanently and any plant material which does not live shall be replaced within one (1) year.
- The screen planting shall be so placed that at maturity it will not overhang any street or property line.
- A clear sight triangle shall be maintained at all street intersections and at all points where private access ways intersect public streets.
- The screen planting shall be broken only at points of vehicular or pedestrian access.

CHAPTER 18 – CONDITIONAL USES

18.43 MULTI-FAMILY DWELLINGS

1. Structures built into a hillside may be three (3) stories in height, but no more than 35 feet (35') in height on the downhill side. Height is measured from the average grade line of a principal facade to the top of the parapet on a flat roof or to halfway between the eave line and the ridge line on a sloped roof building.
2. The maximum density shall be eight (8) dwelling units per acre over the entire property, prorated for fractions of an acre.
3. Each bedroom shall be at least one hundred twenty square feet (120 SF).
4. Apartment buildings shall be of brick or stone construction with masonry fire walls at least six inches (6") thick between units.
5. All multi-family dwellings shall be connected to a sanitary sewage system connected to a wastewater treatment facility and a water supply system approved by the Pennsylvania Department of Environmental Protection.
6. Parking shall meet the requirements of Chapter 15.
7. There shall be no more than eight (8) dwelling units in a townhouse nor more than sixteen (16) units in an apartment building, with no more than eight (8) units per floor.
8. No multi-family structure shall exceed 200 feet (200') in length.
9. Areas not covered by buildings or pavement shall be landscaped with grass at a minimum, except where slopes are in excess of twenty four percent (24%), in which such areas may be left in their natural state.

10. Minimum distances between buildings shall be:
 - a. End walls facing each other with no windows, twenty feet (20') minimum.
 - b. End walls facing each other with windows, thirty-five feet (35') minimum.
 - c. End wall facing a principal wall, forty-five feet (45') minimum.
 - d. Principal wall facing a principal wall, sixty feet (60') minimum. A principal wall contains all the windows of one apartment unit or half the windows of a townhouse unit.
 - e. Walls shall be considered as facing each other if they are parallel, or if extended towards each other on the same plane would form an angle of not more than 45 degrees.
11. The only other permitted uses on the apartment building site are parking, recreation areas for residents, offices on the first floor for doctors or ministers of an established church who are residents of the same apartment building.
12. Usable recreation areas shall be provided on land sloped no more than ten percent (10%), in area no less than two hundred square feet (200 SF) per dwelling unit, but no less than two thousand square feet (2000 SF).
13. If more than one building is proposed, a single site plan shall be presented showing all future buildings.
14. Parking areas shall be lighted to at no less than one (1) foot candle measured three feet (3') above the pavement. Such lighting shall not create glare conditions on neighboring properties or roadways.
15. All communication and service lines shall be placed underground.
16. Above grade transformers or other appurtenances shall be screened with landscaping.
17. The developer shall submit a scaled drawing to the Township Planning Commission showing the entire property indicating:
 - a. Existing structures and proposed buildings on the site by dimension and distance to property lines, height, and number of units in each building;
 - b. Parking spaces and access;
 - c. Grading of the site to accommodate construction and a drainage plan;
 - d. Sewer and water lines;
 - e. Water and wastewater disposal and treatment systems meeting PA DEP specifications; and
 - f. Means to control stormwater drainage.

18. A permanent buffer of fifteen feet (15') minimum width, in accordance with Section 15.11 of the Zoning Ordinance, shall be provided to separate the use from any commercially-used abutting properties.

SECTION 18.52 WIND ENERGY FACILITY

Wind energy facilities shall comply with the following requirements to minimize impacts on the Township's physical and social environments and on adjoining landowners and the community:

1. The design of the wind energy facility shall conform to applicable industry standards, including those of the American National Standards Institute. The applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, or other similar certifying organizations.
2. To the extent applicable, the wind energy facility shall comply with the Pennsylvania Uniform Construction Code.
3. All wind energy facilities shall be equipped with a redundant braking system. This includes both aerodynamic over-speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.
4. Wind turbines shall be a non-obtrusive color such as white, off-white, or gray.
5. Wind energy facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.
6. No portion of a wind turbine shall contain or be used to display advertising.
7. On-site transmission and power lines between wind turbines shall, to the maximum extent practicable, be placed underground.

8. Wind turbines shall be set back from an occupied building, the property line, and the right-of-way of any adjacent state or municipal road a distance not less than 1.5 times the turbine height. Setback shall be measured from the center of the wind turbine base.
9. Noise from a wind turbine shall not exceed 55 dBA at the nearest property line. The applicant shall provide technical support documentation indicating the noise standard will be achieved.
10. Wind energy facilities shall provide reasonable measures to minimize shadow flicker on any occupied building.
11. Wind energy facilities shall provide reasonable measures to avoid disruption or loss of radio, telephone, television, or similar signals, and shall mitigate any harm caused by the wind energy facility.
12. The facility owner or operator shall, at its expense, complete decommissioning of the facility within 12 months after the end of the useful life of the facility. The facility will be presumed to be at the end of its useful life if no electricity is generated for a continuous period of 12 months.
13. Decommissioning shall include the removal of wind turbines, buildings, cabling, electrical components, roads, foundations to a depth of 36 inches, and any other associated facilities. Disturbed earth shall be graded and re-seeded.
14. An independent Professional Engineer registered in the Commonwealth of Pennsylvania shall be retained by the facility owner or operator to estimate the total cost of decommissioning without regard to salvage value of the equipment ("Decommissioning Costs") and the cost of decommissioning net salvage value of the equipment ("Net Decommissioning Costs"). Said estimates shall be submitted to the Township after the first year of operation and every fifth year thereafter.
15. The facility owner or operator shall post and maintain decommissioning funds in an amount equal to net decommissioning costs provided that at no point shall decommissioning funds be less than 25% of decommissioning costs. The decommissioning funds shall be posted and maintained with a bonding company or Federal or Commonwealth of Pennsylvania chartered lending

institution chosen by the facility owner or operator and participating landowner posting the financial security, provided that the bonding company or lending institution is authorized to conduct such business within the Commonwealth and is approved by the Township. Decommissioning funds may be in the form of a performance bond, surety bond, letter of credit, corporate guarantee, or other form of financial assistance as may be acceptable to the Township.

16. If neither the facility owner nor operator completes decommissioning within the prescribed period then the Township may take such measures as necessary to complete decommissioning. The entry into and submission of evidence of a participating landowner agreement to the Township shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors, and assigns that the Township may take such action as necessary to implement the decommissioning plan.
17. The escrow agent shall release the decommissioning funds when the facility owner or operator has demonstrated and the municipality concurs that decommissioning has been satisfactorily completed, or upon written approval of the Township to implement the decommissioning plan.

SECTION 18.53 PRINCIPAL SOLAR ENERGY SYSTEM

Principal Solar Energy Systems shall meet the following conditions.

1. The minimum lot size for a Principal Solar Energy System facility is 10 acres. Contiguous lots under the same owner, that together are larger than 10 acres, shall satisfy this condition.
2. The maximum height of solar panels is fourteen (14) feet. This height shall be measured from the highest point during a panel's full rotation needed to maximize exposure to the sunlight throughout the day. All other associated structures shall meet the height requirements of the underlying zoning district.
3. Solar panels and support equipment shall be set back a minimum of 50-feet from all property lines and a minimum of 100-feet from all road rights-of-way and a minimum of 150-feet from residential properties or uses.
4. The surface area for a ground-mounted facility, measured by the total square footage of the installed panels, plus the surface area for the principal structure

shall not exceed the maximum coverage requirements established for the underlying district.

5. Security fencing of at least 8 feet is required around the entire solar facility, inside the perimeter of any screening.
6. The perimeter of the project areas, including all solar panels and associated equipment, shall be screened from adjacent residential and commercial properties, uses, and roadways. (see definition of "Screen" in Appendix A).
7. Maximum allowable noise levels produced by the solar facility shall be limited to 55 decibels.
8. Lighting shall be limited to the minimum necessary in compliance with Section 15.08 and shall not project onto any adjacent property.
9. All electrical cabling between the Solar Facilities and the utility system connection shall be placed underground to the extent feasible.
10. Glare from the Solar facility determined to be a nuisance, by the Township, to adjacent properties or roadways shall be prohibited. The Solar facility owners shall remediate any nuisance glare claims within six (6) months of being notified.
11. In addition to providing descriptions and documentation to show compliance with the above Conditions, the owner shall provide information on Project rationale; siting considerations; Mitigation of environmental and wildlife habitat impacts; Intended route for connecting to the utility network; Alternative locations for supporting mechanical equipment, Legal agreements between the Solar facility operators and the property owner, written confirmation that the public utility has been informed of the project's intent to connect to the utility system.
12. Shall meet all State and Federal regulations.
13. The Penn Township Board of Supervisors may attach additional conditions to the land development plan approval.
14. The facility owner or operator shall, at its expense, complete decommissioning of the facility within 12 months after the end of the useful life of the facility. The facility will be presumed to be at the end of its useful life if no electricity is generated for a continuous period of 12 months.

15. Decommissioning shall include the removal of solar panels or collectors, buildings, cabling, electrical components, roads, foundations to a depth of 36 inches, and any other associated facilities. Disturbed earth shall be graded and re-seeded.
16. An independent Professional Engineer, registered in the State of Pennsylvania, shall be retained by the facility owner or operator to estimate the total cost of decommissioning without regard to salvage value of the equipment ("Decommissioning Costs") and the cost of decommissioning net salvage value of the equipment ("Net Decommissioning Costs"). Said estimates shall be submitted to the Township after the first year of operation and every fifth year thereafter.
17. The facility owner or operator shall post and maintain decommissioning funds in an amount equal to net decommissioning costs provided that at no point shall decommissioning funds be less than 25% of decommissioning costs. The decommissioning funds shall be posted and maintained with a bonding company or federal or Commonwealth of Pennsylvania chartered lending institution chosen by the facility owner or operator and participating landowner posting the financial security, provided that the bonding company or lending institution is authorized to conduct such business within the Commonwealth of Pennsylvania and is approved by the Township. Decommissioning funds may be in the form of a performance bond, surety bond, letter of credit, corporate guarantee, or other form of financial assistance as may be acceptable to the Township.
18. If neither the facility owner nor operator completes decommissioning within the prescribed period, then the Township may take such measures as necessary to complete decommissioning. The entry into and submission of evidence of a participating landowner agreement to the Township shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors, and assigns that the Township may take such action as necessary to implement the decommissioning plan.
19. The escrow agent shall release the decommissioning funds when the facility owner or operator has demonstrated and the municipality concurs that decommissioning has been satisfactorily completed, or upon written approval of the municipality in order to implement the decommissioning plan.

SECTION 18.54 Two-Family (2-Family) Dwelling

1. The Maximum Building Coverage shall be 25%.
2. Compliance with all zoning requirements related to height, setbacks, lot coverage, fees, charges, and other zoning requirements generally applicable to residential construction in the zoning district in which the property is located apply.
3. Parking shall be provided on the same lot upon which the dwelling is located.
4. Unpierced interior walls shall be fireproof per local building codes.
5. Areas not covered by buildings or pavement shall be landscaped with grass at a minimum, except where slopes are in excess of twenty four percent (24%), in which such areas may be left in their natural state.
6. All communication and service lines shall be placed underground.
7. Above grade transformers or other appurtenances shall be screened with landscaping.
8. Shall be connected to a sanitary sewage system connected to a wastewater treatment facility and a public water supply system.
9. A permanent buffer of fifteen feet (15') minimum width, in accordance with Section 15.11 of the Zoning Ordinance, shall be provided to separate the use from any commercially-used abutting properties.

22.02 NOTICE OF VIOLATION

- (A) If no permit has been issued for the use of a structure or any other work for which a permit is required by this Zoning Ordinance, the Zoning Officer shall issue an order to the parcel owner of record to immediately cease and desist, and shall file a citation before the District Justice and/or shall take such other legal action as is warranted.
- (B) If there is a violation of this Zoning Ordinance (other than lack of a permit as covered in (A) above), the Zoning Officer shall give a written enforcement notice to the owner of record of the violating parcel, and any other person requesting in writing by the owner of record, by certified mail or personal service, with an order to correct the violation within five days from the date of the enforcement notice.
- (C) The Notice shall contain the following information:

- The name of the owner of record and any other person against whom the municipality intends to take action.
 - The location of the property in violation.
 - The specific violation describing requirements not met and the applicable provisions of the Zoning Ordinance being violated.
 - Dates for commencement of compliance and completion.
 - That the recipient of the violation notices has the right to appeal to the Zoning Hearing Board within a prescribed period of time as set forth in Section 18.22 19.22.
 - That failure to comply within the 30 days, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with penalties as set forth in Section 21.04 22.01.
- (D) If the violation is not corrected within 30 days, the Zoning Officer shall issue a written revocation of the zoning and/or occupancy permits and shall initiate a civil proceeding before the District Justice and/or take other legal action as warranted.

APPENDIX A - DEFINITIONS

Principal Solar Energy System - is a utility-scale solar farm facility used primarily for solar collection and conversion to electrical energy for sale and/or distribution for off-site use.

Small Solar Energy Facility - a small solar energy facility accessory to the Principal Use(s) on the same lot. The sale and distribution of excess available energy shall be incidental and not the primary purpose of the facility.

Wind Energy Facility - an electric generation facility, whose main purpose is to supply electricity, consisting of one or more Wind Turbines and other accessory structures and buildings, including substations, meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures and facilities. The term does not include stand-alone Wind Turbines constructed primarily for residential or agricultural use.

SECTION 3 - SEVERABILITY

Should any section, subsection, clause, provision, or other portion of this Ordinance be declared invalid by any court of competent jurisdiction, such decision shall not affect the

validity of the remainder of this Ordinance; the Township Board of Supervisors having adopted this Ordinance as if such invalid portions had not been included therein.

SECTION 4 - CONFLICTS

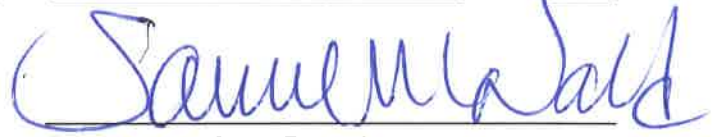
Should any provision of this Ordinance conflict with any other section, provision, regulation, or standard of any other Township Ordinance, the more restrictive shall apply.


SECTION 5 - EFFECTIVE DATE

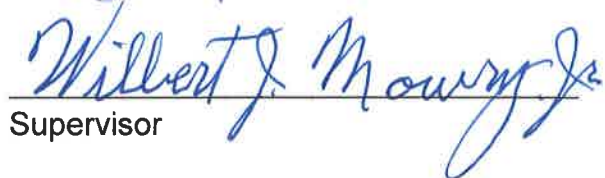
This Ordinance shall become effective five (5) days after the adoption thereof.

ENACTED AND ORDAINED into law by the Board of Supervisors of Penn Township, Butler County, Pennsylvania, this 8th day of October of 2024.


Township Manager


Chairman of the Board


Vice-Chairman of the Board


Supervisor