

NORTH SEWICKLEY TOWNSHIP, BEAVER COUNTY, PENNSYLVANIA ORDINANCE
NO. 0612-1 OF 2024

AN ORDINANCE OF NORTH SEWICKLEY TOWNSHIP, BEAVER COUNTY, PENNSYLVANIA, FOR THE PURPOSE OF MAKING VARIOUS CHANGES, CLARIFICATIONS, AND AMENDMENTS TO THE NORTH SEWICKLEY TOWNSHIP ZONING ORDINANCE, CHAPTER 27 BY PROVIDING FOR PURPOSES AND FINDINGS RELATED TO THE ADOPTION OF SAID AMENDMENTS.

WHEREAS, the North Sewickley Township Board of Supervisors finds that the various changes, clarifications, and amendments are deemed necessary in order to encourage beneficial growth in the Township while keeping the density of development consistent with existing Township facilities and the Township's ability to develop new facilities.

WHEREAS, in the judgment of the Board of Supervisors of North Sewickley Township that such changes, clarifications, and amendments to the North Sewickley Township Zoning Ordinance is consistent with the overall best interest of the Township.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the North Sewickley Township Board of Supervisors, of Beaver County, Commonwealth of Pennsylvania, and by this Ordinance it is hereby ordained and enacted as follows:

1. Section 27-202; Definitions:

The definition of Mobile Food Facility shall be added to include "A movable retail food facility, such as a stand, vehicle, cart, basket, box or similar structure, from which food is stored, prepared, processed, distributed or sold".

The definition of Distillery shall be added to include " An establishment for distilling, especially for distilling alcoholic liquors. No products produced by the distillery shall be sold and/or consumed on the premise. See also "Micro-distillery." "

The definition of Micro-Distillery shall be added to include " A small, often boutique-style distillery established to produce beverage grade spirit alcohol in relatively small quantities, usually done in single or small batches. No products produced by the distillery shall be sold and/or consumed on the premise."

The definition of Brewery shall be added to include " An establishment for brewing large quantities of beer or other malt liquors for wholesale distribution. No products produced by the distillery shall be sold and/or consumed on the premise. See also "Micro-brewery."."

The definition of Micro-Brewery shall be added to include " A small, usually independent brewery that produces limited quantities of specialized beers. No products produced by the distillery shall be sold and/or consumed on the premise."

2. Section 27-402; Permitted Uses:

Add Subsection A(12): Mobile Food Facility

Add Subsection B(4): Roof Mounted Non-Commercial Solar Energy Systems

3. Section 27-403; Permitted Uses:

Delete Subsection H: Commercial Solar Facility

4. Section 27-404; Uses by Special Exception:

Add Subsection C: Distillery

Add Subsection D: Micro-Distillery

Add Subsection E: Brewery

Add Subsection F: Micro-Brewery

Add Subsection G: Commercial Solar Facility

Add Subsection H: Small-Scale Ground Mounted System

5. Section 27-502; Permitted Uses:

Add Subsection A(4): Mobile Food Facility

Add Subsection B(4): Roof Mounted Non-Commercial Solar Energy Systems

6. Section 27-504; Uses by Special Exception:

Add Subsection F: Distillery

Add Subsection G: Micro-Distillery

Add Subsection H: Brewery

Add Subsection I: Micro-Brewery

Add Subsection J: Small-Scale Ground Mounted System

7. Section 27-602; Permitted Uses:

Add Subsection A(8): Mobile Food Facility

Add Subsection A(9): Distillery

Add Subsection A(10): Micro-Distillery

Add Subsection A(11): Brewery

Add Subsection A(12): Micro-Brewery

Add Subsection B(3): Roof Mounted Non-Commercial Solar-Energy Systems

8. Section 27-604; Uses by Special Exceptions:

Add Subsection D: Small-Scale Ground Mounted System

9. Section 27-702; Permitted Uses:

Add Subsection A(8): Mobile Food Facility

Add Subsection A(9): Distillery

Add Subsection A(10): Micro-Distillery

Add Subsection A(11): Brewery

Add Subsection A(12): Micro-Brewery

Add Subsection B(3): Roof Mounted Non-Commercial Solar Energy Systems

10. Section 27-704; Uses by Special Exceptions:

Add Subsection E:- Small-Scale Ground Mounted System

11. Section 27-802; Permitted Uses:

Add Subsection A(15): Mobile Food Facility

Add Subsection A(15): Distillery

Add Subsection A(16): Micro-Distillery

Add Subsection A(17): Brewery

Add Subsection A(18): Micro-Brewery

Add Subsection B(4): Roof Mounted Non-Commercial Solar Energy Systems

12. Section 27-804; Uses by Special Exception:

Delete in its entirety and replace with the following:

General criteria, procedural requirements and specific standards for individual uses are included in Part 12 of this Ordinance.

A. Small-Scale Ground Mounted System

13. Section 27-902; Permitted Uses:

Add Subsection A(9): Mobile Food Facility

Add Subsection A(10): Distillery

Add Subsection A(11): Micro-Distillery

Add Subsection A(12): Brewery

Add Subsection A(13): Micro-Brewery

Add Subsection B(5): Roof Mounted Non-Commercial Solar Energy Systems

14. Section 27-904; Uses by Special Exception:

Delete in its entirety and replace with the following:

General criteria, procedural requirements and specific standards for individual uses are included in Part 12 of this Ordinance.

B. Small-Scale Ground Mounted System

15. Add Section 27-1122 Roof Mounted Non-Commercial Solar Energy Systems as follows:

- A. Township zoning approval is required for the construction of any solar-energy facility that is an accessory use on any site or lot.

All Federal, State, and Local regulations in effect at the time of application will apply.

16. Delete Section 27-1204.U and 27-1204.V in their entirety and replace with the following:

27-1204.U. Reserved for future use

27-1204.V. Reserved for future use

17. Delete Section 27-1207 Specific Criteria for Uses by Special Exception in its entirety and replace with the following:

- A. Churches and Church-Maintained Cemeteries: Use by special exception in the AR and MDR Districts.
 - (1) Minimum site: five (5) acres.
 - (2) Plan for ingress/egress and circulation shall be provided.
 - (3) All maintenance equipment shall be stored in an enclosed building when not in use.
 - (4) A stormwater management plan shall be submitted with the application to show existing and proposed contours and runoff characteristics.
 - (5) No mausoleum shall be located within one hundred feet (100') of any property line.
 - (6) Parking for principal structures shall be provided in accordance with Article 14.
 - (7) A dwelling may be located on the same lot with a church provided that all requirements for single family dwellings in the zoning district can be met in addition to the minimum lot area, lot width, and yard requirements applicable to both the church and the dwelling.
- B. Laundry and Dry Cleaning Facility: Use by special exception in the B District.
 - (1) This use is for the drop-off and pick-up of clothing only, with no dry cleaning processing on site.
 - (2) Related activities including material repair, tailoring and seamstress services shall be permitted.
 - (3) Parking for delivery vehicles shall be provided in addition to minimum parking for customers and employees as per Part 14.
- C. Municipal Buildings, Libraries, Community Centers: Use by special exception in the MDR District,
 - (1) Ingress and egress to and from municipal buildings (including police and fire houses, libraries) shall be located so as to maximize sight distances along adjacent public roadways for vehicles exiting the property.

- (2) Fire houses, police stations, and municipal maintenance facilities shall be located on the property so that vehicles and equipment can be maneuvered on the property without interrupting traffic flow or blocking public roadways.
 - (3) All outside storage facilities shall be screened from public view from street and adjoining properties by a six foot (6') hedge or comparable landscaping.
 - (4) The proposed use shall have direct access to a collector roadway with sufficient capacity to accommodate the traffic generated by the proposed use.
- D. Schools, Public, Private and Parochial: Use by special exception in the AR District.
- (1) The applicant shall submit a site plan that illustrates the proposed development, including the location and size of all buildings, proposed and existing, the vehicular circulation pattern, the location and number of parking spaces along with a calculation of the minimum number of required parking spaces, the location and use of all outdoor athletic fields, courts, and play areas.
 - (2) The applicant shall specify how sewer and water facilities will be provided and shall prove that the sewage system is in compliance with the municipality's Sewage Facility Plan (Act 537).
 - (3) For nursery schools, kindergartens, and elementary schools, the applicant shall make provisions for sufficient off-street drop-off/pick-up area for children, vehicular stacking lanes, and additional off-street parking spaces to ensure adequate traffic flow and avoid traffic obstruction.
 - (4) Schools shall be designed to provide convenient access for emergency vehicles and access to all sides of the building by firefighting equipment and vehicles.
 - (5) The applicant shall identify the maximum number of students, faculty members, and employees that the facility is designed to accommodate.
 - (6) The applicant shall identify all activities that are intended to take place at the facility.
 - (7) The applicant should identify the intended schedule for use of the facility including months of the year, days of the week, and hours of the day.
 - (8) The applicant shall identify any flammable, hazardous, or explosive materials that would be stored or used at the facility. Safety measures shall be identified.
 - (9) The Board of Supervisors may impose reasonable conditions regarding the use of the facility, size of buildings, and other matters it deems necessary to ensure the proposed use meets the objectives of this Ordinance.
- E. Restaurants with Drive-Through Windows: Use by special exception in the CC District.
- (1) The provisions of §27-1109 shall apply.
 - (2) Adequate waste containers shall be provided on the premises and the operator shall be responsible for timely removal of paper and other debris on the grounds.
- F. Financial Institutions with Drive-Through Windows: Use by special exception in the CC District.
- (1) Access drives shall provide adequate sight distance for motorists entering and exiting the property, and shall not disrupt the parking pattern of the lot.

- (2) There shall be separate access lanes and service areas identified for customers.
 - (3) All areas not occupied by structures or paved shall be landscaped and maintained.
 - (4) All parking and/or service areas shall be screened from adjacent residential properties with Bufferyard B as per the Appendix.
 - (5) The provisions of §27-1109 shall apply.
- G. Group Residence Facility: Use by special exception in the B & BT Districts.
- (1) The number of residents shall be limited to no more than twelve (12) persons, including clients, staff and family of staff. Clients shall be limited to no more than nine (9) persons.
 - (2) On-site parking facilities shall be provided at the ratio of one (1) stall for every two (2) full-time staff members and an additional stall for every two
 - (3) non-staff residents who are eligible and are permitted by the sponsor to operate a motor vehicle.
 - (4) Such facility shall be located not less than one-half (1/2) mile from any other group residence facility, group care facility, institutional facility or drug and/or alcohol outpatient clinic.
 - (5) A license or certification shall be obtained from the Commonwealth of Pennsylvania or County of Beaver prior to issuance of a certificate of occupancy. In the event that an appropriate licensing or certifying agency does not exist, the applicant shall demonstrate to the Board of Supervisors that the proposal satisfies a demonstrated need and will be conducted in a responsible manner without detriment to surrounding properties.
 - (6) The sponsor shall file annually with the Board of Supervisors information indicating that the facility continues to satisfy the conditions of original approval. Individual or organizations wishing to file a complaint shall do so in writing to the Board of Supervisors. Change of sponsorship or of any conditions of original approval shall constitute a new use and the full procedure for obtaining a new use shall be exercised.
- H. Day Care Facility: Use by special exception in the B District.
- (1) The provisions of Section 27-1204F shall apply.
 - (2) The minimum lot size shall be .75 acres (32,670 square feet).
 - (3) Exterior play areas shall be completely fenced with a self-latching gate.
 - (4) A drop-off and pick-up area at the primary entrance shall be provided and separated from the required parking area.
- I. Bed and Breakfast: Use by special exception in the BT District.
- (1) The provisions of Section 27-1204D shall apply.
- J. Banquet/Reception Facilities: Special Exception in the BT District.
- (1) Facility shall not be operated between the hours of 12:00 A.M. and 9:00 A.M.
 - (2) Exterior lighting shall be the sharp cut-off luminaire type, with shielded illumination sources, and illumination levels of a maximum one (1) footcandle at property boundary lines.

- (3) Comply with the Township Noise Ordinance.
 - (4) Lots abutting residentially zoned property shall provide Bufferyard Type B along the abutting property boundary.
- K. Distillery, Micro-Distillery, Brewery, Micro-Brewery use by special exception in the AR and MDR Districts:
- (1) Operations shall cease between the hours of 11pm and 7am prevailing time.
 - (2) Shall not be located closer than six hundred (600) feet to a property line.
 - (3) Operations shall be regulated so that nuisances, such as excessive noise levels, shall not be created. The Township may attach such reasonable conditions as it deems necessary to ensure the operation complies with this requirement.
 - (4) Outdoor storage of material is not permitted.
- L. Non-Commercial Small-Scale Ground Mounted Systems as special exception in all districts:
- (1) Township zoning approval is required for the construction of any solar energy facility that is an accessory use on any site or lot.
 - (2) The permit application for a ground mounted system must have a site plan including a detailed drawing of the lot or parcel showing all buildings, the distance between the proposed solar collector, existing buildings and all property lines. The drawing will also include square footage of the building or buildings and the square footage of system, lot coverage, and finished height.
 - (3) Solar collectors must be located behind the front building line, in rear or side yards only, 10 feet from all buildings, and must conform to setbacks in that zoning district.
 - (4) Indicate proposed changes to the landscape of the site, grading and vegetation clearing.
 - (5) Ground mounted system must be screened to provide safety and limit trespassing by natural or man-made fencing; such screening should adhere to established standards for both installation and maintenance.
 - (6) The applicant shall demonstrate through project planning and proposed mitigation that a proposed facility's impact will be minimized for surrounding properties and the community.
 - (7) Where the installation of the facility constitutes a land development, all provisions of applicable ordinances shall be met.
 - (8) Comply with the Township Noise Ordinance.
 - (9) All Federal, State, and Local regulations in effect at the time of application will apply. Construction of any solar-energy facility shall comply with all applicable rules and regulations of the United States Federal Aviation Administration. Documentation of compliance shall be provided to the Township.
- M. Commercial Solar Facilities: Use by special exception in AR district.
- (1) All federal, state, and local regulations in effect at the time of application will apply. Size of such facilities to be based on the NREL publication, Land-Use

Requirements for Solar Power Plants in the United States as amended.

- (2) Township zoning approval is required for the construction of any solar energy facility that is an accessory use on any site or lot.
- (3) The permit application for a ground mounted system must have a site plan including a detailed drawing of the lot or parcel showing all buildings, the distance between the proposed solar collector, existing buildings and all property lines. The drawing will also include square footage of the building or buildings and the square footage of system, lot coverage, and finished height.
- (4) Solar collectors must be located behind the front building line, in rear or side yards only, 10 feet from all buildings, and must conform to setbacks in that zoning district.
- (5) Indicate proposed changes to the landscape of the site, grading and vegetation clearing.
- (6) Ground mounted system must be screened to provide safety and limit trespassing by natural or man-made fencing; such screening should adhere to established standards for both installation and maintenance.
- (7) The applicant shall demonstrate through project planning and proposed mitigation that a proposed facility's impact will be minimized for surrounding properties and the community.
- (8) Where the installation of the facility constitutes a land development, all provisions of applicable ordinances shall be met.
- (9) Comply with the Township Noise Ordinance.
- (10) All Federal, State, and Local regulations in effect at the time of application will apply. Construction of any solar-energy facility shall comply with all applicable rules and regulations of the United States Federal Aviation Administration. Documentation of compliance shall be provided to the Township.

18. Severability. The provisions of this Ordinance are severable and in the event that any provision is held invalid, void, illegal, or unconstitutional by a court, it is the intent of the North Sewickley Township Board of Supervisors that such determination shall not affect or render void the remaining provisions of this Ordinance. It is the declared intent of the Board of Supervisors that this Ordinance would have been enacted if any provision subsequently declared to be void, invalid, illegal or unconstitutional had not been included at the time of enactment.

19. Repealer. Any and all prior Ordinances or portions of prior Ordinances that are in conflict with this Ordinance are hereby repealed to the extent of such conflict. The remaining North Sewickley Township Zoning Ordinance, including any amendment thereto, not modified, shall remain the same and in full force and effect.

20. Effective Date. This Ordinance shall take effect thirty (30) days after the date of adoption by the North Sewickley Township Board of Supervisors, Beaver County, Pennsylvania.

DULY presented and adopted at a meeting of the Board of Supervisors of North Sewickley Township, Beaver County, Commonwealth of Pennsylvania, this 12th day of June, 2024.

ENACTED and ORDAINED this 12th day of June, 2024

E. J. Jant

Justin Gump Secretary-Treasurer

Tom Roush Chairman

B. B.

