

**ORDINANCE NO. #883-22  
BOROUGH OF ZELIENOPLE  
BUTLER COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING CHAPTER 280, ZONING BY ADDING AMENDMENTS TO THE ZONING MAP AND DISTRICTS, ADDING VILLAGE RESIDENTIAL (VR) TO PERMITTED USES; AMENDING THE BULK STANDARDS BY AMENDING ACCESSORY USES AND LIGHTING STANDARDS TO INCLUDE THE VR DISTRICT; AMENDING ARTICLE IX, SIGNS TO INCLUDE THE VR DISTRICT; AND REZONING A PORTION OF THE GLADE RUN FOUNDATION PROPERTY.**

WHEREAS, the Borough of Zelienople desires to promote the public health, safety and welfare through the adoption, administration, and enforcement of a Zoning Ordinance; and

WHEREAS, from time to time, the Borough finds it necessary to amend its zoning ordinance in order to achieve and advance the preceding goals and objectives;

NOW THEREFORE, the Zelienople Borough Council adopts the following revisions to the Zoning Ordinance:

**ZELIENOPLE ZONING PROPOSED ORDINANCE AMENDMENTS**

**August 4, 2022**

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**SECTION 1: Amendments to Zoning Map and Districts.**

§ 280-401. Establishment of districts shall be amended as follows where underlined text represents text to be added and text shown in strikethrough format shall be removed from the aforesaid section:

§ 280-401. Establishment of districts.

This chapter establishes and divides the Borough into the following zoning districts which are shown graphically on the Zoning Map which by reference is a part of this section:

(Section 280-601)	R-1	Single-Family Residential
(Section 280-602)	R-2	General Residential
(Section 280-603)	R-3	Urban Residential
(Section 280-604)	R-4/ <del>C-2</del>	Mixed Use
(Section 280-605)	C-1	Central Business
<u>(Section 280-606)</u>	<u>C-1</u>	<u>Central Business District Overlay</u>
(Section 280-607)	C-3	Heavy Commercial
(Section 280-608)	I	Large Scale Office and Industrial
(Section 280-609)	FP	Floodplain
<u>(Section 280-610)</u>		<u>Zelienople Municipal Airport Zoning Overlay</u>
<u>(Section 280-611)</u>	<u>VR</u>	<u>Village Residential</u>

**SECTION 2: Addition of § 280-611, Village Residential, to Article VI, Permitted Uses.**

The following shall be added to Article VI, Permitted Uses, as § 280-611, Village Residential:

SECTION 611 – VR - Village Residential

1. Statement of Purpose – The VR - Village Residential District consists of Subdistricts providing a mixture of housing types consisting of Single Family Dwelling Units and Townhouse Dwelling Units. The residential development standards utilize design, scale, building orientation, landscaping, and open space to create a pedestrian oriented neighborhood with a sense of community and place.

2. The following provisions apply specifically to the respective development Subdistricts:

A. VR Development Subdistrict A

(1) Subdistrict A is specifically identified in Attachment 1 and is generally described as all property located between the Beaver County boundary and Muntz Run Road, including the property located north of Route 68 and bounded by Ben Venue Road.

(2) The maximum number of Dwelling Units is 65.

(3) Permitted Use

(a) Single Family Dwellings

(4) Lot, Area and Dimensional Requirements

(a) The following requirements apply to each Lot:

- (i) Minimum Lot Width of 62 feet along the Building Line but not less than a total of 26 Dwelling Unit Lots of the total 65 Dwelling Unit Lots must have a Minimum Lot Width of 80 feet.
- (ii) Minimum Lot Frontage of 44 feet.
- (iii) Distance between the nearest portion of the Building Line to the nearest portion of the edge of sidewalk shall be not less than 25 feet.
- (iv) Minimum Front Yard of 20 feet.
- (v) Minimum Side Yard of 10 feet.
- (vi) For a Corner Lot, Minimum Yard of 15 feet along the entire property line abutting each street.
- (vii) Minimum Rear Yard of 30 feet.
- (viii) No Building shall exceed a Building Height of 35 feet.
- (ix) One Principal Building permitted per Lot.

(b) The Maximum Impervious Surface Coverage for the entire Subdistrict A is 35%.

B. VR Development Subdistrict B

(1) Subdistrict B is specifically identified in Attachment 1 and is generally described as all property located between Muntz Run Road, Route 68 and the existing eastern property line.

(2) Permitted Use

(a) Townhouse Dwellings

(3) The maximum number of Townhouse Dwelling Units is 86.

(4) Lot, Area and Dimensional Requirements

(a) The following requirements shall apply to all Townhouse Dwelling Unit Buildings:

- (i) Minimum Front Yard of 20 feet.
- (ii) Distance between the nearest portion of the Building Line to the nearest portion of the edge of sidewalk shall be not less than 25 feet.
- (iii) Minimum Side Yard of 10 feet.
- (iv) For a Corner Lot, Minimum Yard of 15 feet along the entire property line abutting each street.
- (v) Minimum Rear Yard of 30 feet.
- (vi) No Building shall exceed a Building Height of 35 feet.
- (vii) Each Townhouse Building shall comprise not less than 3 Townhouse Dwelling Units nor more than 5 Townhouse Dwelling Units.
- (b) Building permits for no more than 53 Townhouse Dwelling Units shall be issued unless and until the date on which (i) not less than 90 building permits have been issued for Single Family Dwelling Units constructed in Subdistrict C and (ii) construction has at least commenced, in the reasonable discretion of the Zoning Officer, pursuant to each of such 90 building permits.
- (c) The Maximum Impervious Surface Coverage for the entire Subdistrict B is 40%.

C. VR Development Subdistrict C

- (1) Subdistrict C is specifically identified in Attachment 1 and is generally identified as property located east of Subdistrict B and the existing western property line along the Timberbrook Plan.
- (2) Permitted Use
  - (a) Single Family Dwellings
- (3) The maximum number of dwelling units is 130.
- (4) Lot, Area and Dimensional Requirements
  - (a) The following requirements shall apply to each Lot:
    - (i) Minimum Lot Width of 62 feet along the Building Line but not less than a total of 52 Dwelling Unit Lots of the total 130 Dwelling Unit Lots must have a Minimum Lot Width of 80 feet.
    - (ii) Minimum Lot Frontage of 44 feet.

- (iii) Distance between the nearest portion of the Building Line to the nearest portion of the edge of sidewalk shall be not less than 25 feet.
- (iv) Minimum Front Yard of 20 feet.
- (v) Minimum Side Yard of 10 feet.
- (vi) For a Corner Lot, Minimum Yard of 15 feet along the entire property line abutting each street.
- (vii) Minimum Rear Yard of 30 feet.
- (viii) No Building shall exceed a Building Height of 35 feet.
- (ix) One Principal Building permitted per Lot.
- (b) Not less than 35% of the Dwelling Units having a Minimum Lot Width of less than 80 feet shall have porches having a minimum depth of 4 feet and a minimum width of 7 feet.
- (c) The Maximum Impervious Surface Coverage for the entire Subdistrict C is 40%.

D. VR Development Subdistrict D

- (1) Subdistrict D is specifically identified in Attachment 1 and is generally described as all property located along Muntz Run Road and the Zelienople Borough/Jackson Township boundary.
- (2) Permitted Use
  - (a) Single Family Dwellings
- (3) The maximum number of Dwelling Units is 140.
- (4) Lot, Area and Dimensional Requirements
  - (a) The following requirements shall apply to each Lot:
    - (i) Minimum Lot Width of 62 feet along the Building Line but not less than a total of 56 Dwelling Unit Lots of the total 140 Dwelling Unit Lots must have a Minimum Lot Width of 80 feet.
    - (ii) Minimum Lot Frontage of 44 feet.
    - (iii) Distance between the nearest portion of the Building Line to the nearest portion of the edge of sidewalk shall be not less than 25 feet.

(iv) Minimum Front Yard of 20 feet.

(v) Minimum Side Yard of 10 feet.

(vi) For a Corner Lot, Minimum Yard of 15 feet along the entire property line abutting each street.

(vii) Minimum Rear Yard of 30 feet.

(viii) No Building shall exceed a Building Height of 35 feet.

(ix) One Principal Building permitted per Lot.

(b) Not less than 35% of the Dwelling Units having a Minimum Lot Width of 80 feet shall have porches having a minimum depth of 4 feet and a minimum width of 7 feet.

(c) The Maximum Impervious Surface Coverage for the entire Subdistrict C is 25%.

### 3. Buffering Standards

#### A. Adjacent or Abutting Residential Zones

A 50 foot Yard is required along the entire perimeter of the property comprising the VR District, except for: (i) the abutting agricultural zones identified in subsection B below; (ii) openings as required for access driveways and utilities; and (iii) such other exceptions approved by Council. The buffer area shall include preserved woodlands where available, mounding with landscaping and breaks in topography, all as sufficient to screen the development from abutting and adjacent properties.

#### B. Abutting agricultural zones (Marion Township)

(1) Where the Development abuts existing agricultural properties, the buffer may be reduced to a minimum of 25 feet.

(2) Where the buffer is less than 50 feet along any portion of abutting agricultural property:

(a) the existing vegetation will be maintained in or restored to its natural condition, and

(b) a minimum 6-foot tall neutral tone maintenance-free privacy fence will be installed approximately in the center 1/3 of the buffer strip; and

(c) where there is active keeping of farm animals, the Developer, upon request of the abutting owner, shall install on the owner's property, prior to the installation

of the privacy fence, a row of fencing located approximately 15 feet from the boundary line.

#### 4. Trail Protection

- A. Existing conservancy trails that are eliminated by development shall be replaced in alternate locations in accordance with Attachment 3. The relocated trails shall be continuous trails and shall be contiguous with the remaining portions of the eliminated trails. The Developer shall clear existing trees, grade and seed the trails to a width of 8 feet, and shall install drains across the trail as needed to accommodate proposed drainage patterns. Maintenance of relocated trails will be performed by a community organization.
- B. The Developer may propose to install additional walking trails as an amenity to the Development. Any such trails within any phase of Development shall be constructed within eight months of the issuance of the occupancy permit for the first dwelling unit within said phase and will be owned and maintained by the homeowner's association. The homeowner's association shall reserve the right to restrict or prohibit public access to such additional walking trails.

#### 5. Vehicle Access Locations

- A. Primary access to the Development shall be located within 500 feet of the eastern boundary of the property along Route 68 and shall consist of a traffic circle or roundabout to improve traffic flow, lower vehicle speeds and provide landscape opportunities (the "Roundabout"). The Roundabout shall be located outside the PennDOT right of way and shall be installed at the intersection nearest to Route 68.
- B. Primary access to the parcel to the west of Muntz Road (VR Development Subdistrict A) may be from Muntz Road and/or from Route 68, if approved by PennDOT.
- C. Under no circumstance shall construction vehicles access the VR-Village Residential District via the Timberbrook Plan
- D. Not less than 6 months following the issuance of building permits for more than 53 Townhouse Dwelling Units in Subdistrict B, a sole secondary access to Subdistrict C shall be provided by connecting to the existing terminus of Oakdale Drive in the Timberbrook plan of lots located where Maplecrest Drive and Oakdale Drive come to a "T" nearest the southeast corner of Subdistrict C and located on the parcels identified as Parcel Nos. 550-S8-A49 and 550-S7-A99. This connection shall be constructed within 6 months of occupancy of the first dwelling unit within Subdistrict C. No additional connections to the Timberbrook Plan of Lots shall be permitted.



## 6. Design Standards

### A. General Layout

- (1) All sidewalks shall be constructed on both sides of the residential development streets, in accordance Public Private Improvement Code, Appendix A, Exhibit 6.
- (2) Street trees will be planted along the curb at a minimum of 1 per lot throughout the single family sections and 1 between each building in the townhome section. Professionally designed foundation planting will be installed on the front of each single family dwelling unit and each townhome structure.
- (3) Every single family dwelling shall have direct access to a public street.
- (4) If common open space is deeded to a homeowner's association established for that purpose, the Applicant shall file a declaration of covenants and restrictions that will govern the organization. The provisions shall include, but shall not be limited to the following:
  - (a) Membership must be mandatory for each dwelling unit owner;
  - (b) The open space restrictions must be permanent, not just for a period of years;
  - (c) The organization must be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities, including but not limited to storm water management facilities;
  - (d) Homeowners must pay their pro rata share of the cost; the assessment levied by the organization can become a lien on the property; and
  - (e) A majority of the owners of dwelling units in the organization must have the authority to adjust the assessment to meet changed needs.
- (5) A lamp post shall be provided for each lot.

### B. Single Family and Village Family Homes

- (1) Foundations will be poured concrete with an embossed brick pattern on sides and rears. Front walls shall be clad with either a brick or stone façade. No exposed block foundation walls will be permitted.
- (2) Vinyl siding materials shall be used with traditional and craftsman architectural elevations. Vinyl siding materials shall be used with a minimum of 0.42 mm gauge thickness. Lap, board and batten, shake and shingle siding types are all permitted.

(3) Brick is an acceptable building material on any foundation or wall. Placement of brick will be determined by builder's architectural plans.

(4) Manufactured stone is an acceptable building material on any foundation or wall. Placement of stone will be determined by builder's architectural plans.

### C. Townhomes

(1) All townhomes will be constructed with a mix of stone and siding materials with architecturally designed Craftsman elevations.

(2) Foundations will be poured concrete with an embossed brick pattern on sides and rears. Front walls shall be clad with a stone façade.

(3) Foundations installed with block due to slab on grade condition will be clad in stone. No exposed block is permitted.

#### (4) Siding

(a) Vinyl siding materials shall be used with a minimum of 0.42 mm gauge thickness. Lap, board and batten, shake and shingle minimum of 0.42 mm gauge thickness. Lap, board and batten, shake and shingle siding types are all permitted.

(b) Brick is an acceptable building material on any wall. Placement of brick will be determined by builder's architectural plans.

(5) Manufactured stone is an acceptable building material on any foundation or wall so long as it is installed consistent with manufacturer's standards and specifications. Placement of stone will be determined by builder's architectural plans.

### D. Stormwater

The development drains to Glade Run and Muntz Run which both contribute to the Zelenople-Harmony Sportsmen's Club lake. Although both streams are classified as warm water fisheries (WWF), the developer shall utilize best management practices above the WWF requirement to protect sediment from being discharged from the site.

## 7. Permitted Recreation and Community Amenities

### A. Open Space

### B. Clubhouse in Subdistrict C only

### C. Parklands

### D. Playgrounds

E. Pickle Ball Courts

F. Walking Trails

G. Pools

H. Accessory Parking

I. Other similar or compatible uses approved by Borough Council

8. Conflicts. In the event of any conflict or inconsistency between the VR-Village Residential District provisions and any other Borough ordinance, resolution, rule or regulation, the VR-Village Residential provisions shall control.

9. Attachments

A. Zoning Map 611-1 presents the boundaries of the VR Village Residential Zoning District.

B. Zoning Map 611-2 presents the Subdistrict boundaries in the VR Village Residential Zoning District

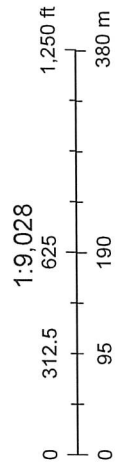
C. Zoning Map 611-3 presents the existing trail locations in the VR Village Residential Zoning District





March 30, 2022

- PROPOSED VILLAGE RESIDENTIAL
- VILLAGE SUBDISTRICT
- 25 FEET BUFFER



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Maps for assessment purpose only and the information shown is not to be interpreted as an accurate or certified survey.



ZONING MAP 611-2



March 30, 2022

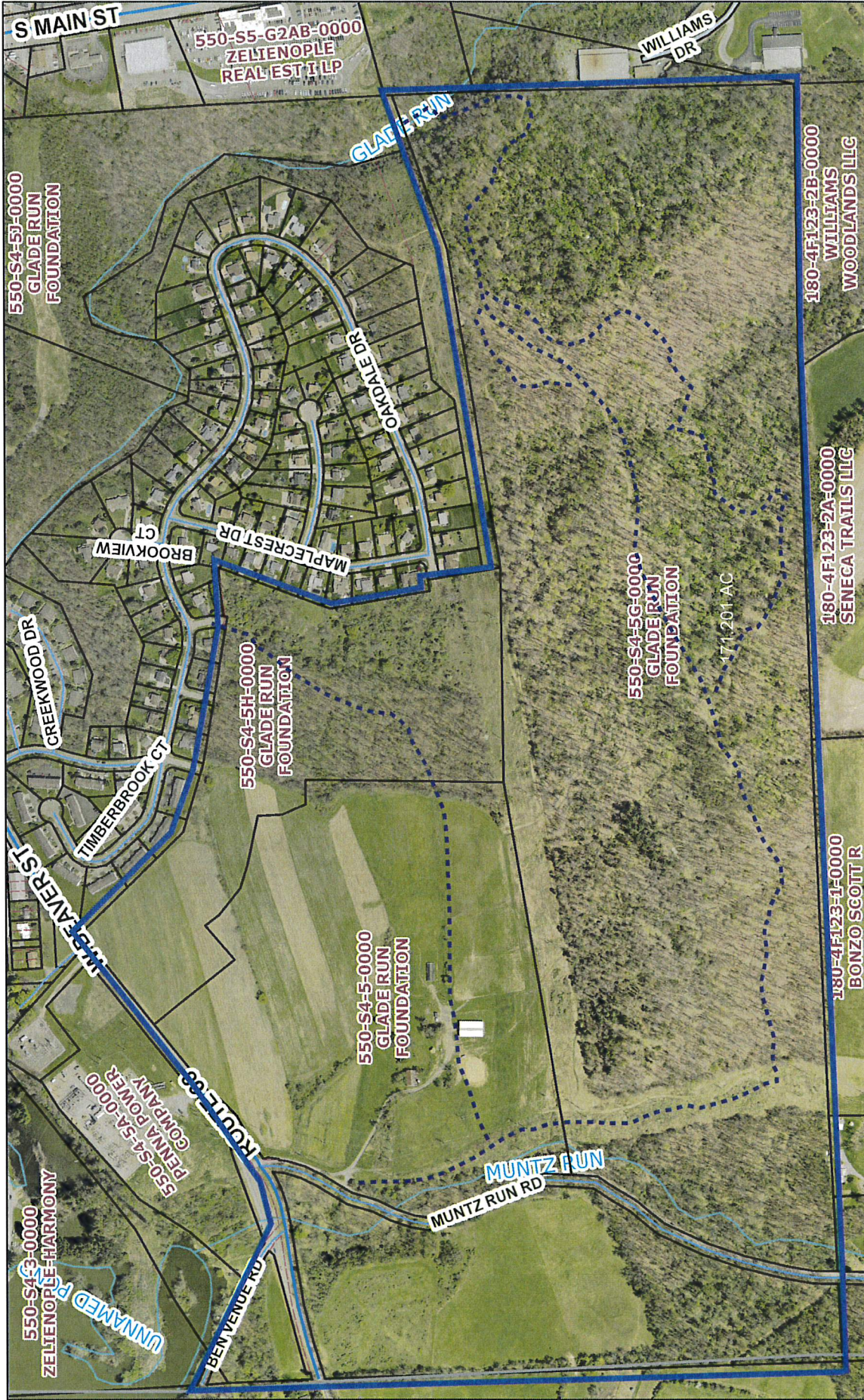
- PROPOSED VILLAGE RESIDENTIAL
- VILLAGE SUBDISTRICT
- 25 FEET BUFFER

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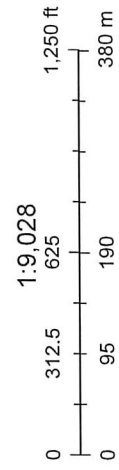
Maps for assessment purpose only and the information shown is not to be interpreted as an accurate or certified survey.





March 30, 2022

- PROPOSED VILLAGE RESIDENTIAL
- - - - - EXISTING TRAILS (APPROXIMATE)



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### SECTION 3: Amendments to Bulk Standards.

§ 280-703 Bulk Use Regulations shall be amended as follows where underlined text represents text to be added and text shown in strikethrough format shall be removed from the aforesaid section:

A. Accessory uses shall include but not be limited to the following. Where a certain threshold is established, any access of said threshold shall constitute a principal use subject to express authorization in a respective district.

(1) In R Residential Zones or uses and VR (all classes).

- (a) Children's playhouse, garden house, private (noncommercial) greenhouse;
- (b) Garage, shed or building for domestic storage;
- (c) Storage of camping trailers, boats and similar equipment, which are owned or leased, for the use of the residents of the premises for noncommercial purposes notwithstanding the standards of § 280-701E, Commercial vehicles.
- (d) A maximum of two stalls of a private garage may be used for rental purposes, provided said areas are utilized for storage of passenger vehicles or trucks not exceeding a three quarter-ton capacity.
- (e) Care of up to three children who are not relatives of the occupant (For purposes of these requirements, "relative" shall be deemed to be a child, stepchild, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, nephew, stepbrother or stepsister.)
- (f) Housing of up to five of any one type of domestic pet, wherein a number in excess shall constitute a kennel for purposes of this chapter.
- (g) Within the R-2 District, administrative and professional offices housed in a building separate from the quasiresidential and residential facilities which said offices serve provided that the building is located on the same premises of the principal use or uses, that the building adhere to the same setbacks and height requirements of a principal structure in the R-2 District, and that the majority of floor area is used exclusively to serve facilities on the same premises.

(2) In C Commercial and I Industrial Zones or uses, including R-4/C-2 (all classes).

- (a) Storage of merchandise and goods normally carried in stock in conjunction with retail or wholesale business use, on the same parcel or lot of ground provided that such storage shall not occur in the front yard with the exception of 10% of a parking or paved area that may be utilized for the display of products sold in conjunction with the establishment. Storage of merchandise, however, beyond the

aforesaid exception shall not be permitted outside of a completely enclosed building in the R-4/C-2 District.

- (3) In I Industrial Zones, storage of goods used in, or produced by, manufacturing activities, on the same parcel or lot of ground shall be permitted except within the required front yard.
  - (4) In all zones, off-street motor vehicle parking areas, loading and unloading areas shall be permitted subject to any limitations otherwise imposed by this chapter.
- B. No-impact home-based businesses shall be permitted as an accessory use to any residential dwelling unit.
  - C. Home occupations shall be permitted as an accessory use by special exception as per Article XV of this chapter for single-family, duplex, and townhouse units and shall not be authorized within multifamily dwelling units.
  - D. All dwelling units as authorized in this chapter as single-family, duplex, townhouse and multifamily shall be occupied by only one family in each dwelling unit.
  - E. Forestry shall be a permitted use in all districts and shall not include clear cutting of trees.
  - F. Gas wells and mineral extraction as permitted and regulated by the Department of Environmental Protection shall be permitted in all districts and shall not require a zoning permit.
  - G. Lighting shall be subject to and meet the following general standards:
    - (1) Proposed lighting and existing lighting on sites on which land development or subdivision are proposed and/or approved and constructed shall not constitute nuisance lighting as defined in this chapter, shall not be permitted, and shall be abated as per notification of the Zoning Officer.
    - (2) The photometrics and specifications of existing and proposed major lighting improvements shall be indicated on photometric plans submitted with subdivision or land development applications. Lighting and future lighting on the site shall be subject to any reasonable conditions imposed and accepted with the associated subdivision or land development. The remaining standards set forth in this section shall be effective for all lighting installed after the adoption of this chapter, including replacement of existing lighting fixtures. Where minor lighting improvements are proposed, the developer shall submit plans to the Zoning Officer for approval in accordance with the standards of this section.
    - (3) All outdoor lighting shall be aimed, located, designed, fitted and maintained so as not to create glare, light pollution and light trespass.



- (4) Lighted signs advertising individual business and combinations of businesses (as in a shopping center) on the same site as the sign may remain on until 15 minutes after closing of the business or combination of businesses and then shall be extinguished.
- (5) Entrance signs to residential developments and to business parks or shopping centers may remain on throughout the night for identification purposes for emergency vehicles.
- (6) Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of fixture mounting height, wattage, aiming angle and fixture placement.
- (7) Externally illuminated signs shall be lighted by fixtures mounted at the top of the sign and aimed downward and shall be designed, fitted and aimed so as not to project their output beyond the sign intended to be illuminated.
- (8) Except as otherwise permitted in this section, fixtures meeting Illuminating Engineering Society of North America (IESNA) full-cutoff criteria shall not be mounted in excess of 20 feet above finished grade. Fixtures not meeting IESNA full-cutoff criteria shall not be mounted in excess of 10 feet above grade except as specifically approved by the Borough Council.
- (9) Fixtures used for architectural lighting, e.g., facade, fountain, feature and landscape lighting, shall be designed, fitted and aimed so as not to project their output beyond the objects intended to be illuminated.

H. Standards applied to subdivision and land developments.

- (1) Lighting within subdivisions and land developments as defined by the Zelienople Borough Subdivision and Land Development Ordinance as well as developments approved in accordance with conditional uses set forth within this chapter shall comply with the following specifications and standards. Applicants shall demonstrate compliance with said standards and the general standards set forth in § 280-701D prior to final approval of such plans. However, nothing in this section shall be construed to require street lighting in residential subdivision plans comprised of single-family detached housing lots.
- (2) When a proposed land development plan is an expansion of an existing land development, where buildings and/or parking have been legally constructed on the same site, lighting standards shall apply to those buildings, additions, and amenities proposed as well as to any area of the existing plan impacted by the proposed expansion(s). Nothing in this section shall be deemed to require the demolition and replacement of existing lighting which has been legally installed and maintained, provided that replacement of light poles and fixtures as proposed or undertaken by the applicant concurrently with or within one year of the land development application filing shall meet the standards of this

(3) Illumination levels.

(a) Lighting shall not exceed the recommended intensities set forth in the current recommended practices of the Illuminating Engineering Society of North America (IESNA) as contained in the IESNA Lighting Handbook, latest edition, or as noted below, whichever is less.

(b) Lighting requirements in the specific zoning districts shall be as follows:

Zoning District	Maximum maintained footcandles	Maximum maintained footcandles adjoining residential lot	Maximum maintained footcandles when business is not in use
R-1 Single Family Residential	1.0	0.1	0.2
R-2 General Residential	1.0	0.1	0.2
R-3 Urban Residential	1.0	0.1	0.2
R-4/C-2 Mixed Use	1.0	0.1	0.2
<u>VR Village Residential</u>	<u>1.0</u>	<u>0.1</u>	<u>0.2</u>
C-1 Central Business, TND	3.0	0.1	3.0
C-1 Central Business Overlay	3.0	0.1	3.0
C-3 Heavy Commercial	5.0	0.1	3.0
I Industrial District	5.0	0.1	3.0

**SECTION 4: General Amendments to Article IX, Signs**

The following sections within Article IX, shall be amended as follows where underlined text represents text to be added.

§ 280-902. Permitted uses

A. General uses. The following signs and standards are authorized for all properties within the Borough unless otherwise stated herein.

- (1) Wall or freestanding signs advertising the sale, rental or development of property, not to exceed six square feet.
  - (a) The bottom-most part of the signs shall not exceed the height of two feet above ground level.
  - (b) Signs shall be located a minimum distance of four feet from the street right-of-way line.
- (2) Small announcement or professional wall signs designating professional offices or home occupations provided such signs or announcement does not exceed two square feet in area.
- (3) The following shall be authorized for nonresidential establishments in all districts: One temporary sign no greater than 12 square feet in sign area may be displayed for a period not more than 30 days after the opening of an establishment nor 30 days before; one temporary sign, no greater than 30 square feet, advertising an on-site promotional event for an establishment and may be placed at a establishment two times per year, not to exceed 30 days each time except that such may not be used simultaneously with a sandwich board sign as authorized by Chapter 208, Signs; temporary window signs may have a total combined sign area of no more than four square feet; temporary signs shall not include pennants, flags as not otherwise authorized, and any suspended or attached pennant that blows in the wind or a spinner which spins in the wind.
- (4) Borough Council may authorize, by resolution, the installation of temporary signs or banners placed on Borough property and rights-of-way for nonprofit organizational events limiting the timing of display to one week and one display per year for each per nonprofit organization. The resolution, where adopted, shall define specific locations where such is authorized.
- (5) Two menu boards may be authorized for drive-through facilities for restaurants in the C-3 and C-1 Districts. Menu boards shall not exceed more than 50 cumulative square feet and eight feet in height and shall conform to the same setbacks required for the principal structure.
- (6) A residential plan or more than six principal single-family buildings or two or more multifamily buildings shall be authorized one monument sign at each entrance not exceeding 15 square feet in sign area or five feet in height, excepting an additional foot for decorative elements.

- (7) Automatic changeable copy signs shall be authorized for all nonresidential principal structures for walls or frontage bordering or facing Main Street as an accessory to and part of the sign area of a freestanding sign, where freestanding signs are otherwise authorized in this part, and shall not exceed 50% of the authorized sign area; and where not authorized, may be placed as a wall sign not to exceed 50% of the area available, as per this part, for use as wall signage. Automatic changeable copy signs shall display only amber colored lettering or numerals on a black background advertising products sold or services provided onsite. Additionally, each message shall take no more than one second to complete its display such that no animation or impression of movement is created. Each message display shall begin to change more than once every five seconds.
- B. Signs within the C-1 Central Business District TND shall comply with the standards set forth in § 280-605.
- C. Mixed Use and Industrial District standards. The following standards shall apply to all lots bearing a principal nonresidential use, whether conforming or nonconforming, in the R-1, R-2, R-3, R-4/C-2 Mixed Use District, and the I Large Scale Office and Industrial District. Each lot is authorized signage as follows:
- (1) Wall signs are authorized and shall not exceed 10 square feet in sign area and shall be affixed to the wall comprising the building line.
  - (2) One freestanding sign is authorized in the front yard and shall not exceed eight square feet in sign area. Freestanding signs shall not exceed four feet in height and shall be set back at least five feet from adjoining rights of way.
  - (3) No sign shall be internally illuminated.
  - (4) Manual changeable copy signs shall be authorized as an accessory to and part of the signs area of a wall or freestanding sign and shall not exceed 50% of the authorized sign area.
  - (5) Lots within the I District shall be subject to the above standards except that maximum sign sizes allotted shall be increased to 16 square feet for a freestanding sign and 20 square feet for a wall sign.
- D. General commercial standards. The following standards shall apply to all properties within the C-3, Heavy Commercial District bearing a principal nonresidential use.
- (1) Wall signs shall be authorized per building commensurate with the sizes and standards authorized under § 280-902B, Central Business District standards, except that each wall sign may bear a sign area up to 150 square feet.
  - (2) One freestanding sign shall be authorized at a rate of 1/4 square foot per foot comprising the frontage of the property to be placed within the front yard of the property. The side yard area of a corner lot fronting on a street and comprising

the side lot line may bear a secondary sign if an access road or driveway from the property onto said street exists, up to 24 square feet. Freestanding signs shall be placed at least eight feet from the adjoining right-of-way and shall not exceed 12 feet in height and 50 square feet in area.

- (3) Manual changeable copy signs shall be authorized as an accessory to and part of the signs area of a wall or freestanding sign and shall not exceed 50% of the authorized sign area.
- (4) Automatic changeable copy signs shall be authorized as an accessory to and part of the signs area of a freestanding sign and shall not exceed 50% of the authorized sign area. Automatic changeable copy signs shall display only amber colored lettering or numerals on a black background advertising products sold or services provided onsite. Additionally, each message shall take no more than one second to complete its display such that no animation or impression of movement is created. Each message display shall begin to change more than once every five seconds.
- (5) While one freestanding sign is authorized per lot or parcel, commercial centers that are planned as an integrated unit with shared parking and access, including outparcels that access a common drive or parking area, shall be considered as one lot for purposes of freestanding sign authorization.
- (6) Billboards. Billboards are authorized as a conditional use as follows in the C-3 Heavy Commercial District on otherwise vacant parcels of land.
  - (a) The billboard shall be limited to 65 square feet.
  - (b) The billboard shall be set back a minimum of 500 feet from any property line which directly abuts a parcel zoned as R-1, R-2, R-3, ~~or~~ R-4/C-2 or VR.
  - (c) The billboard shall be setback at least 100 feet from any side or rear property line notwithstanding stricter provisions regarding residentially zoned properties.
  - (d) The billboard shall be set back at least 20 feet from any street.
  - (e) No changeable copy signs are permitted in association with a billboard.
  - (f) No flashing or colored lighting are permitted in association with any billboard.

§ 280-903. Illumination.

- A. Signs or devices with flashing, moving or similar lighting or animation are prohibited in all zoning districts.

- B. No lighting projected from or upon any sign shall produce glare and shall produce zero footcandles of light at any property line, unless adjoining parcels lie within an integrated commercial center. Lighting of signs in R-1, R-2, R-3, and R4/C-2, and VR Districts shall be turned off between the hours of 10:00 p.m. and 6:00 a.m.
- C. All lighting and illumination of signs shall conform to regulations regarding traffic hazards as specified in local and state regulations.

§ 280-904. Purpose of sign used.

In addition to the other requirements of this Article IX, except for billboards as authorized in this article, no signs or other advertising displays shall be permitted except those specifically pertaining to the use of the property on which they are located.

§ 280-905. General requirements for condition and maintenance.

- A. In addition to the other requirements of this Article IX every sign referred to herein must be constructed of durable materials, kept in repair, and not allowed to become dilapidated. Each sign shall be removed when the circumstances leading to its erection no longer apply. The circumstances shall include, but not be limited to the following:
  - (1) The creation of a safety hazard.
  - (2) Vacancy of the subject business structure for more than 90 days.
  - (3) Legal transfer of ownership of the business that involves change of name or business activity.
- B. Signs are subject to the limitations noted under § 280-702K. Additionally, signs greater than three feet in height shall not be placed within a clear sight triangle of 10 feet along the intersection formed by the adjoining street and driveway or access drive.
- C. Pennants, balloons, and similar signage shall not be permitted as temporary signs.
- D. Temporary signs shall not be approved for permanent installation as freestanding, wall, marquee, or any other type of permanent sign authorized by this article.
- E. Obscene signs are prohibited. No sign shall utilize sexually explicit or suggestive language or graphics nor any illustration of "specified sexual activities" or "specified anatomical areas" as defined in this chapter under § 280-1016 and/or which bears language deemed obscene by Chapter 15 of the Pennsylvania Crimes Code, Public Indecency.

§ 280-906. Sign permits

- A. A separate sign permit shall be required for the erection of signs under this chapter, except those expressly exempt from this chapter.

- B. Each application for a sign permit shall be accompanied by a drawing to scale, showing the sign proposed, the size, character and color of letters, lines and symbols, method of illumination, the exact location of the sign in relation to the building and property. A fee shall accompany each application for sign permit. Such fees for sign permits shall be established by resolution of the Council.

### **SECTION 5: Rezoning, Glade Run Foundation**

The land as bounded and described below, now zoned R-1, Single-Family Residential District, R-2, General Residential District, and C-3, Heavy commercial District shall be rezoned as VR, Village Residential District and depicted as such on the Zoning Map:

**Lot 1 in the Venu Road - Subdivision Plan of for  
Glade Run Foundation  
Lot Nos. 1, 2 and 3 of the Glade Run Subdivision Plan #1**

All that certain parcel of ground situate in the Borough of Zelienople, County of Butler and Commonwealth of Pennsylvania being bound and described in the following documents:

Glade Run Subdivision Plan #1 on August 5, 2008 in the Recorder's Office at instrument No. 200808050017789, Plan Book Volume 308, pages 48-49;

Venu Road Subdivision Plan on August 5, 2008 in the Recorder's Office at instrument No. 200808050017788, Plan Book Volume 308, pages 48-47;

Glade Run, by its deed dated May 7, 2012 and recorded in the Recorder's Office at instrument No. 201212180036302, granted and conveyed to the Commonwealth of Pennsylvania, Department of Transportation a parcel of land containing 0.623 acres, more or less; and

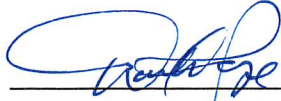
Glade Run, by its deed dated May 7, 2012 and recorded in the Recorder's Office at instrument No. 201302110004355, granted and conveyed to the Commonwealth of Pennsylvania, Department of Transportation a parcel of land containing 0.108 acres, more or less; and

### **SECTION 6: Separability Clause**

If any section, paragraph, clause, phrase or provision of this ordinance shall be ruled invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof other than the part so judged to be invalid or unconstitutional. Therefore, the provisions of this ordinance are declared to be separable.

ORDAINED AND ENACTED AT A REGULAR MEETING OF THE ZELIENOPLE BOROUGH COUNCIL ON  
THE 26<sup>th</sup> DAY OF SEPTEMBER, 2022.

ATTEST:



\_\_\_\_\_  
BOROUGH MANAGER

Donald C. Pepe



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COUNCIL PRESIDENT

Mary E. Hess



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MAYOR

Thomas M. Oliverio