

Ordinance # 111 of 1986
Amendment # 8 to Ordinance # 22 of 1969
Sugarcreek Borough Zoning Ordinance

WHEREAS, the Sugarcreek Borough Planning Commission has recommended several changes to the Sugarcreek Borough Zoning Ordinance (Ordinance # 22 of 1969 and amendments thereto) including the establishment of an Institutional Zoning (IZ) District and a Light Industrial/Commercial Zoning (LI/C) District, both of which are new zoning districts and the repeal of a portion of Ordinance #78 of 1979 (Amendment #5) pertaining to residential uses in Commercial and Industrial Districts; and

WHEREAS, the proposed Institutional Zone, encompassing that area in the vicinity of the Franklin Regional Medical Center currently zoned Urban Residential (R-2), identified on the attached property map (Attachment "A") and the proposed Light Industrial/Commercial Zone is located west of the Village of Reno on the north side of PA Rt. 8 and U.S. Rt. 62 currently zoned Light Industrial and Highway Commercial identified on the attached property map (Attachment "B"); and

WHEREAS, these new zoning districts involve related changes to other provisions of the Borough Zoning Ordinance in other zoning districts pertaining to "Permitted" and "Conditional" uses and "Special Exceptions" (Section 304 (A)), "Lot, Yard and Height Requirements" (Section 304 (B)), "Definitions" (Article 2), "Supplementary Regulations" (Article 4) specifically Section 401 ("Non-Conforming Uses"), Section 403 ("Application of Yard Requirements"), Section 404 ("Temporary Structures"), Section 405 ("Height Limitations"), Section 407 ("Off-Street Loading and Parking"), Section 412 ("Signs"), Section 414 ("Flood Plains"), Section 415 ("Mineral Excavation and Processing"), Section 417 ("Solid Waste Processing and Disposal") and Section 420 ("Residential Occupancy of Commercial Establishments"); and

WHEREAS, in accordance with Article VI of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended), the proposed changes were referred to the Venango County Planning Commission for its recommendation on September 4, 1986 and

TEXT CHANGES

Exhibit # 1

(Amendment # 8 to Ordinance # 22 of 1969)

2. ARTICLE 2 - DEFINITIONS

Change definition of "Truck Terminal" to read:

"A private facility to accomodate the service, repair and storage of trucks and other motorized equipment, and which may provide warehousing activities and minimal sleeping quarters for truck drivers, and associate truck drivers, of the truck owners and/or operating company."

3. ARTICLE 3 - DISTRICT REGULATIONS

Section 302 - Zoning Districts

- Add the following Zoning Districts:

"IZ Institutional Zone"

"LI/C Light Industrial/Commercial"

Section 304 - District Regulations

- Add the following to Table 304 (A) - "PERMITTED USES, SPECIAL EXCEPTIONS AND CONDITIONAL USES":

IZ - INSTITUTIONAL ZONEPermitted Uses

- "1. Single-Family Dwellings
2. Hospitals and Clinics for Humans
3. Medical and Medically Related Personal and Professional Offices
4. Library Buildings
5. Commercial Medical Schools
6. Eating and Drinking Establishments (Except drive-in types)
7. Beauty Shops and Barber shops
8. Pharmacies which dispense drugs and medical supplies only
9. Flower Shops
10. Domiciliary Care
11. Essential Services
12. Rooming Houses
13. Gift Shops
14. Day Care/Visiting Care Services"

Special Exceptions

- " 1. Home Occupations
2. Multiple-Family Dwellings
3. Fire Stations
4. Churches
5. Residential Occupancy of Commercial Establishments
6. Motels and Hotels
7. Funeral Homes"

Conditional Uses

- "1. Retail Businesses (Compatible with the area).
2. Parking Ramp Structures
3. Dormitories"

LI/C LIGHT INDUSTRIAL/COMMERCIALPermitted Uses

- "1. Eating and Drinking Establishments
2. Retail Businesses
3. Food Supermarkets
4. Motels
5. Automobile and Truck Sales, Services and Repairs
(Excluding body work)
6. Offices and/or Office Buildings
7. Public Utility Buildings
8. Municipal and/or Government Buildings
9. Essential Services
10. Research and Testing Laboratories (Except explosive testing)
11. Light Manufacturing (As defined by Article 2)
12. Warehouses
13. Truck Terminals
14. Fire Stations
15. Wholesale Businesses"

Special Exceptions

- "1. Churches
2. Community Buildings
3. Auto Repair Shops"

Conditional Uses

- "1. Sewage Treatment Facilities
2. Mineral Excavation and Processing
3. Heavy Manufacturing"

- Delete from list of Special Exceptions for R-1 and R-2 Districts:

"11. Hospitals and Clinics for Humans" (and renumber #12 to "11").

- Add the following to Table 304 (B) - "LOT, YARD, AND HEIGHT REQUIREMENTS":

IZ-Institutional Zone

<u>Min. Area</u> <u>(sq.ft.or</u> <u>acres)</u>	<u>Minimum</u> <u>Lot Width</u> <u>(ft.)</u>	<u>Minimum</u> <u>Front Yd.</u> <u>(ft.)</u>	<u>Minimum</u> <u>Side Yds.</u> <u>(ft.)</u>	<u>Minimum</u> <u>Rear Yd.</u> <u>(ft.)</u>	<u>Maximum</u> <u>Building Ht.</u> <u>(ft.)</u>	<u>Max.Lot</u> <u>Coverage</u> <u>%</u>
5,000 sq.ft.	50	15	15	20	45	60

LI/C-Light Industrial/Commercial Zone

Min. Area (sq. ft. or acres)	Minimum Lot Width (ft.)	Minimum Front Yd. (ft.)	Minimum Side Yds. (ft.)	Minimum Rear Yd. (ft.)	Maximum Bldg. Ht. (ft.)	Max. Lot Coverage %
30,000	100	50	10	20	30	50 **

** Coverage over 50% shall require Zoning Hearing Board approval.

4. ARTICLE 4 - SUPPLEMENTARY REGULATIONS

Section 401.2 (Re: Non-Conforming Uses)

- Delate and replace with the following:

"Any non-conforming structure damaged by fire, flood, explosion, or other casualty, may be reconstructed and used as before, if such construction is performed within twelve (12) months of such casualty and if restored structure covers no greater area, and contains no greater cubic content than before such casualty, and is erected on the same foundation. This time limit may be extended by the Zoning Officer for a period of six (6) months. If further extension is necessary, it may be granted by the Zoning Hearing Board. If proof is shown that said structure has a greater yard setback than it had before the casualty, it does not have to be erected on the same location. If approved by the Board, a reconstructed structure may exceed its original lot coverage and cubic content, but minimum yard requirements of the district in which the structure is located, and the off-street parking and loading requirements of this Ordinance, must be met."

Section 401.7 (Re: Non-Conforming Uses)

- Delate and replace with the following:

"Any structure or portion thereof, declared unsafe by any government agency, duly authorized and qualified to make such a determination, shall be restored to a safe condition."

Section 403 (Re: Application of Yard Requirements)

- Add a new Section 403.6 as follows:

"403.6 - In all districts the Zoning Officer may reduce the front yard requirements for lots fronting on alleys, up to one-half ($\frac{1}{2}$) of the requirements for the front yard setbacks. However, in no event may such yard be reduced by more than the requirements set by Section 402.1. Yard requirements shall also comply with the requirements of Section 403.2."

OFF-STREET PARKING SPACE REQUIREMENTS

<u>USES</u>	<u>REQUIRED PARKING SPACES</u>
1. Automobile Sales and Service Garages	1 for each 400 sq. ft. of floor area
2. Banks	1 for each 100 sq. ft. of floor area
3. Bowling Alleys	7.5 for each lane
4. Car Wash	5 car capacity lane for each wash bay
5. Churches and Schools	1 for each 3.5 seats in an auditorium or 1 for each 17 classroom seats, whichever is greater
6. Community Buildings and Social Halls	1 for each 50 sq. ft. of floor area used by and/or accessible to the public
7. Driving Ranges and Miniature Golf Facilities	1 for each tee
8. Dwellings	2 for each family or dwelling unit including space in garage
9. Food Supermarkets	1 for each 100 sq. ft. of floor area used by and/or accessible to the public
10. Funeral Homes, Mortuaries	10 for first parlor, 5 for each additional parlor
11. Furniture or Appliance Stores	1 for each 200 sq. ft. of floor area used by and/or accessible to the public
12. Home Occupations	As designated by the Zoning Hearing Board, with a minimum of two (2)
13. Hospitals, Nursing or Convalescent Homes	1 for each 2 beds and 1 for each 1.5 per employee (including staff) based upon peak shift
14. Hotels and Motels	5 plus 1 for each living or sleeping unit*
15. Manufacturing Plants, Research or Testing Laboratories, Bottling Plants	1 and 1/2 parking spaces for each employee
16. Medical or Dental Offices	5 for each doctor, plus 1 for each staff person
17. Mobilehome or Monument Sales	1 for each 2,500 sq. ft. of lot area
18. Professional Offices (Non-Medical)	2 for each professional and one for each staff person
19. Restaurants, Taverns and Night Clubs	1 for each 2.5 seats
20. Retail Stores and Shops	1 for each 100 sq. ft. of floor area used by and/or accessible to the public
21. Rooming Houses and Dormitories	1 for each occupant
22. Service Stations	4 for each service bay
23. Sports Arenas, Auditoriums, Theaters, Assembly Halls	1 for each 3 seats
24. Transient Trailer Camps	1 for each trailer site (see also section 421.4)
25. Wholesale Establishments or Warehouses	1 for each employee on maximum shift. The total parking area shall not be less than 25% of the building floor area

If a hotel or motel has eating, drinking, or similar facilities, it must also provide the required off-street parking for the same, as provided for in Item 19, Restaurants, Taverns, and Night Clubs.

Section 404.1 (Re: Temporary Structures)

- Delete in its entirety. (Provided that Zoning Hearing Board could permit residential uses in Commercial and Industrial districts. This repeals a portion of Ordinance #78 of 1979.)

Section 404 - Temporary Structures

- Add new Section 404.2 as follows:

404.2 - An underground home shall not be considered a basement or a temporary structure."

Section 405 - Height Limitations

- Add to the end of the sentence the following:

"... by the Zoning Hearing Board except where it could interfere with existing solar panels."

Section 407.1 - Off-Street Loading

- Add to end of the paragraph the following:

"Directional signs shall be posted at ingress points indicating locations of loading docks and waiting areas."

- Delete Item #5 under "Off-Street Loading Berth Requirements" and replace with the following:

<u>USES</u>	<u>SQUARE FEET OF FLOOR AREA</u>	<u>REQUIRED OFF-STREET LOADING BERTHS</u>	<u>MIN. OFF-STREET POSTED WAITING AREA</u>
Commercial	10,000 - 40,000	1	1
Wholesale	40,000 - 60,000	2	2
Manufacturing	60,000 - 80,000	3	3
and Storage	80,000 -100,000	4	4
	(1 for each additional 50,000 or major fraction thereof.)	1 additional	1 additional

Section 407.4 - Screening and Landscaping (Re: Off-Street Parking)

-Add to the end of the sentence the following:

"...but shall not interfere with or obstruct horizontal sight distances nor shall it be located in such a manner as to create a safety hazard."

Section 407.6 (Re: Off-Street Parking)

-Add to the end of the paragraph the following:

"A detailed off-street parking plan must be submitted to and reviewed by the Borough Planning Commission for Special Exceptions and Conditional Uses 30 days prior to the date of the hearing."

Section 407 (Re: Off-Street Loading and Parking)

-Add a new Section 407.8 as follows:

"407.8 - Loading Berths and/or Posted Waiting Areas located within 300 feet of a residence are required to have an electrical outlet for Vehicle Engine Heaters and are to be posted: ALL TRUCKS MUST BE SHUT OFF, EXCEPT EMERGENCY VEHICLES."

Section 412 - Signs

-Add a new Section 412.5 as follows:

412.5 Institutional Zone - Only signs that comply with Section 412.1 shall be permitted. The Planning Commission may review requests for signs that relate to the safety and general welfare of the public. The Zoning Officer may, after review of the Planning Commission's recommendations, approve or disapprove the request.

414 FLOOD PLAINS:

Notwithstanding any other provisions of this Ordinance, land subject to periodic flooding shall be used only and in accordance with the Sugarcreek Borough Flood Plain Ordinance (Ordinance #104 of January 17, 1985) as it may from time to time be amended.

415 MINERAL EXCAVATIONS AND PROCESSING:

All mineral excavations shall comply with the Pennsylvania Oil and Gas Act (Act 223 of 1984) and the following minimum requirements and other measures that Borough Council might specify to protect the public interest.

417 SOLID WASTE PROCESSING AND DISPOSAL

Plans for solid waste processing and disposal facilities and areas shall be in harmony with existing surrounding uses and the opinion of the State Department of Environmental Resources concerning proper drainage, cover, and the operation as a whole. Plans shall be provided by the applicant to the Borough Council in accordance with the Pennsylvania Solid Waste Management Act (Act 97 of 1980) as the same may be amended.

WHEREAS, the proposed Amendment and two notices of the public hearing thereon were published in the Franklin News-Herald and Oil City Derrick, newspapers of general circulation in the Borough, on September 16, 1986, and September 22, 1986, and copies of the proposed changes have been available for public inspection at the Sugarcreek Municipal Building, 212 Fox Street, in the Borough from the date the first public notice was published and the date of Council's public hearing; and

WHEREAS, in accordance with the public notices, Sugarcreek Borough Council did convene and conduct the public hearing on October 1, 1986, beginning at 7:30 p.m. in the Sugarcreek Borough Municipal Building; and

WHEREAS, Borough Council has seriously considered the recommendations of the Sugarcreek Planning Commission, Venango County Planning Commission, as well as comments and suggestions of residents affected by and/or interested in the proposed Zoning changes; and

WHEREAS, the Institutional Zone will permit the compatible mixture of various public and semi-public health-related and limited commercial uses, with residential uses within a well-defined area; and

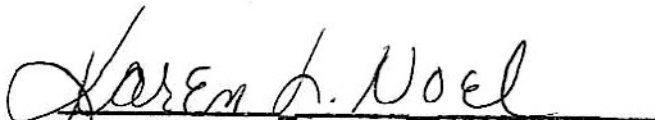
WHEREAS, the Light Industrial/Commercial Zone will permit flexibility of accomodating commercial retail establishments that will complement and support industrial uses in the Reno Village area, thereby enhancing economic development within the Borough; and

WHEREAS, all changes to the text are attached hereto as Exhibit #1 and to the Zone Map as Exhibit #2 and #3:

NOW, THEREFORE, Sugarcreek Borough Council HEREBY ENACTS into law Amendment # 8 to the Sugarcreek Borough Zoning Ordinance (Ordinance # 22 of 1969) and Zone Map upon motion by _____ seconded by _____ and unanimously carried at its regular/special meeting this 5th day of November, 1986. Council hereby directs that this amendment to the Zoning Ordinance and map shall be incorporated into the official Ordinance Book of the Borough and shall take effect immediately.

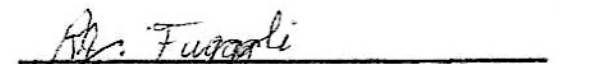
ATTEST:

SUGARCREEK BOROUGH COUNCIL



Karen L. Noel
Borough Secretary

John D. McClelland, Mayor


Richard J. Fugagli, Council Preside

Section 420 - Residential Occupancy of Commercial Establishments

-Add a second paragraph as follows:

"In the Institutional Zone district, a multi-story building of appropriate design may, in addition to first-floor commercial use, provide partial residential use on the first floor, and residential apartments on the additional floors as an accessory use, provided they meet all the requirements governed by the State Department of Labor and Industry and Panic Regulations.