

# Zoning omnibus summary

Current as of December 12, 2023

## Section 1: Signs

- Reduce maximum area of advertising signs (to same size as previous version of Township zoning code)
- Increase distance between advertising signs
- Re-incorporate restrictions from previous versions of Ligonier Township's zoning code.
- Village and Industry were not included. R-1 & R-2 had strict rules, C-1, C-2, A-1 had looser rules, V and I had no rules. Adding V & I to same restrictions as Commercial and Agriculture
- Also some formatting cleanup, such as wrong numbering, removing reference to a table that does not exist, and changing "billboard" to "advertising sign"

## Section 2: Wind Energy Facilities

- Adding a new section. Ligonier Township is not far from Somerset's wind farms.
- Permitted in A-1 Agriculture and I-1 Industry
- Mostly from a state model ordinance (*work group of the Governor's Office, DEP, DCNR, PA State Association of Township Supervisors, County Commissioners Association, Wind Energy Associations and Penn Future with the assistance of DCED*), plus a review of existing ordinances (*Mt. Pleasant*)

## Section 3: Solar Energy Systems

- Adding a new section. Solar farms were still experimental in 2015, and were not a focus.
- Permitted in A-1 Agriculture and I-1 Industry
- Mostly from a PSATS model ordinance

## Section 4: Short Term Rental Units

- Adding a new section. Current code only touches on Hotels, Motels, and Bed & Breakfasts, which have definitions that do not apply to AirBNBs, VRBOs, or other kinds of short term rentals.
- Permitted in A-1, R-1, R-2, C-1, and V. Not C-2 nor I
- See "short term rental standards" for new rules.
- Multiple existing Pennsylvania municipal codes were reviewed.

## Section 5: Medical Marijuana Dispensaries

- Did not exist in 2015.
- Same setback rules and restrictions as already exist in current code for Halfway Houses.
- State already has a significant amount of restrictions, no need to restate them or add more
- Special Exception in C-1, C-2, V: both Commercial districts and Village

## Section 6: Medical Marijuana Growing and Processing facilities

- Did not exist in 2015

- Same setback rules and restrictions as already exist in current code for Halfway Houses.
- State already has a significant amount of restrictions, no need to restate them or add more
- Special Exception in A-1 Agriculture, C-2 Highway Commercial, I-1 Industry

### **Section 7: Rehabilitation/Treatment Centers**

- Prompted by an attempt to bring a rehab-ish center to Austraw Road
- Same setback rules and restrictions as already exist in current code for Halfway Houses.
- Special Exception in C-2 Highway Commercial and I-1 Industry; minimum lot 5 acres

### **Section 8: Retreat Centers**

- Prompted by an attempt to bring a “Retreat Center” to Austraw Road
- Same setback rules and restrictions as already exist in current code for Halfway Houses.
- Additional rules and restrictions to clarify that this section doesn’t apply to rehab centers or correctional halfway house type facilities
- Conditional Use in C-2 Highway Commercial and I-1 Industry; minimum lot 50 acres

### **Section 9: Methadone Clinic**

- Prompted by a recent state action to put this definition into the Municipal Planning Code
- Same setback rules and restrictions as already exist in current code for Halfway Houses.
- Similar additional restrictions as rehab centers and hospital/clinics

### **Section 10: Gambling Saloon**

- Prompted by a rise in “skill games” quasi-casino storefronts. Players Club in Latrobe
- 10 or more devices, not intended to capture bars with 2 or 3 machines in the back corner
- Same setback rules and restrictions as already exist in current code for Halfway Houses.
- Special Exception in C-2 Highway Commercial, V Village, I-1 Industry

### **Section 11: Natural Resource Protection Overlay District**

- In 2015, the focus was on natural gas fracking. The Natural Resource Protection Overlay prohibits fracking, and *only* fracking.
- Adding language to cover extraction of any other natural resource, such as strip mining, coal mining, mineral mining, etc.
- Exempts responsible timber harvesting.

### **Section 12: Historic Conservation Overlay District repeal**

- This district has no description, rules, or reason to exist.
- The only current Historic Conservation Overlay District is a 100 acre area along 711 south of 30, that includes the cemetery, a number of vacant fields owned by the golf course, and two private 1910-era homes on Nicely

### **Section 13: Zoning Permit time change**

- Building permits are issued for 3 years before they expire and to begin work within 90 days is sometimes not reasonable. Recommend that Zoning permits be issued for 3 years to match building permits

- Also add language to include temporary structures (“placed, installed”)

#### **Section 14: Home Occupation floor area percentage**

- Changed from 35% of the gross floor area of a dwelling unit to 35% of the gross floor area of all structures on the property
- Prompted because the current definition does not match the reality of Ligonier home occupations.
- There are multiple home occupations in the Township that have a negligible amount of the dwelling unit dedicated to the home occupation, but a majority of the outbuildings.

#### **Section 15: Zoning Table**

- Incorporates new sections (marijuana, short term rentals, wind farms, etc.)
- Adds an asterisk next to permitted uses that have additional criteria and standards.
- Remove temporary structures from special exceptions
- Remove “uses not specifically listed” from I-1 as that is in all zoning districts
- Change Animal Housing to Animal Husbandry, to match definition
- Change Child Day Care Centers to Child Care Centers, to match definition
- Change Public Parks & Playgrounds to Parks & Recreation, to match definition
- Change Campgrounds to Camping Facilities, to match definition
- Replace Health & Fitness with Recreation Facilities, to match definitions
- Replace Nightclubs/Dance Halls/Taverns & Clubs with Nightclubs/Dance Halls/Taverns & Bars, to match definition
- Parks & Recreation was listed twice in R-1
- Remove Family from the permitted use sections of districts C-1 & C-2

#### **Section 16: New Definitions**

- Adding new definitions for new things added to code. Medical Marijuana
- Add new definitions to clarify existing rules in code. Intermodal Freight Containers
- Add definitions to things that are in use tables, but don’t have a definition.

#### **Section 17: Redefining definitions**

- Remove 600 square foot restriction on the size of homes, to allow “tiny houses”
- Consolidate Indoor Recreation and Outdoor Recreation, to match use table
- Accessory Structure(s):
  - Add “Intermodal Freight Containers” to capture shipping containers
  - Remove “as housekeeping units” as it directly conflicts with the very next “Servants’ Quarters” subsection
  - Add “Business or Commercial related” to off-street parking
  - Replace “travel trailer” with “Recreational Vehicles” to use a better definition that captures more examples of recreational vehicles
- Parking Area/Parking Lot: remove limit of 5 spaces: several residents have more than 5 parking spaces
- Senior Citizen Day Care Center to Senior Citizen Residential, to match zoning table
- Fence update, to clarify a fence shall not be a retaining wall

### **Section 18: Repealing definitions**

- Removing definitions for words and phrases that are not used.
- Removing definitions that do not match the intended use of the words (“Department” only means the PA DCED, per the definition of Department)
- Removing definitions that use the words in the phrase to define itself (Mineral Extraction: the extraction of minerals)
- Removing definitions that make no sense (“Family” is defined as an accessory use to a single-family dwelling)

### **Section 19, 20: Technical clarifications**

- Correcting a reference in the Restaurant subsection
- Reword the outdoor dining section, to allow outdoor dining if over 500’ from residence
- Prohibit swapping nonconforming billboard to nonconforming LED electric monstrosity

### **No changes proposed:**

- Zoning maps. Not the purpose of this review
- Brewpubs and breweries. No reason for Township to create additional rules, beyond what already exist for restaurants.
- Food trucks. No reason for Township to regulate.
- Residential solar. Already regulated by zoning and building codes
- Floodplain ordinance. It stands alone, rather than being forced into zoning code.
- Zoning Hearing Board residency. Already implemented by Board of Supervisors
- Wetlands. Already heavily regulated by the DEP