

LIGONIER TOWNSHIP 2015 ZONING ORDINANCE 2015-OR-04

2. Farm buildings and other structures, **excluding pasture fences** and including barns, paddocks or pens, shall not be established any closer than one hundred and fifty (150) feet to any lot line. Manure or other waste storage shall not be established closer than one hundred (100) feet away from any lot lines. Provided, however, that Concentrated Animal Feeding Operations shall meet the special requirements under Article XVI.
3. Accessory farm structures such as barns, silos and bulk bins shall be exempted from the building height regulation established above.
4. Roadside stands for the seasonal sale of agricultural products shall be permitted as an accessory use to an agricultural use if:
 - (a) They are used exclusively for the sale of agricultural products and at least fifty percent (50%) of such products shall have been produced on the property on which they are offered for sale.
 - (b) At least three parking spaces are provided no closer than twenty (20) feet from the public right-of-way (street).
5. **AGRITOURISM or AGROTOURISM may be conducted as a CONDITIONAL USE in the A-1 Zoning District(s) provided:**
 - (a) **ALL AGRITOURISM or AGROTOURISM activities shall be conducted within and upon a property containing a working farm or other working agricultural or horticultural use and existing structures thereupon;**
 - (b) **No new or additional structures are constructed on the property to accommodate such activities.**
 - (c) **The AGRITOURISM or AGROTOURISM activities conducted on the site shall at all times be a lesser, included and accessory to the principal use of the property as a working farm or other working agricultural or horticultural use;**
 - (d) **The AGRITOURISM or AGROTOURISM activities cannot begin before dawn nor end after dusk.**
 - (e) **The property upon which such use is conducted contains a minimum 10 acres of land;**
 - (f) **The Applicant submits and receives approval of a Land Development Plan from the Board of Supervisors showing:**
 1. **The locations where all AGRITOURISM or AGROTOURISM activities will be conducted.**

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2. The locations of sufficient off-street parking spaces for each use;
3. The locations of all existing and proposed sanitary sewage facilities; and
4. The locations of all ingress and egress points to and from the site;

B. Storage Sheds.

1. It is in the interest of the safety of the residents of the Township to be allowed to construct safe and securely anchored storage sheds for the storage of materials and equipment other than motor vehicles.
2. Storage sheds shall be constructed of wood, masonry, durable outdoor resin and metal; and, must be fastened or bolted to a concrete floor or fastened or bolted to a treated wood floor or fastened or bolted to piers, or otherwise sufficiently anchored to a suitable foundation so as to provide proper anchoring of such sheds.
3. Storage sheds shall meet the setback and height requirements of this ordinance.
4. Prior to the construction of a storage shed, a Zoning Permit shall be obtained from the Zoning/Code Enforcement Officer of the Township. The fee shall be set forth in a resolution duly adopted by the Board of Supervisors.

C. Fences, Screening Walls and Retaining Walls.

1. Height and Setbacks.
 - a. All fences and screening walls, with the exception of those erected on lots used for agriculture or for the keeping of horses or ponies, shall meet the following height and setback requirements:
 - i. Within any required front yard, fences and screening walls must not exceed 4 feet in height as measured from average grade level.
 - ii. Within any required rear or side yard, fences and screening walls must not exceed six feet in height as measured from average grade level.
 - iii. Fences and screening walls shall be set back a minimum of five feet from the paved portion or berm of any private right-of-way or public cart way, including any streets or alleys of the Township or the Commonwealth of Pennsylvania, subject, however, to the rights of the Township or a municipal authority within the right-of-way.
 - iv. Fences and screening walls alongside and rear lot lines shall be permitted to have no setback.

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signs shall be placed at intervals of not less than one hundred (100) feet along any street frontage.

15. Sign denoting the name of a subdivision or development, provided that:

- m. The area on one side of such sign shall not exceed twenty-four (24) square feet.
- n. The sign shall be erected only on the premises on which the subdivision or development is located.
- o. No more than one such sign shall be erected on any one street frontage.

Q. Signs in the C-1 and C-2 Districts are subject to the following:

- 1. Any sign permitted in the R-1 and R-2 Residential Districts are permitted in these Districts.
- 2. Commercial business signs provided that:
 - a. The total area on one side of all business signs placed on or facing any one street frontage of any one premise shall not exceed one square foot for every one lineal foot in lot frontage up to a maximum of **80 sq. ft.** in the C-1 District and 80 square feet in the C-2 District.
 - b. In the case of a building, or tract of land housing more than one use, one permanent directory or identifying sign for the building or tract may be erected. The sign area on one side shall not exceed that identified in the Table of Maximum Square Footage in this Subsection. In addition, for each use located within that building, or on the same lot, one wall-mounted sign shall be permitted. The area of such sign shall not exceed that identified in the Table of Maximum Square Footage in this Subsection.
 - c. No more than two (2) separate signs shall face any one street frontage for any one use.
- 3. Free-standing signs, provided that:
 - a. No more than one (1) freestanding sign exclusive of all directional signs shall be allowed on any one property.
 - b. The sign area on one side of a freestanding sign shall conform to the Table of maximum square footage in this Subsection.
- 4. Wall Signs - No wall sign shall project more than ten (10) inches from the building surface, nor extend beyond the ends of the wall to which it is attached.
- 5. Window Signs - The total area of any window sign shall not exceed twenty five percent (25%) of the total glass area in the C-1 District and ten percent (10%) in

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no more than five (5) guest rooms. The guest rooms shall be rented to overnight guests on a daily basis

3. Accommodations at a Bed and Breakfast may include breakfast or brunch prepared on the premise for guests and included in the charge of the room.
4. Special Occasion functions may be conducted on the grounds surrounding the home and in buildings accessory to a residential home, **provided the use of same is limited to overnight guests during the course of their stay.**
5. No cooking facilities shall be provided or permitted in individual guests rooms.
6. Required parking spaces shall not be located in the front yard.
7. Bed and Breakfasts shall comply with the rules and regulations of the Pennsylvania Department of Labor and Industrial and shall retain proof of certification of occupancy from the Department and all other applicable building, safety, and fire codes of the federal, state, or any local government.

F. Camping Facility

1. Any parcel proposed for use as a camping facility shall have access to public water.
2. A single access drive (excluding emergency access) shall be provided and maintained in a mud-free, dust-free condition, and shall be designed for safe and convenient access to camping spaces and to facilities for common use by the occupants. Direct access to individual campsites from public streets shall not be permitted. The applicant shall provide an interior circulation plan that demonstrates how vehicles shall circulate through the facility.
3. All camping facilities shall comply with all applicable regulations of the Commonwealth including, but not limited to, regulations covering food service, water supply, sewage disposal, bathing places, vector control, toilet facilities, sanitary stations, and garbage disposal.
4. Vacation cottages, rental cabins and other dwellings with permanent foundations shall comply with the minimum net lot area and dimensional standards of the zoning district in which they are located.
5. For camping facilities having more than 50 campsites or hookups for recreational vehicles, or a combination thereof, a traffic study acceptable to the Township evaluating traffic impacts to surrounding streets and intersections as well as proposed mitigation of impacts that cause an unacceptable decline in levels of service.

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§ 20-4. Unconventional Drilling

A. Definitions

Acoustical Blanket – A fabric placed around a site or object that assists in the abatement of noise and acts as a sound absorbent and noise blocker. The fabric is resin coated to withstand weather, moisture and the more demanding outdoor applications.

Bunkhouse - A housing facility designed and intended to be used for a temporary period of time to house oil and gas exploration related workers. Such facility is not intended to accommodate families or school-aged children. A bunk house may be a travel trailer, camper, mobile home or a structure manufactured for this particular use.

Drilling - Means any digging or boring of a new or existing well to explore, develop, or produce oil, gas or other hydrocarbons, or to inject gas, water or any other fluid or substance into the earth.

Drilling Equipment – Means the derrick, all parts and appurtenances to such structure, and every piece of apparatus, machinery, or equipment used, erected, or maintained for use in connection with drilling.

Fracturing, Hydraulic - The process of injecting water, customized fracking fluid, steam, or gas into a gas well under pressure to improve gas recovery

Natural Gas Compressor Station A facility designed and constructed to compress natural gas that originates from an oil and gas well or collection of such wells operating as a midstream facility for delivery of oil and gas to a transmission pipeline, distribution pipeline, natural gas processing plant or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.

Natural Gas Processing Plant --- A facility designed and constructed to remove materials such as ethane, propane, butane, and other constituents or similar substances from natural gas to allow the natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets, but not including facilities or equipment that are/is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from natural gas.

Natural gas, Oil and Gas Drill Site – The oil and gas drill site shall consist of the area occupied by the facilities, structures, and equipment necessary for or incidental to the drilling or operation of an oil or gas well excluding natural gas processing plants and compressor stations.

Operator – Any person, partnership, company, corporation including its subcontractors and agents who are actively engaged in the exploration or drilling for producing or transporting oil or gas. **Protected Structure** – For oil and gas drilling sites, any occupied structure measured horizontally within **750 feet** of a gas wellhead ,or in the case of a natural gas processing facility or compressor station, within 1,000 feet, from the property line housing that facility. The term shall not include any structure whose owner has signed a waiver relieving the operator from implementation of the measures established in this Ordinance.

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Sound Wall – A wall constructed around a site or object that assists in the abatement of noise.
Unconventional Drilling A bore hole drilled or being drilled for the purpose of or to be used for the production of natural gas from an unconventional formation, such as Marcellus Shale, utilizing hydraulic fracturing as a method to drill horizontally to capture the natural gas resources.

All other terms will be as defined in Pennsylvania’s Oil and Gas Act (Act 223) Title 58. Oil and Gas, Chapter 11, Oil and Gas Act Definitions

Regulation of Unconventional Drilling with Hydraulic Fracturing

Oil and gas drilling sites shall be evaluated as a Conditional Use in the Agriculture (A-1) and Industrial (I-1) Zoning Districts except for those areas identified as being within the **Natural Resource Recovery Protection Area or the Historic Protection Overlay Area** subject to the following express standards and criteria:

- B. Conditional Use application shall include written permission from the property owner(s) who has legal or equitable title in and to the surface of the drill site or a demonstrable documentation of the applicant’s authority to occupy the surface for the purpose of mineral extraction. In addition, the application shall include the proposed pipeline route from the oil and gas drill site to the transmission line and how fluids will be brought to and from the site.
- C. Conditional Use approval is non-transferable without consent from the Board of Supervisors and shall automatically terminate, unless extended, if drilling is not commenced within one (1) year from the date of issuance of the Conditional Use. The Conditional Use approval may be extended by the Board of Supervisors upon written request by the Operator. The Operator shall provide proof that the requested Conditional Use permit for such location has not changed.
- D. The minimum lot size in which unconventional drilling is permitted shall be fifty (50) acres. The lot shall exist or be created as a Westmoreland County tax parcel prior to the issuance of any permits for the drilling activity. The front, rear and side yard requirements for any lot being used for unconventional drilling shall be a minimum of two-hundred and fifty (250’) feet. No activity or structures associated with the drilling activity shall be permitted within the required yard area except items specifically authorized by this Ordinance.
- E. The drilling pad shall maintain a minimum **seven** hundred fifty (**750’**) feet distance from protected structures. This distance shall be increased to two thousand six hundred forty (2,640’) feet from schools. A protected buffer zone of **three hundred fifty (350’) feet** for **named** streams from the centerline of the stream to a well pad of and unconventional drilling operation.

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§ 20-7. Specific Conditions of Conditional Use

A. Sexually-Oriented Businesses

1. All Sexually-Oriented Businesses shall be a stand-alone use situated on a lot having a minimum area of one (1) acre.
2. All Sexually-Oriented Businesses shall not be permitted to be located within three thousand (3,000) feet of any other Sexually-Oriented Business whether such use is situated in the Township or otherwise.
3. No permit will be issued for any Sexually-Oriented Business which intends to be located within the below listed distances of such institutional or residential lot lines:
 - (a) place of worship - eight hundred (800) feet
 - (b) public or private pre-elementary, elementary, or secondary school property - eight hundred (800) feet
 - (c) public library - six hundred (600) feet
 - (d) day care or nursery school - eight hundred (800) feet
 - (e) public playground or park - eight hundred (800) feet
 - (f) child-oriented business - eight hundred (800) feet
 - (g) commercial recreation uses - six hundred (600) feet
 - (h) residential uses or zones - six hundred (600) feet
 - (i) **no permit for a sexually oriented business which intends to be located within two (2) miles of the location for which an existing and valid permit for a sexually oriented business has been issued shall be issued.**
4. The distance between any two Sexually-Oriented Businesses shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior parcel line of each such establishment. The distance between any Sexually-Oriented Business and a land use specified above, shall be measured in a straight line, without regard to intervening structures from the closest point on the exterior parcel line of the Sexually-Oriented Business to the closest point on the exterior parcel line of said specified land use.
5. No materials or merchandise of any kind offered for sale, rent, lease, or loan or for view upon the premises of a Sexually-Oriented Business shall be exhibited or displayed outside of a building or structure.

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ACRE/ACREAGE: Shall mean Forty Three Thousand Five Hundred Sixty (43,560 sq. ft.) Square Feet.

ADVERTISING SIGN: A sign which directs attention to a business, product, service, activity or entertainment sold or offered not upon the premises where such sign is located.

AGRICULTURE: Any use of land or structures for farming, dairying, pasturage, agriculture, horticulture, floriculture, arboriculture, game animals, or animal or poultry husbandry. Accessory structures are permitted to the extent that they are required for the above agricultural operations and may include barns, stables, corn cribs, silos, but excluding tourist or recreational activities, banquet facilities, or bed and breakfasts.

AGRITOURISM or AGROTOURISM – An activity designed to promote visiting a working farm or any agricultural or horticultural use for purposes of enjoying, being educated about or becoming involved in the existing agricultural or horticultural use of the property. The terms AGRITOURISM or AGROTOURISM may include farm tours for families and school children, day camps, hands-on participation with farm chores, milking cows, feeding animals, the self-harvesting of produce or fruits, hay or sleigh rides; horse-back rides, the road-side or open air sale of fruits or vegetables grown on the property or hand-crafted gifts made or produced on the property, corn mazes and other similar activities. When authorized within a zoning district, a Bed & Breakfast may be used for overnight accommodations for those persons participating in AGRITOURISM or AGROTOURISM activities on the property.

AMUSEMENT PARK: A tract or area used principally as a location for permanent amusement structures or rides.

AMUSEMENT USE: A theater, stadium, arena, bowling alley, or related facility for the presentation of musical, theatrical, or sporting events where the number of spectators normally is greater than the number of players and where such use is not accessory to a school or church.

ANIMAL HUSBANDRY: the care and raising of domesticated farm animals when, in the case of alpaca, dairy cows, beef cattle, horses, ponies, mules, llamas, goats and sheep, their primary source of food during the normal growing season is from grazing in the pasture where they are kept.

ANTENNA: any system of wires, rods, discs, panels, flat panels, dishes, whips, or other similar devices used for the transmission or reception of wireless signals. An antenna may include an omnidirectional antenna (rod), directional antenna (panel), parabolic antenna (disc) or any other wireless antenna. An antenna shall not include tower-based wireless communications facilities defined herein.

APARTMENT: A dwelling unit in a multiple family residential structure containing three or more dwelling units.

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determined by the Secretary of the Interior, or directly by the Secretary of the Interior in states without approved programs

HOME BASED BUSINESSES OR OCCUPATIONS – See Sections 2-5, D-E.

HOTEL -- A building in which primarily temporary lodging is provided and offered to the public for compensation with and in which ingress and egress to and from rooms is made from an inside lobby or office supervised by a person in charge at all hours, in contradistinction to a boardinghouse, lodging house or rooming house, and where incidental business may be conducted

IDENTIFIED FLOODPLAIN AREA: The floodplain area specifically identified in these ordinances as being inundated by the “one hundred year flood.”

IMPERVIOUS SURFACE – any hard-surfaced, man-made area that does not readily absorb water, including but not limited to building roofs, parking areas, driveways, sidewalks and paved recreation areas.

INDOOR RECREATION, COMMERCIAL -- Recreational facilities within a building or structure that are operated by a private, for-profit entity and for which a fee is charged for their use.

INDOOR RECREATION, PUBLIC -- Recreational facilities within a building or structure that are operated by a public or nonprofit entity and for which a fee may or may not be charged for their use.

JUNKYARD -- Any lot, land, structure or part thereof where any discarded materials or article may be stored and shall include, but not be limited to, scrap metal; scrapped, abandoned or junked motor vehicles, in excess of one per lot; machinery; equipment; paper; glass; containers; and structures. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal.

KENNEL – an establishment where four or more dogs, cats or other domestic animals, excluding livestock, **for commercial purposes**, boarded, trained or bred.

LAKE or POND – A natural or man-made body of water which retains water year-round. A man-made body of water may be created by dams or result from excavation. A lake is a body of water two (2) or more acres in area. A pond is a body of water less than two (2) acres in area.

LAND DEVELOPMENT: The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving a group of two or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots, regardless of the number of occupants or tenure; or the division or allocation of land or space between or among two or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features; or a subdivision of land.

District	"A-1" Agriculture	"R-1" Rural Residential	"R-2" Suburban Residential	"C-1" Neighborhood Commercial	"C-2" Highway Commercial	"I-1" Industry	"V" Village
<ul style="list-style-type: none"> • Permitted Uses 	<ul style="list-style-type: none"> • Accessory Uses • Agriculture • Schools • Places of Worship • Essential Services • Home Occupations • Parks and Recreation • Storm Water Retention Facilities • Natural Resource Extraction • Parks and Recreation • Signs • Single Family Dwellings • Riding Academy 	<ul style="list-style-type: none"> • Accessory Uses • Agriculture • Duplexes • Schools • Places of Worship • Essential Services • Home Occupations • Parks and Recreation • Storm Water Retention Facilities • Natural Resource Extraction • Signs • Single Family Dwellings 	<ul style="list-style-type: none"> • Accessory Uses • Agriculture • Family • Animal Clinics • Automobile Repair Garages • Banks • Barber & Beauty Shops • Car Washes • Child Day Care Centers • Schools • Places of Worship • Essential Services • Fire & Police Stations • Assisted Living Facility/Personal Care Facility • Indoor Recreation • Hotels & Motels • Motor Vehicle Sales & Service • Professional Office Buildings • Public Parks & Playgrounds • Storm Water Retention Facilities • Retail Business • Restaurants • Natural Resource Extraction • Recreation Facilities • Signs • Hospitals • Mini-Storage Unit 	<ul style="list-style-type: none"> • Accessory Uses • Agriculture • Arcades & Amusement Parks • Family • Animal Clinics • Automobile Repair Garages • Banks • Barber & Beauty Shops • Banquet Facilities • Campgrounds • Car Washes • Child Day Care Centers • Schools • Places of Worship • Essential Services • Fire & Police Stations • Hotels & Motels • Motor Vehicle Sales & Service • Professional Office Buildings • Storm Water Retention Facilities • Retail Business • Restaurant, Sit Down • Natural Resource Extraction • Recreation Facilities • Signs • Assisted Living Facility/Personal Care Facility • Hospitals • Mini-Storage Unit 	<ul style="list-style-type: none"> • Accessory Uses • Agriculture • Animal Clinics • Automobile Repair Garages • Banquet Facilities • Car Washes • Essential Services • Heavy Equipment Storage • Professional Office Buildings • Storm Water Retention Facilities • Natural Resource Extraction • Signs 	<ul style="list-style-type: none"> • Accessory Uses • Agriculture • Banks • Barber & Beauty Shops • Business Offices • Essential Services • Professional Office Buildings • Restaurant, Sit Down • Retail Shops less than 5,000 square feet • Single Family Dwellings • Storm Water Retention Facilities • Signs • Duplexes • Health and Fitness • Bed & Breakfast Inns • Places of Worship 	

<p>Conditional Uses</p> <ul style="list-style-type: none"> • Communications Antennae and Equipment Building • Sewage Lagoons • Subordinate to AG uses • Unconventional • Drilling Operations • Compressor Stations • Processing Plants • Bed and Breakfast 	<ul style="list-style-type: none"> • Mobile Home Parks • Communities 	<ul style="list-style-type: none"> • Camping Facilities • Mobile Home Parks 	<ul style="list-style-type: none"> • Nightclubs, Dance Halls, Taverns & Clubs • Outdoor Recreation 	<ul style="list-style-type: none"> • Night Clubs, Dance Halls, Taverns & Clubs • Restaurants, Fast Food 	<ul style="list-style-type: none"> • Sexually Oriented Businesses • Light Industrial Manufacturing • Unconventional Drilling Operations • Compressor Stations • Processing Plants 	<ul style="list-style-type: none"> • Restaurants, Fast Food
<p>Special Exceptions</p> <ul style="list-style-type: none"> • Airports & Heliports • Heavy Equipment Storage • Temporary Structures • Outdoor Recreation • Concentrated Animal Feeding Operation • Agricultural Supplies and Equipment Sales • Animal Hospitals • Student Home 	<ul style="list-style-type: none"> • Bed & Breakfast Inns • Group Homes • Temporary Structures • Senior Citizen Residential • Cemeteries • Camping Facility • Golf Course • Public Utility Structure • Student Home • Skilled Care Facilities 	<ul style="list-style-type: none"> • Bed & Breakfast Inns • Group Homes • Assisted Living Facility/Personal Care Facility • Hospitals • Temporary Structures • Senior Citizen Residential • Apartments & Multi-Family Housing • Camping Facility • Public Utility Structure • Student Home • Skilled Care Facilities 	<ul style="list-style-type: none"> • Bottle Clubs • Group & Community Residential Facilities • Temporary Structures • Drive In Theaters • Camping Facility • Agricultural Supplies and Equipment Sales • Civic and Social Clubs • Public Utility Structure • Stables 	<ul style="list-style-type: none"> • Bottle Clubs • Group & Community Residential Facilities • Temporary Structures • Senior Citizen Residential • Outdoor Recreation • Camping Facility • Civic and Social Club • Stable • Skilled Care Facilities 	<ul style="list-style-type: none"> • Bottle Clubs • Temporary Structures • Salvage Yard • Sewage Treatment Plant • Halfway House • Single Family Home or minor subdivision. • Any uses of land and structure not permitted in other zoning districts, so long as the highest attainable standards of health, safety, morals and general welfare are observed 	<ul style="list-style-type: none"> • Automotive Repair Garages • Temporary Structures
<p>Minimum</p>	<p>65,000 sq. feet</p>	<p>43,560 sq. feet</p>	<p>43,560 sq. feet</p>	<p>43,560 sq. feet</p>	<p>43,560 sq. feet</p>	<p>5,000 sq. feet</p>