

**ADAMS TOWNSHIP, BUTLER COUNTY  
COMMONWEALTH OF PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF ADAMS TOWNSHIP,  
BUTLER COUNTY, PENNSYLVANIA, REVISING AND ESTABLISHING THE ROUTE  
228 OVERLAY DISTRICT AND ITS RELATED PROVISIONS**

BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Adams Township, Butler County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same:

**SECTION 1: Chapter 192, Zoning, Article V, Overlay Zoning Districts, Section 192-30 is amended as follows:**

1. The OFFICIAL OVERLAY ZONING MAP is hereby amended and replaces the old Appendix B. Said amended map is attached hereto as Exhibit "A".
2. Section C is amended as follows: "Where a recorded parcel situated within one of the designated overlay zones abuts in whole or in part the State Route 228 right-of-way line and is divided by an overlay zone boundary line, the following is applicable".
3. Section C(1)(b) is amended as follows: "The remnant which is developed does not extend beyond the established overlay boundary distances from the center line of State Route 228 by 750 feet in the Route 228 Overlay District".

**SECTION 2: Chapter 192, Zoning, Article V, Overlay Zoning Districts, Section 192-31 is deleted in its entirety and replaced with the following:**

§ 192-31. Route 228 Overlay District:

A. Location and district boundaries. The Route 228 Overlay District is situated within the State Route 228 Corridor specifically identified on the Overlay Zoning Map, incorporated as Appendix B to this chapter.

B. Planning objective. The establishment of the Route 228 Overlay District is to provide for a variety of commercial land use options with direct or indirect access to the State Route 228 Corridor at a scale and with structural elements which are in concert with the existing residential and nonresidential development in that area of Adams Township.

C. Principal permitted uses. See the Table of Permitted Uses by District, § 192-38.

D. Conditional Uses. See the Table of Permitted Uses by District, § 192-38.

E. Accessory uses.

(1) No accessory structure occupied by a permitted accessory use shall exceed the square footage of the footprint of a permitted principal use on the same lot.

(2) No accessory structure shall be permitted in the front yard and all accessory structures shall be set back in conformance with setbacks established for principal uses and structures, except as otherwise specified.

(a) Accessory storage building

(b) Parking, loading areas and planted buffer yards (as specified).

(c) Signs.

(d) Satellite and telecommunications dishes not to exceed seven meters in diameter.

(3) Uses of land or of a building or portion thereof customarily incidental and subordinate to the principal permitted use of the land or building and located on the same lot with the principal use.

F. Minimum dimensional standards. See the Table of Minimum Dimensional and Site Design Standards, § 192-139.

G. Parking and loading. See the Tables of Minimum Parking and Off-Street Loading Requirements, Article IX, § 192-56.

H. Applicability:

(1) All undeveloped parcels, whether previously recorded or created through the subdivision review and approval process, as outlined in the Adams Township Subdivision and Land Development Ordinance.

**SECTION 3: Chapter 192, Zoning, Article V, Overlay Zoning Districts, Section 192-32 is deleted in its entirety.**

**SECTION 4: Chapter 192, Zoning, Article V, Overlay Zoning Districts, Section 192-33 is deleted in its entirety.**

**SECTION 5: Chapter 192, Zoning, Article V, Overlay Zoning Districts, Section 192-34 is deleted in its entirety.**

**SECTION 6: Chapter 192, Zoning, Article V, Overlay Zoning Districts, Section 192-35 is deleted in its entirety.**

**SECTION 7: Chapter 192, Zoning, Article V, Overlay Zoning Districts, Section 192-36 is deleted in its entirety and replaced with the following:**

§ 192-31. Personal Services Overlay District:

A. Location and district boundaries. The Personal Services Overlay District is situated within the State Route 228 Corridor specifically identified on the Overlay Zoning Map, incorporated as Appendix B to this chapter.

B. Planning objective. The establishment of the Personal Services Overlay District is to provide for a variety of commercial land use options with predominantly indirect access to the State Route 228 Corridor at or near specific intersections. The scale and structural elements shall be in concert with the existing residential and nonresidential development in those areas of Adams Township

C. Principal permitted uses. See the Table of Permitted Uses by District, § 192-38.

D. Conditional Uses. See the Table of Permitted Uses by District, § 192-38.

E. Accessory uses.

(1) No accessory structure occupied by a permitted accessory use shall exceed the square footage of the footprint of a permitted principal use on the same lot.

(2) No accessory structure shall be permitted in the front yard and all accessory structures shall be set back in conformance with setbacks established for principal uses and structures, except as otherwise specified.

(a) Accessory storage building

(b) Parking, loading areas and planted buffer yards (as specified).

(c) Signs.

(d) Satellite and telecommunications dishes not to exceed seven meters in diameter.

(3) Uses of land or of a building or portion thereof customarily incidental and subordinate to the principal permitted use of the land or building and located on the same lot with the principal use.

F. Minimum dimensional standards. See the Table of Minimum Dimensional and Site Design Standards, § 192-139.

G. Parking and loading. See the Tables of Minimum Parking and Off-Street Loading Requirements, Article IX, § 192-56.

H. Applicability:

(1) All undeveloped parcels, whether previously recorded or created through the subdivision review and approval process, as outlined in the Adams Township Subdivision and Land Development Ordinance.

**SECTION 8: Chapter 192, Zoning, Article V, Overlay Zoning Districts, Section 192-37 is amended in part as follows:**

1. Section A is amended as follows: A. Applicability. All undeveloped parcels, whether previously recorded or created through the subdivision review and approval process, as outlined in the Adams Township Subdivision and Land Development Ordinance, which are situated in whole or in part in one of the State Route 228 Overlay Zoning Districts shall be developed in conformance with the provisions of Article V, § 192-39 of this chapter, where the property owner chooses to develop a land use listed in § 192-38 in one of the State Route 228 Overlay Zoning Districts.

2. Section B(3) is amended as follows: B(3). Formal submission of a land development plan application for land situated in one of the State Route 228 Overlay Zoning Districts shall be in conformance with the provisions of the Adams Township Subdivision and Land Development Ordinance of 1990, as amended. All required information, including application and fees, shall be submitted a minimum of 28 days prior to the next regularly scheduled Planning Commission meeting. Incomplete or otherwise deficient land development applications shall be returned to the applicant.

3. Section D is amended as follows: D. Adaptive Reuse. For the purposes of implementing the provisions of this article, the use and occupancy of nonconforming and conforming structures within the State Route 228 Corridor on land in part of or in whole within one of the overlay zoning districts shall be permitted as follows:

4. Section E is amended as follows: E. Existing roadways. Existing Township roadways which have not been improved for increased capacity and safety, or which function primarily as residential collector roadways, shall not be used as direct or indirect conduits to developing areas within the overlay zoning districts.

5. All of the other Sections of Section 192-37 remain unchanged.

**SECTION 9: Chapter 192, Zoning, Article V, Overlay Zoning Districts, Section 192-38 is amended to replace the prior Table of Uses with the following Table which is attached hereto as Exhibit "B".**

**SECTION 10: Chapter 192, Zoning, Article V, Overlay Zoning Districts, Section 192-39 is amended as follows:**

Overlay Zoning Districts

Table of Minimum Dimensional and Site Design Standards

	<b>Route 228 Overlay</b>	<b>Personal Service Overlay</b>
Primary access	Public access road	Public access road
Minimum lot area	No minimum	No minimum
Minimum lot width	No minimum	No minimum
Minimum right of way dedication	40 feet along Route 228 20 feet along arterial connections	20 feet along primary corridor

**Minimum building setbacks**

Building setback from property line parallel with	10	10
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Route 228 right of way or arterial connection (feet)		
Side yard setback (feet)	20	20
Rear setback from access right of way (feet)	25	25
Rear setback from rear property line (feet)	15	15
Edge of paved surface to property line (side and rear yards) (feet)	10	10
<b>Maximum impervious coverage</b>	70%	70%

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#### **Interior landscaping**

Perimeter of parking area	1 tree/10 spaces	1 tree/10 spaces
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#### **Building appearance**

Building height	5 stories	3 stories
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#### **Signage**

Wall-mounted, interior lit, maximum signage per principal structure	1/10 wall surface, 10% to 75 square feet	1/20 wall surface, 5% to 50 square feet
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All of the other Sections of Section 192-37 remain unchanged.

**SECTION 11: Chapter 192, Zoning, Article V, Overlay Zoning Districts, Section 192-56(J)(1) is amended as follows:**

J. Review and approval.

1. Any proposal for new parking areas required for new construction or for expansion of existing structures or uses shall be submitted to the Code Enforcement Officer concurrent with the execution of the developers' agreement. A scaled plan of the property showing the location of each parking and loading space, access aisles, maneuvering areas, access from adjacent public streets, provisions for drainage, location of all structures, and an indication of construction and materials shall be provided as part of the application for a zoning/building permit. If shared parking is requested, a parking study shall also be submitted to the Code Enforcement Officer showing the feasibility of said shared parking.

**SECTION 12: In Article II, Definitions and Terms, Section 192-6, the following new definitions are hereby added to read as follows:**

ART GALLERIES: See "STUDIOS".

BEVERAGE DISTRIBUTOR: A business that engages in the sale of malt or brewed beverages, not for consumption on the premises where sold, and in quantities of not less than a case or original containers containing one hundred twenty-eight ounces or more which may be sold separately as prepared for the market by the manufacturer at the place of manufacture.

OTHER COMMERCIAL USES: any business that engages in commerce, is not industrial and is not otherwise defined within this section.

OUTPATIENT MEDICAL FACILITY: a building or group of buildings occupied by medical practitioners and related service for the purpose of providing health services to persons on an outpatient basis, but not including mental health institutions and/or drug treatment facilities.

LIQUOR STORE: "Pennsylvania Liquor Stores" which sell liquor and alcohol under the authorization of the Pennsylvania Liquor Control Board.

MUSEUM: a building in which objects of historical, scientific, artistic, or cultural interest are stored and exhibited.

PERSONAL SERVICES: Any legal enterprise conducted for gain which offers services directly to the public at the site of the business, and which includes

but is not limited to shoe repair, watch repair, barber shops, beauty parlors, photography studios and massage parlors, but specifically excluding tattoo and/or body piercing businesses and the like.

**SPECIALTY RETAIL:** Retail store catering to unique market segments and adapted to a theme of small scale establishments (as opposed to “big box” structures) including antique shops, florists, card shops, hobby and craft shops, gift shops, wearing apparel shops, bookstores (excluding adult bookstores and other “adult entertainment” uses), camera shops, jewelry stores, boutique and craft shop, and similar specialty retail stores.

**KENNEL, BOARDING:** Any establishment available to the general public where a dog or dogs are housed for compensation by the day, week or a specified or unspecified time. The term shall not include a kennel where the practice of veterinary medicine is performed if the kennel is covered by the provisions of the “Veterinary Medicine Practice Act.” The term shall include any boarding facility operated by a licensed doctor of veterinary medicine whether or not this facility is on the same premises as a building or structure subject to the provisions of the “Veterinary Medicine Practice Act.” The term shall include any establishment available to the general public that, for consideration, takes control of a dog from the owner for a portion of a day for the purposes of exercise, day care or entertainment of the dog. For the purpose of this term, each time a dog enters the kennel it shall be counted as one dog. This term does not include an establishment engaged only in dog grooming or dog training.

**STUDIOS:** facilities where works of art, including but not limited to photography, painting, sculpting, and computer graphic art are displayed or created, excluding adult material (see § 192-47(B)).

**FACTORY OUTLET:** A shopping center which includes a variety of retail stores and ancillary uses. The individual retail stores are operated primarily by the companies that either directly manufacture or control the production of the merchandise being sold.

**COMMUTER PARKING LOT –** An off street parking lot, designed and intended to provide for the storage, for limited periods of time, of operable passenger automobiles to the public for compensation, or as accommodation to clients and customers.

**SECTION 13: Repealer: All ordinances, code sections or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.**

**SECTION 14: Severability: Should any sentence, section, clause, part or provisions of this Ordinance amendment be declared by a court of competent jurisdiction to**



be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

**SECTION 15: Effective Date: This Ordinance amendment shall take effect five (5) days after enactment.**

ATTEST:

ADAMS TOWNSHIP SUPERVISORS:

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Secretary

(SEAL)

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Chairman

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Vice-Chairman

\_\_\_\_\_  
Supervisor

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Supervisor

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Supervisor