

TOWNSHIP OF CHIPPEWA

BEAVER COUNTY, PENNSYLVANIA

Chapter 27

ZONING ORDINANCE

November 2002



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CHIPPEWA TOWNSHIP

ZONING ORDINANCE

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PART I

AUTHORITY AND GENERAL PURPOSE

SECTION 100 GRANT OF POWER

Pursuant to the Authority contained in the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, the Aviation Code, Act 164 of 1984, as amended, and the Flood Plain Management Act, Act 166 of 1978, as amended and for the purpose of promoting the health, safety and general welfare of the residents of Chippewa Township. The Board of Supervisors do hereby enact this Chapter to regulate and restrict height, number of stories, size and location of buildings and other structures, their construction, alteration, extension, repair, maintenance of all facilities and services in or about such buildings and structures, density of lot development, size of lots, yards, courts, and other open spaces, the density of population in relation to land use, and the location and use of buildings, structures, land, and water courses for trade, industry, commerce, residence, public service and other purposes.

SECTION 101 CONTINUATION OF EFFECT

The provisions of this Ordinance, so far as they are common to those zoning regulations in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such prior regulations and not as new enactments. Such parts of the prior regulations that are omitted from this Ordinance shall be deemed as abrogated, except as they may continue to apply to uses, structures, and subdivided lots, existing legally as of the date of enactment of this Ordinance and protected by express provisions of this Ordinance.

SECTION 102 ESTABLISHING ZONING DISTRICTS

- A. For any or all said purposes, the Board of Supervisors hereby divides the Township into districts, of such number, shape, and areas as may be deemed best suited to carry out the purposes of this section. Within such districts, the Board of Supervisors hereby regulates and restricts the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land.
- B. All such regulations shall be uniform for each class or kind of construction or development throughout each district, but the regulations in one district may differ from those in another district.

PART II

SHORT TITLE AND PURPOSE

SECTION 200 SHORT TITLE

This Ordinance shall be known and may be cited as "The Zoning Ordinance, Chapter 27 of the Chippewa Township Code of Ordinances" and the district map shall be known and may be cited as the "Official Zoning Map," adopted by reference herein.

SECTION 201 PURPOSE AND OBJECTIVES

- A. The purposes of this Chapter are to lessen congestion in the roads and highways, secure safety from fire, panic and other danger, promote health and the general welfare, provide adequate light and air, prevent the overcrowding of land, avoid undue congestion of population, facilitate the adequate provision of transportation, water, sewerage, schools, parks and other requirements. It is also the purpose of this Chapter to encourage the utilization of appropriate construction practices in order to prevent and minimize flood damage, minimize danger to public health by protecting the water supply and natural drainage, and to reasonably regulate the height of structures for the takeoff, landing and maneuvering of aircraft while at the same time not unreasonably impairing the development and growth of Chippewa Township. It is not the intent of this Chapter to restrict, control or place a hardship upon the continued agricultural use of land within its area of jurisdiction and control.
- B. The objectives of this Chapter are generally the coordination of the diversified physical elements and the protection of the health, safety, morals and general welfare of the public. The specific Community Development Objectives relate to physical resources, environmental enhancement and the provision of community identity and are as follows:
 - 1. To strengthen economic conditions within the township by attracting a variety of commercial and industrial development to the community.
 - 2. To maintain the residential character of the township by designating appropriate quantities of land areas for all housing types and providing controls to insure other land uses do not unreasonably conflict with residential districts.
 - 3. To improve the quality of life for township residents by providing coordinated services and facilities through appropriate public, semi-public and private organizations.
 - 4. To control growth within the township by enacting appropriate zoning, subdivision and land development and other land use regulations.

SECTION 202 INTERPRETATION

- A. In interpreting and applying the provisions of this Chapter, they shall be held to be the minimum requirements for the promotion of health, safety, morals, and the general welfare of Chippewa Township and its citizens. It is not intended by this Chapter to interfere with or abrogate or annul any rules or regulations previously adopted or permits previously issued by the Township which **are not** in conflict with any provisions of this Chapter, nor is it intended by this Chapter to interfere with or abrogate or annul any easements, covenants, building restrictions, or other agreements between parties.
- B. Where this Chapter imposes a greater restriction upon the use of the buildings or premises or upon the height of the building, or requires a larger open space than is imposed or required by such Chapter, rules, regulations or permits, or by easements, covenants, building restrictions or agreements, the provisions of this Chapter shall control.

SECTION 203 USES NOT LISTED

When a land use proposed by a property owner is not listed as a permitted use, a conditional use or a use by special exception in any of the established zoning districts or overlay zoning district, the Zoning Officer shall, at the request of the owner, refer such proposed land use to the Zoning Hearing Board following denial of the zoning permit. The proposed use shall be reviewed as a request for a special exception. The Zoning Hearing Board shall apply the general standards outlined in Part XXI, Sections 2134 and 2135.

PART III

DEFINITIONS

SECTION 300 INTERPRETATION OF WORDS

For the purpose of this Chapter, the terms and words herein shall be interpreted as follows unless otherwise expressly stated.

- A. Words used in the present tense shall include the future.
- B. Words used in plural shall include the singular.
- C. The words "person", "owner", or "developer" include a profit or nonprofit corporation, company, partnership, association or individual.
- D. The words "used" or "occupied" as applied to any land, water, or building shall include the words "intended," "arranged," or "designed" to be used or occupied.
- E. The word "building" shall include the word "structure" and shall be construed as if followed by the phrase "or part thereof."
- F. The word "lot" shall include a plot, parcel, or tract of land and/or water area.
- G. The word "street" shall include "highway" and "road."
- H. The words "shall" and "will" are always mandatory.
- I. The word "may" is permissive.
- J. Unless otherwise specified, all distances shall be measured horizontally.

SECTION 301 MEANING OF WORDS

Unless otherwise expressly stated, the following words shall for the purpose of this Chapter have the meaning herein indicated.

ACCESS - An improved way to permit vehicular access to a building, structure, land, or water area from the public street.

ACCESS DRIVE - The principal means of access into all parking areas with over fifty (50) parking spaces and the principal means of access to public and semi - public uses and to multi-family developments, and the principal means of access to on-site buildings and structures, or to loading and unloading areas in the C-1, PC, and IC districts of this Chapter.

ACCESSORY BUILDING - A subordinate building or a portion of the principal building on the lot, the use of which is customarily incidental to that of the principal building and the accessory building shall not occupy or exceed fifty (50) percent of the space of the principal building.

(Revised by Ord. 182, 9/8/1997)

ACCESSORY USE - A use on the same lot with, and of a nature customarily associated with, and of a nature customarily incidental and subordinate to the principal use.

ADULT BOOK STORE - An establishment having, as a substantial or significant portion of its stock in trade, for sale or rental books, magazines, video tapes, computer disks, or other materials which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "sexual activities" or "nudity" as defined herein.

(Revised by Ord. 173)

ADULT CABARET - A cabaret, tavern, bar, nightclub, theater or similar club which features strippers, female topless and/or bottomless waitresses or employees, male or female impersonators or similar entertainers who exhibit, display or engage in nudity, sexual conduct or sadomasochistic abuse, as defined in this Chapter and the Pennsylvania Obscenity Code. (Revised by Ord. 173)

ADULT MINI-MOTION PICTURE THEATER - An enclosed building or structure offering video presentations distinguished or characterized by an emphasis on matter depicting, describing or relating to "sexual activities" or "nudity," as defined herein, for observation by patrons within private viewing booths and/or by use of token or coin operated projectors or other video machines. (Revised by Ord. 173)

ADULT RELATED BUSINESS - Any adult book store, adult cabaret, adult mini-motion picture theater or adult theater as defined herein and which, under the Pennsylvania Obscenity Code, must exclude minors or may not knowingly disseminate to minors. Also, a massage establishment as defined herein. (Revised by Ord. 173)

ADULT THEATER - Any business which exhibits an indoor motion picture show or other presentation which in whole or in part depicts nudity, sexual conduct or sadomasochistic abuse as defined in the Pennsylvania Obscenity Code. Any adult theater which proposes to exhibit a motion picture show or other presentation, as defined above, outside the confines of a building or structure is prohibited. (Revised by Ord. 173)

AGRICULTURAL OPERATION - An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

AIRCRAFT - Any contrivance, except an empowered hang- glider or parachute, used, for manned ascent into or flight through the air. See 74 PA Cons. Stat. 5102.

AIRPORT - Refers to the Beaver County Airport. Defined as: Any area of land or water which is used, or intended to be used, for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings on air navigation facilities or rights-of-way, together with all airport buildings and facilities thereon. See 74 PA Cons. Stat. 5102. As used herein the term "Airport" shall not include heliports. Private and public airports are defined separately in this section.

AIRPORT ELEVATION - The highest point of an airport's usable landing area measured in feet from sea level. Here: 1,252 feet above mean sea level.

AIRPORT HAZARD AREA - Any area of land or water upon which a hazard to air navigation (an airport hazard) might be established if not prevented as provided by these regulations and the 1984 PA Laws 164.

ALTERATIONS - As applied to a building or structure, means a change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing height, or the moving from one location or position to another.

APPLICANT - A landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT - Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building/zoning permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

APPROACH SURFACE - A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Part XIII of this Chapter. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.

APPROACH, TRANSITIONAL, HORIZONTAL, AND CONICAL ZONES - These zones are set forth in Part XIII of this Chapter.

AREA, GROSS FLOOR - The sum of the gross horizontal areas of the several floors of a building, excluding basement floor area not devoted to residential use, porches, patios, breeze ways, carports, sun porches or other similar structural additions.

AREA, GROSS FLOOR - As applied to off-street parking, the area used or intended for services to the public as customers, patrons, clients or tenants, including areas occupied for fixtures and equipment used for display or sale of merchandise. Floor areas which are used exclusively for storage, housing of mechanical equipment integral with the building, for maintenance facilities, or for those areas so restricted that customers, patients, clients, salesmen and the general public are denied access are

also included.

ASSISTED LIVING FACILITY - See Nursing and Personal Care Facility.

AUTOMOTIVE SERVICE STATION - Any premises used primarily for supplying gasoline, oil, minor accessories, or service for automobiles at retail, direct to the motorist consumer, including the making of minor repairs, but excluding painting.

BASEMENT - A story partly underground but having at least one half (1/2) of its height above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet or if used for business or dwelling purposes, other than a game or recreation room.

BED AND BREAKFAST - An existing residential structure converted for use from a single family dwelling to a facility for the boarding of overnight guests on a limited basis. (Ord. 191, 5/10/1999)

BED AND BREAKFAST OWNER - A person or persons or partner or partners in a partnership owning the fee simple title to the real estate upon which the Bed and Breakfast use is operated subject to any bona fide encumbrances and conveyance of legal title for mortgage financing purposes. When the Bed and Breakfast real estate is owned by more than one person or a partnership, the operator and full time resident of the Bed and Breakfast must own at least a twenty-five (25) percent interest in said real estate. (Ord. 191, 5/10/1999)

BOARD OF SUPERVISORS - The Board of Supervisors of the Township of Chippewa, Beaver County, Pennsylvania.

BUILDING - Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground that has a roof supported by columns or walls.

BUILDING, FRONTLINE OF - The line of that face of the building nearest the frontline of the lot. This face includes covered or roofed patios, porches, or entrance ways, whether enclosed or unenclosed, but does not include steps, or entrance walks.

BUILDING, HEIGHT OF - The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs and to the mean height between eaves and ridges for gable, hip, and gambrel roofs.

BUILDING LINE - A line located on the lot or parcel at a fixed distance from the street right-of-way line and interpreted as being the nearest point that a building may be constructed to the street right-of-way. The building line shall limit the location of porches, patios, and similar construction to the face of this line.

BUILDING, MAIN OR PRINCIPAL - A building in which is conducted the principal use or uses of the lot on which it is located.

BUSINESS SERVICES - Establishments engaged in rendering services to other

COMMUNITY/NEIGHBORHOOD CENTER - A structure or area whose use is limited to the nonprofit recreational pursuits of the community or neighborhood in which it is located.

COMPREHENSIVE PLAN - The Comprehensive Plan for the Township of Chippewa.

CONDITIONAL USE - A use permitted in a particular zoning district pursuant to the provisions of Article VI of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

CONDOMINIUM - Real estate portions of which are designated for separate ownership and the remainder of which is designated for common ownerships solely by the owners of those portions. The undivided interest in the common elements must be vested in the unit owners for the real estate to be a condominium.

CONICAL SURFACE - A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

CONSISTENCY - An agreement or correspondence between matters being compared which denotes a reasonable rational, similar, connection or relationship.

COVERAGE, LOT - That portion or percentage of the plot or lot area covered by the buildings and/or structures.

CROPLANDS - A land area without structures which is used for the raising of agricultural crops.

CUSTOMARILY INCIDENTAL - As applied to accessory uses, those uses of a secondary or related nature to principal permitted uses on the same lot or parcel.

DECISION - Final adjudication of any board or other body granted jurisdiction under any land use Chapter or the Pennsylvania Municipalities Planning Code, Act 247, as amended, to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the Court of Common Pleas of Beaver County.

DECK - See "Patio."

DENSITY - A measure of the number of dwelling units which occupy, or may occupy, an area of land.

DEPARTMENT - Pennsylvania Department of Transportation.

DETERMINATION - Final action by an officer, body or agency charged with the administration of land use ordinance or applications thereunder, except the following:

1. The Township Board of Supervisors;
2. The Zoning Hearing Board; or

DWELLING UNIT - Any structure or portion thereof, which is designed and used for residential purposes and includes kitchen and bathroom facilities. (Revised by Ord. 182, 9/8/1997)

DWELLING TYPES

- A. **CONVERSION APARTMENT** - A form of multi-family dwelling where a single-family dwelling is converted into two (2) or more separate living units each having an average of five hundred (500) square feet of interior habitable area, exclusive of basement and/or cellar dwellings. Each unit shall have separate sanitary, cooking and sleeping facilities. (Revised by Ord. 182, 9/8/1997)
- B. **APARTMENT BUILDING DWELLING** - A type of multi-family dwelling containing at least three (3) but no more than twelve (12) dwelling units per building or structure. Each apartment dwelling shall contain a minimum of five hundred (500) square feet of interior habitable area, shall have a kitchen and bathroom facilities, and shall be permanently constructed or affixed to a foundation. (Revised by Ord. 182, 9/8/1997)
- C. **EARTH SHELTERED DWELLING** - A dwelling unit constructed primarily beneath the exterior surface grade having a minimum of nine hundred (900) square feet of interior habitable area. (Revised by Ord. 182, 9/8/1997)
- D. **MOBILE HOME** - A transportable, single family dwelling intended for permanent occupancy, contained in one (1) unit, or in two (2) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.
- E. **MULTI-FAMILY DWELLING** - Any building or structure having more than four (4) dwelling units which have separate entrances. The dwellings shall be permanently constructed or affixed to a foundation. (Revised by Ord. 182, 9/8/1997)
- F. **NURSING, CONVALESCENT HOME or HOME FOR THE AGED** - Any building or other structure with sleeping rooms where persons are housed or lodged and furnished with meals and nursing care for hire, or a home operated as an institution. Such facility shall be licensed by the Commonwealth of Pennsylvania to provide the appropriate human services based on required staffing levels.
- G. **SINGLE-FAMILY DETACHED DWELLING** - One (1) dwelling unit accommodating a single family, *having* two (2) side yards, and permanently constructed or affixed to a foundation and having a minimum of nine hundred (900) square feet of habitable area exclusive of storage and utility areas. A single family detached dwelling may be an on-site constructed structure or may be

a factory fabricated structure consisting of a minimum of two (2) separate modular units permanently combined on-site and permanently affixed to a foundation to form a single-family detached dwelling.

- H. **SINGLE-FAMILY SEMI-DETACHED DWELLING** - Two (2) dwelling units each accommodating one (1) family which are attached side by side through the use of a common wall or adjoining walls extending through the attic to the roof. Each dwelling unit shall contain a minimum of nine hundred (900) square feet of interior habitable area, shall be permanently constructed or affixed to a foundation, and shall have one (1) side yard adjacent to each dwelling unit. Also, each dwelling unit shall be situated on a lot of record. (Revised by Ord. 182, 9/8/1997)
- I. **TWO-FAMILY DETACHED DWELLING (DUPLEX)** - Two (2) dwelling units each accommodating one (1) family which are located one (1) over the other and having two (2) side yards. Each dwelling unit shall contain a minimum of nine hundred (900) square feet of interior habitable area and shall be permanently constructed or affixed to a foundation. (Revised by Ord 182, 9/8/1997)
- J. **TOWNHOUSE DWELLING** - Any building containing at least three (3) but not more than eight (8) dwelling units which share one (1) common wall with at least (1) one other dwelling unit and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance. Furthermore, each dwelling unit shall contain a minimum of nine hundred (900) square feet of interior habitable area, be situated on a lot of record, contain an integral, attached, detached, or basement garage, and shall be permanently constructed or affixed to a foundation. (Revised by Ord. 182, 9/8/1977)

EFFECTIVE DATE - The date on which this Chapter, or any amendment thereto, is duly adopted by the Township or as specified in the Chapter adopting same.

ERECTED - Includes built, constructed, reconstructed, moved upon, or any physical operations on the land required for the building. Excavation, fill, drainage and the like shall be considered part of the erection.

ESSENTIAL PUBLIC SERVICE FACILITIES - The erection, construction, alteration, or maintenance by public utilities, municipal authorities, or Township agencies of underground or overhead water, sanitary sewers, or storm sewers, gas, electrical, telephone transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, towers, fire alarm boxes, traffic signals, hydrants, and similar equipment and accessories in connection therewith and where reasonably necessary for the furnishing of adequate service, buildings, and structures. Specifically excluded from this definition are communication towers and communication antennas. (Revised by Ord. 182, 9/8/1997)

EXTENSION - An increase in the area or use of a building, other structure and/or land.

FAA - Federal Aviation Administration of the United States Department of

Transportation.

FAMILY - Any member of individuals living and cooking together as a single housekeeping unit, as distinguished from a group occupying a boarding house.

FLOOD - A temporary inundation of normally dry land areas.

FLOODPLAIN AREA - A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source, as established by the Federal Emergency Management Agency.

FLOODPROOFING - Means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improve real property, water and sanitary facilities, structures and their contents.

FLOOD WAY - The designated area of a flood plain required to carry and discharge flood waters of a given magnitude. For the purposes of this *Chapter*, the flood way shall be capable of accommodating a flood of the one hundred (100) year magnitude. (Revised by Ord. 182, 9/8/1997)

FORESTRY - The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

FRONT YARD - See "Yard, Front."

GARAGE, PRIVATE - An enclosed and covered private parking space for the use of the occupants of the premises for the storage of one (1) or more motor vehicles, provided that no business, occupation, or service is conducted for profit therein.

GARAGE, PUBLIC - A building or structure where motor vehicles can be temporarily parked.

GAS STATION - See Automotive "Service Station."

GOVERNING BODY - The Board of Supervisors, Township of Chippewa, Beaver County, Pennsylvania.

GRADE, FINISHED - The completed surfaces of lots, walks, streets, and roads brought to grades as shown on official plans or designs relating thereto.

GROSS RESIDENTIAL DENSITY - The number of dwelling units in relationship to the development area (land area) actually in use or proposed to be used for residential purposes. The development area shall exclude public rights-of-ways whether within or adjacent to the development. The development area shall include parking areas and access drives, sidewalks, parks, playgrounds, common open space, and other commonly owned facilities within the development.

GROUP RESIDENCE - A nonprofit residential service excluding hotels, motels, boarding, and rooming houses but including health service and social service related uses of a residential nature. Such group residential use is not a dwelling or dwelling unit.

HAZARD TO AIR NAVIGATION - Any structure or object, natural or manmade, or use of land which obstructs the airspace required for reasonable flight or aircraft in landing or taking off at an airport.

HEIGHT - The height of building shall be measured from the mean level of the ground at the front of the building to the highest point on the roof. Chimneys, spires, towers, tanks and similar projections shall not be included in calculating the height.

HEIGHT (ELEVATION) - For the purpose of determining the height limits in all zones set forth in this Chapter and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

HOME GARDENING - The use of cultivating herbs, fruits, flowers, or vegetables on a piece of ground adjoining the dwelling, excluding the keeping of animals.

HOME OCCUPATION - Any accessory use customarily conducted entirely within a single-family detached dwelling and carried on by the inhabitants residing therein providing that the use conforms to the requirements of this Chapter. Kennels and stables, the keeping of four (4) or more household pets, or the keeping of one (1) or more animals other than a household pet are not uses classified as a home occupation.

HOME OFFICE - An accessory use conducted within a dwelling unit by the inhabitants residing therein providing that the use conforms to the requirements of this Chapter. (Revised by Ord. 182, 9/8/1997)

HORIZONTAL SURFACE - A horizontal plan 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

HOUSEHOLD PETS - A domesticated animal that is normally or can generally be kept within the immediate living quarters of a residential structure. Any member of the swine, sheep, poultry, bovine or equidae family of quadrupeds, or reptiles having a venomous or constrictor nature does not constitute a household pet under any provision of the Chapter.

ICE CREAM STANDS - The retail sale of ice cream products and subordinate food items and beverages, including but not limited to hot dogs, hamburgers, sandwiches, french fries, pretzels and soft drinks, from a building with a fixed location and catering to customers served inside and/or outside the confines of the building. (Revised by Ord. 182, 9/8/1997)

ILLUMINATING SIGN - Signs which produce or reflect light by electrical, mechanical or other means as well as luminous paint or reflectorized glass.

INDUSTRIAL OR MANUFACTURING - The storage, warehousing, compounding, assembling, processing, recycling, salvaging, packing, or treatment of raw materials or other products.

INTEGRATED BUSINESS CENTER - A combination of commercial uses designed, structured and located so as to result in a shopping plaza, mall or other acceptable structural configuration or architectural modification thereof.

INTEGRATED MALL COMMERCIAL CENTER - See "Commercial Center, Integrated Mall."

INTERIOR LOT LINE - See "Lot Line, Interior."

JUNK - Any worn, cast-off, or discarded article or material which is ready for destruction or which has been collected or stored for sale, resale, salvage, or conversion to some other use. Any such second hand article or material shall not be considered junk if unaltered or unchanged, and without need of further reconditioning or disassembly it can be used for its original purpose as readily as when new.

JUNKYARD - The use of more than one hundred (100) square feet of the area of any lot for more than seven (7) continuing days for the storage, keeping, or abandonment of junk, including scrap material from the dismantling, demolition, or abandonment of automobiles, or other vehicles or machinery or parts thereof. A "junkyard" shall include an automobile graveyard or motor vehicle graveyard, or automobile parts recycling center and/or automobile recycling center.

KENNEL - The keeping of four (4) or more household pets that are more than six (6) months old. A kennel is not a home occupation and is not an accessory use to a residential dwelling unless specifically permitted.

LANDOWNER - A legal or beneficial owner or owners of land located within the Township of Chippewa, Beaver County, Pennsylvania including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other persons having a legally recognized proprietary interest in land.

LARGER THAN UTILITY RUNWAY - A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

LEGISLATIVE BODY - The Chippewa Township Board of Supervisors.

LINE, BUILDING - See "Building Line."

LINE, STREET - The boundary line between the street and the lot, also known as the right-of-way.

LOADING/UNLOADING FACILITIES - The total composite of all off-street structures and facilities for a loading/unloading area to include but not limited to the loading/unloading space(s), docking approach, access drive(s), and all related accessory facilities.

LOADING/UNLOADING SPACE - A space not less than twelve (12) feet wide and thirty (30) feet deep with an overhead clearance of fourteen (14) feet six (6) inches plus an additional thirty (30) feet in depth for a docking approach. This space may be inside, enclosed, or outside of a structure and shall be used exclusively for the temporary standing of a motorized vehicle while loading or unloading merchandise or materials. This space shall be located off or beyond the public right-of-way and shall have direct access to a public street without the use of parking aisles. This space shall be on the same lot with a use or structure for which the loading/unloading space is being

provided.

LOCAL STREET - See "Street, Local."

LOT - A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

LOT AREA - The area of a horizontal plane measured at grade and bounded by the front, side, and rear lot lines as measured from the street right-of-way line and not including any part of an alley, public space or public street. Lot area shall also be defined to include parcel or tract area.

LOT, CORNER - A lot abutting upon two (2) or more intersecting streets or other public spaces.

LOT DEPTH - The average horizontal distance between the front and rear lot *boundary* lines.

LOT, INTERIOR - A lot other than a corner lot.

LOT LINE, EXTERIOR - Any property line that divides said lot from a public right-of-way.

LOT LINE, FRONT - The dividing line separating the front of a lot from a street or road right of way that the lot fronts upon. (Revised by Ord. 174)

LOT LINE, INTERIOR - Any property line that divides said lot from another lot. Said lot line may be a side or rear lot line.

LOT LINES - The lines bounding a lot.

LOT WIDTH - The total horizontal distance (including actual arc distances) between the side lot lines along a line parallel to the front lot line. In case of an irregularly shaped lot, the minimum required lot width shall be measured at the building line. Minimum lot width shall also be defined to include minimum parcel or tract width.

LOWEST FLOOR - The lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designated and built so that the structure is in violation of the applicable non-elevation design requirements of this Chapter. (Revised by Ord. 182, 9/8/1997)

MASSAGE ESTABLISHMENT - A business which provides the services of massage and body manipulation, including exercises, heat and light treatments of the body and all forms of physiotherapy unless operated by a medical practitioner, chiropractor or professional physical therapist licensed by the Commonwealth of Pennsylvania. This definition does not include an athletic club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service. (Ord No. 173)

MINERALS - Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal,

coal refuse, peat and crude oil and natural gas.

MINOR ARTERIAL STREET - See "Street, Minor Arterial."

MOBILE HOME - A transportable, single family dwelling intended for permanent occupancy, contained in one (1) unit, or in two (2) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

MOBILE HOME PARK - A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

MOTEL OR HOTEL - An establishment providing sleeping accommodations with a majority of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building.

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. (Ord. 238, 10/20/10) Repealed (Ord. 244, 8/08/2012).

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 such 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. (Ord. 238, 10/20/10) Repealed (Ord. 244, 8/08/2012).

NEW CONSTRUCTION - Structures for which the start of construction commenced on or after the adoption of Ordinance No. 116 on July 28, 1986 and includes any subsequent improvements thereto. (Revised by Ord. 182, 9/8/1997)

NONCONFORMING LOT - A lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

NONCONFORMING STRUCTURE - A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the

application of such ordinance or amendment to its location by reason of annexation.

Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE - A use, whether of land or structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.

NONPRECISION INSTRUMENT RUNWAY - A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

NUDITY - Nudity shall be defined as completely without clothing; or with the human male or female genitals, pubic area or buttocks with less than a full opaque covering or the showing of the female breasts with less than a fully opaque covering of any portion thereof below the top of the nipple, or the covered male genitals in discernible turgid state.
(Revised by Ord. 173)

NURSING AND PERSONAL CARE FACILITY - Residential use for the care of elderly persons where services include assistance with daily activities such as dressing, grooming, bathing and non-medical services including laundry, recreation and transportation.

OBSTRUCTION - Any wall, dam, wharf, embankment, levee, dike, pile abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or flood prone area, which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water or is placed where the flow of the water might carry the same downstream to the damage of life and property.

OCCUPANCY PERMIT - A statement signed by the Zoning Officer setting forth either that a building or structure complies with this Chapter or that a building, structure or parcel of land may lawfully be employed for specified uses or both.

OFF-SITE SEWER SERVICE - A sanitary sewage collection system in which sewage is carried from an individual lot or dwelling unit(s) by a system of pipes to a central treatment and disposal plant located beyond the limits of the lot being served and which shall be publicly owned and operated or privately owned and operated upon approval of the Board of Supervisors.

OFF-SITE WATER SERVICE - A potable water distribution system in which water is carried to individual lots or dwelling units by a system of pipes from a central water source located beyond the limits of the lot being served which may be publicly owned and operated or privately owned and operated upon approval of the Board of Supervisors.

OFFICIALLY RECEIVED APPLICATION - An application that has been submitted along with the required exhibits, plans, and fee, that has been declared by said official as a completed application and therefore officially received for review.

OIL AND GAS - Crude oil, natural gas, methane gas, coal bed methane gas, propane, butane and/or any other constituents or similar substances that are produced by drilling a well of any depth into, through, below the surface of the earth. (Ord. 238, 10/20/10) Repealed (Ord. 244, 8/08/2012).

OIL AND GAS DEVELOPMENT OR DEVELOPMENT - The well site preparation, well site construction, drilling, hydraulic fracturing, and/or site restoration associated with an oil and gas well of any depth; water and other fluid storage, impoundment and transportation used for such activities; and the installation and use of all associated equipment, including tanks, meters and other equipment and structures whether permanent or temporary; and the site preparation, roads and rights-of-way to and from the development, construction, installation, maintenance and repair of oil and gas pipelines and associated equipment and other equipment and activities associated with the exploration for, production and transportation of oil and gas, other than natural gas compressor stations and natural gas processing plants or facilities performing the equivalent functions that operate as midstream facilities. Natural gas compressor stations and natural gas processing plants or facilities performing the equivalent functions that operate as midstream facilities are only authorized consistent with the Township of Chippewa Zoning Ordinance subject to change by additional legislation. This development shall require a Land Use Development Plan in accordance with the Township's Land Development Ordinance. (Ord. 238, 10/20/10) Repealed (Ord. 244, 8/08/2012).

ON-SITE SANITARY SEWER SERVICE - A single system of piping, tanks, or other facilities serving only a single lot and disposing of sanitary sewage in whole or in part into the soil, as approved by Chippewa Township.

ON-SITE WATER SERVICE - A single system of piping, tanks, or other facilities serving only a single lot and obtaining the water either in whole or in part from a primary source located within the limits of the lot being served.

ONE-HUNDRED YEAR FLOOD - A flood that, on the average, is likely to occur once every one hundred (100) years (i.e. that has one (1) percent chance of occurring each year, although the flood may occur in any year.)

OPEN SPACE - An unoccupied space containing no buildings open to the sky on the same lot with the building.

OPERATOR - Any person partnership, company, corporation and its subcontractors and agents who has an interest in real estate for the purpose of exploring or drilling for, producing, or transporting oil or gas, including the lessee or successor of a lessee under an oil and gas lease. (Ord. 238, 10/20/10) Repealed (Ord. 244, 8/08/2012).

PARKING SPACE - An off-street space having an area of not less than one-hundred and sixty-two (162) square feet, whether inside or outside of a structure, for the temporary standing of automotive vehicles to be used exclusively as a parking stall for one (1) automotive vehicle. The parking space shall be located off or beyond the public right-of-way.

PARKING FACILITIES - The total composite of all off-street structures and facilities for a parking area to include but not limited to parking spaces(s), parking aisles, stand-by/stacking lanes, driveways, access drive(s), and all related accessory facilities.

PARKS - Recreational facilities owned and operated by local governing bodies.

PASTURE, PASTURAGE - A fenced land area without other structures covered with grass or similar vegetation used in the feeding or grazing of cattle, horses, sheep, and similar animals.

PATIO/DECK/PORCH/STOOP - An uncovered or covered outdoor living area, in excess of twenty-four (24) square feet in area projecting from the front, side, or rear walls of a building. These are considered part of the principal building and shall not extend beyond the building line or into the front yard.

PERSON - Unless otherwise specified person shall mean both the singular and plural, male or female, firm, business, partnership, association or corporation.

PERSON - An individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, a receiver, and assignee, or a similar representative of any of the above.

PERSONAL CARE FACILITY - A residential facility licensed by the Commonwealth, whether public or private, which provides twenty-four (24) hour per day substitute care, food, lodging, supervision, habilitation, rehabilitation and treatment which cannot be provided in the person's own home.

PERSONAL SERVICES - An establishment engaged in the provision of frequent or recurrent services of a personal nature including but not limited to, beauty and barber shops, shoe repair shops and tax-preparation businesses.

PLANNING COMMISSION - The duly appointed members of the Chippewa Township Planning Commission which provides recommendations to the Township Supervisors on land use and community development issues.

PLANNED RESIDENTIAL DEVELOPMENT - An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density, or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of The Chippewa Township zoning ordinance.

PORCH - See "Patio."

PRECISION INSTRUMENT RUNWAY - A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) of a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

PREMISES - Any lot, parcel, or tract of land or body of water and any building constructed thereon.

PRIMARY SURFACE - A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth this Chapter. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

PRIME AGRICULTURAL LAND - Land used for agricultural purposes that contains soils of the first, second or third class as defined by the United States Department of Agriculture natural resource and conservation services county soil survey.

PRINCIPAL ARTERIAL STREET - See "Street, Principal Arterial."

PRINCIPAL USE - The major or dominant use of the lot on which it is situated.

PRIVATE AIRPORT - An airport which is privately owned and which is not open or intended to be open to the public in 74 PA Cons. Stat. 5102.

PRIVATE RIGHT-OF-WAY - Land reserved for use as a road, street, alley, etc. and not intended for use by general public.

PROFESSIONAL OFFICE - Any office or business conducted by an individual or association including but not limited to engineers, lawyers, doctors, dentists, architects, chiropractors and veterinarians who or that must be licensed under the laws of the State.

PROTECTED STRUCTURE - Any occupied residence, commercial business, school, religious institution or other public building located within 1,000 feet of the surface location of a well that may be impacted by noise generated from drilling or hydraulic fracturing activity at a well site. The term shall not include any structure owned by an oil and gas lessor who has signed a lease with the operator granting surface rights to drill the subject well or whose owner (or occupants) has (have) signed a waiver relieving the operator from implementation of the measures established in Section 1625 P. or this Ordinance for the owner's (occupants') benefit. (Ord. 238, 10/20/10) Repealed (Ord. 244, 8/8/2012).

PUBLIC AIRPORT - An airport which is either publicly or privately owned and which is open to the public as defined in 74 PA Cons. Stat. 5102.

PUBLIC ASSEMBLY - A place being a use, structure, or area being on land or water for the temporary or occasional assembly of people.

PUBLIC FACILITIES - An essential public service installation and public streets or roads all being necessary for the public health, safety, or general welfare.

PUBLIC GROUNDS - Includes:

1. Parks, playgrounds, trails, paths and other recreational areas and other public areas;
2. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and
3. Publicly owned or operated scenic and historic sites.

PUBLIC HEARING - A formal meeting held pursuant to public notice by the Board of Supervisors or the Planning Commission, intended to inform and obtain public comment, in accordance with the Pennsylvania Municipalities Planning Code, Act 247, as amended.

PUBLIC LANDS - Lands owned by the township, county, state, or federal government, their agencies or authorities.

PUBLIC MEETING - A forum held pursuant to notice under 65 PA. C.S. Ch 7 (Relating to Open Meetings).

PUBLIC NOTICE - Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. Such a notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing. (Revised by Ord. 182, 9/8/1997)

PUBLIC RIGHT-OF-WAY - Land reserved by way of public ownership or dedication for use as a road, street, alley, crosswalk, pedestrian way, or other public purpose.

QUADRUPLEX - A typed of multi-family dwelling structure with four attached dwellings, each with two open space exposures and one or two common walls.

RECREATIONAL VEHICLE - A vehicle which is (i) built on a single chassis; (ii) not more than four hundred (400) square feet, measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; (iv) not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. (Revised by Ord. 182, 9/8/1997)

RECREATIONAL VEHICLE TRAILER CAMP - A tract of land where three (3) or more trailers are parked or which is used or held out for the purpose of supplying to the public a parking space for three (3) or more Recreational Vehicle trailers. (See the Chippewa Subdivision and Land Development Ordinance)

REFUSE AND WASTE COLLECTION AREA - Visually screened areas for the collection of refuse not to exceed one hundred (100) square feet in area and not used for

the storage or disposal of refuse materials beyond seven (7) days.

REGULATORY FLOOD ELEVATION - The one hundred (100) year flood elevation plus a Freeboard safety factor of one and one-half (1-1/2) feet.

RELATIVELY UNIFORM BUILDING LINE - A front yard building setback line maintained by at least seventy-five (75) percent of the buildings, within a variance of five (5) feet, on a street, block or subdivision plan. (Revised by Ord. 182, 9/8/1997)

RETAIL CENTERS - Multi-use commercial developments with at least one anchor tenant and with direct access to a collector roadway.

RETAIL USES - Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sales of such goods. (Revised by Ord. 182, 9/8/1997)

ROADSIDE STAND - A permanent or temporary structure used for the display, support and protection of products such as vegetables, fruits, poultry, and dairy or other products.

ROOMING HOUSE - A residential building other than a hotel or motel in which part or parts are kept, used or held out to be a place where sleeping accommodations are offered for hire.

RUNWAY - A defined area on an airport prepared for landing and takeoff of aircraft along its length.

SANITARY LANDFILL - A lot or land or part thereof used primarily for the disposal of garbage, refuse and other discarded materials including, but not limited to, solid and liquid waste materials resulting from industrial, commercial, agricultural and residential activities. The operation of a sanitary landfill normally consists of depositing the discarded material in a planned controlled manner, compacting the discarded material in thin layers to reduce its volume, covering the discarded material with a layer of earth and compacting earth cover.

SCHOOLS, PUBLIC/PRIVATE - A building or group of buildings the use of which meets Commonwealth requirements for primary, secondary or higher education, not including trade or business schools or schools for the performing or martial arts.

SERVICES, ESSENTIAL - See "Essential Public Service Installations."

SEXUAL ACTIVITIES - Sexual activities shall be defined as (1) acts of masturbation, homosexuality, sexual intercourse or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or if such a person is a female, breasts; (2) the condition of human male or female genitals when in a state of sexual stimulation or arousal; and/or (3) flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed. (Revised by Ord. 173)

SIGHT TRIANGLE INTERSECTION OF ACCESS DRIVE OR DRIVEWAY WITH STREET - The triangular area formed by an intersecting street center line with the access drive or

driveway center line and a line interconnecting points established on each center line forty (40) feet from their point of intersection. This entire area is to remain clear of obstructions to sight above a plane established at three and one half (3-1/2) feet and below a height of ten (10) feet as measured from grade level at the intersection of the street center lines. Excluded from this definition and excluded from the applicable regulations of this Chapter is the area (clear sight triangle area) adjacent to a driveway for a single family detached residential dwelling.

SIGHT TRIANGLE AT STREET INTERSECTION - The triangular area formed by two (2) intersecting street center lines and a line interconnecting points established on each center line, seventy-five (75) feet from their point of intersection. This entire area is to remain clear of obstructions to sight above a plane established three and one-half (3-1/2) feet and below a height of ten (10) feet as measured from grade level at the street center line.

SIGN - A sign shall mean a structure used as an advertisement, identification, announcement, or direction.

SPECIAL EXCEPTION - A use permitted in a particular zoning district pursuant to the provisions of Article VI and IX of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

SPECIAL PERMIT - A special approval which is required for hospitals, nursing homes, jails, and new mobile home parks and substantial improvements to such existing parks, when such development is located in all, or a designated portion of a flood plain.

SPECIALTY RETAIL - Retail operations that specialize in one type or line of merchandise including, but not limited to, bookstores, antique shops, shoe stores and sporting goods stores.

STABLE - The keeping of one (1) or more animals other than three (3) household pets within a roofed enclosure. A stable is not a home occupation, but may be an agricultural use, and is not an accessory use to a residential dwelling unless specifically permitted.

STOOP - See "Patio."

STORY - That area of a building or structure between the top of the finished floor and the bottom of the floor above.

STREET - Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct, and any other way used by vehicular traffic or pedestrians, whether public or private.

STREET, COLLECTOR - Those public or private ways identified in the Chippewa Township Comprehensive Plan as collector thoroughfares that are designed to carry a moderate traffic flow.

STREET LINE - The line defining the edge of the legal width of a dedicated street right-of-way.

STREET, LOCAL - Those public ways identified in the Chippewa Township Comprehensive Plan as local thoroughfares and those other public ways which are not

identified in any manner in said Comprehensive Plan and are designed to carry minimal traffic flow.

STREET, MINOR ARTERIAL - Those public ways identified in the Chippewa Township Comprehensive Plan as minor arterial thoroughfares that are designed to carry moderate to heavy traffic flow.

STREET, MAJOR ARTERIAL - Those public ways identified in the Chippewa Township Comprehensive Plan as arterial thoroughfares that are designed to carry a heavy traffic flow.

STREET PUBLIC - A public way which affords principal means of access to abutting properties, dwellings, or dwelling units.

STRUCTURE - Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVISION - The division or re-division of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or residential dwellings shall be exempted.

SUBSTANTIAL DAMAGE - Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent or more of the market value of the structure before the damage occurred. (Revised by Ord. 182, 9/8/1997)

SUBSTANTIAL IMPROVEMENT - Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe use conditions. (Revised by Ord. 182, 9/8/1997)

SUBSTANTIALLY COMPLETED - Where, in the judgment of the Township Engineer, at least ninety percent (90%) (based on the cost of the required improvements for which financial security was posted pursuant to Section 509 of the Pennsylvania Municipalities Planning Code, Act 247, as amended) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

SURFACE AREA OF SIGN - The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure or similar character together with any frame or other material or color forming an integral part of the display or used to differentiate sign from the background against which it is placed, excluding

necessary supports or uprights upon which such sign is placed. For signs utilizing individual letters or figures or characters mounted directly on the wall or face of a structure, the gross surface area shall be the entire area within a single continuous perimeter enclosing the extreme limits of this sign.

SWIMMING POOL - Any reasonably permanent pool or open tank, not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than one and one half (1112) feet. Farm ponds and/or lakes are not included, provided that swimming was not the primary purpose for their construction.

TEMPORARY SIGN - A sign displayed in accordance with Sections 1802 and 2306 which is temporary in nature, giving notice to a particular event or use, and on display for a period not in excess of sixty (60) days. (Ord. 246, 5/15/13)

TOWNHOUSE - See "Dwelling Type."

TOWNSHIP - Chippewa Township, Beaver County, Pennsylvania. (Ord. 238, 10/20/10) Repealed (Ord. 244, 8/08/2012).

TRAILER - Any licensed or unlicensed piece of mobile equipment designed or constructed to be towed or pulled by a motor vehicle.

TRANSITIONAL SURFACES - These surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.

TRIPLEX - A type of multi-family dwelling structure containing three dwelling units, each of which has direct access to the outside or to a common hall.

UNIFIED SITE - A group of two (2) or more retail sales and service facilities planned and developed as a single development with common access and architectural themes.

USE - The specific purpose for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

USE, MIXED - The occupancy of a building or of a lot for more than one (1) use, such as both a business and a residential use.

USE, UNLAWFUL - A use whether of land, water body, or structure which was not in existence prior to the enactment of this Zoning Chapter or its amendment(s) and does not comply with the regulations of this Zoning Chapter or its amendment(s).

UTILITY - Within the framework of this Chapter, utilities shall include community and public water or sanitary sewer facilities only.

UTILITY RUNWAY - A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

VARIANCE - Relief granted pursuant to the provisions of Article VI and IX of the Pennsylvania Municipalities Planning Code, as amended.

VISUAL RUNWAY - A runway intended solely for the operation of aircraft using visual approach procedures.

VISUAL SCREEN - Including but not limited to the following: A masonry wall; an opaque wooded fence (finished side toward adjacent use); or a screen planting used to conceal from the view of the occupants of an adjoining use, the structures and uses on the premises on which the visual screen is located.

WELL SITE - A graded pad designed and constructed for the drilling of one or more oil and gas wells. (Ord. 238, 10/20/10) Repealed (Ord. 244, 8/08/2012).

WHOLESALE USES - The storage and selling of commodities to retailers or jobbers rather than to households or ultimate consumers.

YARD- A required unoccupied space open to the sky on the same lot with a building or structure.

YARD, FRONT - An open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street right-of-way line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the street right-of-way line. Covered porches, whether enclosed or unenclosed, shall be considered as part of the main buildings and shall not project into a required front yard.

YARD, REAR - An open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the permitted building area.

YARD, SIDE - An open unoccupied space on the same lot with the building situated between the permitted building area and side line of the lot and extending from the front yard to the rear yard. Any yard not a rear yard or a front yard shall

be deemed to be a side yard.

ZONING - A legal, administrative process whereby a municipality divides its territory into districts and applies to each district a number of regulations to control the use of land, the height and bulk of buildings, and the area of ground to be built upon.

ZONING AMENDMENT - A revision to the text regulating activities in any Zoning District which may include other revisions additions or deletions to this Chapter text and/or the official zoning map.

ZONING HEARING BOARD - The Board assigned the duties of judging various appeals of persons aggrieved by the interpretation of the terms of this Chapter.

ZONING OFFICER - That individual authorized by the Board of Supervisors to be the administrator of the day to day application of the provisions contained in this Chapter.

ZONING PERMIT - A statement signed by the Zoning Officer indicating the application for permission to construct, alter or add is approved and in accordance with the requirements of the terms of this Chapter.

ZONING HEARING OFFICER - A member of the Zoning Hearing Board selected by the Zoning Hearing Board to, in some circumstance, conduct hearings for the Zoning Hearing Board.

ZONING MAP, OFFICIAL - The official map of the Township of Chippewa delineating the zoning districts.

PART IV

DESIGNATION OF ZONING DISTRICTS

SECTION 400 ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP (Revised by Ord. 218, 3/17/2004)

A. The following zoning districts are hereby established in the Township of Chippewa:

- AR-1 Agricultural Residential District
- ART Agricultural Residential Transition District
- R-2 Rural Residential District
- R-3 Suburban Residential District
- C-1 Neighborhood Commercial District
- PC Planned Commerce District
- SG Special Growth District
- IC Industrial Corridor District
- PRD Planned Residential District
- AO Airport Surface Overlay District
- RCO Residential Collector Overlay

(Revised by Ord. 184, 1/12/98)

B. The boundaries of the zoning districts hereby established are shown on the Official Zoning Map bearing the date of adoption of this Chapter and this amendment. This Map and all the notations, references, and other data shown thereon are hereby incorporated by reference into this Chapter and shall be as much a part of this Chapter as if all were fully described herein. The map shall be designated as Appendix A of this Chapter.

1. Appendix A, the official zoning map as adopted on the 9th day of October, 2002, is hereby amended to change the zoning district of Tax Parcels 57-007-0101-000, 57-007-0102-000, 57-007-0103-001, 57-007-0105-000, 57-007-0106-000 and 57-007-0107-000 from R-3, Suburban Residential, to PC, Planned Commerce. (Revised by Ord. 228, 1/17/07)

2. Appendix A, the official zoning map as adopted on the 9th day of October, 2002, is hereby amended to change the zoning district of a portion of Tax Parcel 57-122-0218-000, from Neighborhood Commercial (C-1) to Suburban Residential (R-3) so as to make all of Tax Parcel 57-122-0218-000 fall within the Suburban Residential District. (Revised by Ordinance No. 259, 3/20/2019)

SECTION 401 INTERPRETATION OF DISTRICT BOUNDARIES

- A. Where uncertainty exists as to the boundaries of any district as shown on the Official Zoning Map, the following rules shall apply:
 1. District boundary lines, unless otherwise indicated on the map, follow or are parallel to the center line of streets and streams, and to lot or property lines as they exist on a recorded deed or plan of record in the Beaver County Recorder of Deeds Office at the time of the adoption of this Chapter.
 2. In unsubdivided land or where a district boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by the use of the scale appearing on the Official Zoning Map.
 3. Where streets, streams, property lines, or other physical boundaries and delineations are not applicable, boundaries shall be determined by the scale shown on the Official Zoning Map.
 4. Where a district boundary is not fixed by dimensions and where it approximately follows lot lines, and where it does not scale more than ten (10) feet therefrom, such lot lines shall be construed to be such boundaries unless specifically shown otherwise.
- B. In circumstances not covered by this section, the Zoning Hearing Board shall interpret the intent of the Official Zoning Map as to the location of district boundaries.

PART V

AR-1 AGRICULTURAL RESIDENTIAL DISTRICT

SECTION 500 PURPOSE

The purpose of the AR-1 Agricultural Residential District is to provide land best suited for agricultural production and low density residential use in areas with rural characteristics where public services and utilities are not immediately available.

SECTION 501 PERMITTED USES

A. Principal Uses

1. Agricultural operations on parcels of ten (10) acres or more including dairying, farming, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry. (See Section 1606).
2. Single family detached dwellings.
3. Private recreation facilities including, but not limited to, golf courses, country clubs, game clubs, riding stables, rifle clubs and sportsman clubs.
4. Publicly owned parks and playgrounds.
5. Schools, elementary or secondary.
6. Churches and other places of worship.
7. Forestry.
8. Oil and Gas Development. (See Section 301 of Part III). In addition to all the other matters pertaining to permitted uses in the AR-1 District, the provision of Section 1625 shall also be applicable to this permitted use. (Ord. 238, 10/20/10) Repealed (Ord. 244, 8/08/2012).

B. Accessory Uses

1. A pasture, kennel or stable for animals on the lot of a single family detached residential dwelling when said lot is a minimum of five (5) acres.
2. Home occupations. (See Section 1623)
3. Private garages and parking areas. (See Part XVII)
4. Other accessory uses customarily incidental to a permitted principal use.
5. Signs in accordance with Part XVIII of this Chapter.

SECTION 502 CONDITIONAL USES

- A. Mobile Home Parks in accordance with the Chippewa Township Subdivision and Land Development Ordinance, Part 6.
- B. Correctional Institutions. (See Section 2110)
- C. Research and Development (Revised by Ord. 182, 9/8/1997). (See Section 2126)
- D. Scrap and Waste Material Storage and Disposal (in accordance with Pennsylvania Act 97 of 1980). (See Section 2130)
- E. Mineral extractions (when permitted by the Pennsylvania Department of Environmental Protection) (Revised by Ord. 182, 9/8/1997) (See Section 2119)
- F. Amateur Radio Communication Towers. (See Section 2103).

SECTION 503 USES BY SPECIAL EXCEPTION

- A. Earth sheltered dwellings. (See Section 2139)
- B. Fraternal organizations. (See Section 2140)
- C. Recreational Vehicle and Trailer Parks. (See Chippewa Township Subdivision and Land Development Ordinance)
- D. Bed and Breakfast. (Ord. 191, 5/10/1999) (See Section 2136)

SECTION 504 LOT REQUIREMENTS

- A. For Permitted Uses and Uses by Special Exception
 - 1. Minimum Lot Area - forty three thousand, five hundred sixty (43,560) square feet (1 acre).
 - 2. Minimum Lot Width (Ord. No. 174)- 125 feet at right-of-way line.
 - 3. Minimum Front Yard - forty (40) feet measured from right-of-way line.
 - 4. Minimum Side Yards - two (2) required.
 - (a) For a principal use -20 feet measured from closest property line.
 - (b) The side yard of any corner lot shall be equal to the front yard for each yard abutting a right-of-way line.
 - (c) For an accessory use - five feet (5') from closest side or rear property line except on a corner lot where a twenty foot (20') side yard is required.