ORDINANCE NO. - 133
TOWNSHIP OF MIDDLESEX
BUTLER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF MIDDLESEX, BUTLER COUNTY, PENNSYLVANIA, AMENDING CURRENT PROVISIONS OF ITS ZONING ORDINANCE, CODIFIED IN CHAPTER 175, OF ITS SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (SALDO), CODIFIED IN CHAPTER 150, AND PROVING FOR OTHER MISCELLANEOUS UPDATES TO THE TOWNSHIP CODE

WHEREAS, the Township of Middlesex enacted a consolidated Zoning Ordinance, Ordinance No. 108, on September 20, 2006, as amended, and which is codified in the Code of the Township of Middlesex (hereinafter "Township Code" or "Code") in Chapter 175; and,

WHEREAS, Ordinance No. 108 and/or the Codified Zoning Ordinance have been further amended, with some of the adopted ordinances through and including Ordinance No. 125 already having been incorporated and codified into Chapter 175 of the Township Code; and

WHEREAS, more recently adopted Ordinances relating to zoning and land use matters have not yet been incorporated into the Township Code; and

WHEREAS, the MIDDLESEX TOWNSHIP PLANNING COMMISSION and BOARD OF SUPERVISORS have reviewed the proposed Zoning Chapter, SALDO Chapter and miscellaneous Code amendments; and,

WHEREAS, in the judgment of the BOARD OF SUPERVISORS such amendments to the Zoning Chapter, SALDO Chapter and miscellaneous Code of the Township of Middlesex, Butler County Pennsylvania, are warranted and in the public interest; and,

WHEREAS, revisions appear as follows: underlined for text to be added, redlined (~~struck out~~) for text to be removed, if any, and where entire sections are to be repealed and/or deleted, it shall simply be noted.

NOW, THEREFORE, be it ordained and enacted by the Board of Supervisors of the Township of Middlesex, Butler County, Pennsylvania, that Chapter 175 Zoning, Chapter 150 SALDO and certain other miscellaneous Code Sections of the Middlesex Township Code of Ordinances are hereby amended as follows:

SECTION 1. The Codified Zoning Ordinance, Chapter 175, contains all of the amendments to the Zoning Ordinance, including those amendments adopted by Ordinance No. 108 of 2006, enacted on September 20, 2006, and including a revised zoning map reflected by the addition of the R-AG Zoning District created by Ordinance No. 125, enacted on November 21, 2012.

SECTION 2. The Township Manager is hereby authorized and directed to have General Code Publishers Corp. incorporate the text and/or zoning map amendments adopted by Ordinance Nos. 124 (Anderson Rezoning Request), 127, 128, and 130, and this Ordinance, Ordinance No. 133, into Chapter 175 and Chapter 150 of the Township Code, as well as Ordinance No. 131 (District Attorney Task Force) into in Chapter 19 and Ordinance No. 132 (Flood Plain Ordinance) into Chapter 84 of the Township Code.

SECTION 3. Article II, Section 175-8 (Terms defined) is hereby amended as follows:

AUTOMOBILE SERVICE STATION – A retail place of business, engaged primarily in the sale of motor fuels or supplying goods and services generally required in the operation and maintenance of motor vehicles and fulfilling of motorist's needs, including one or more of the following: the sale of petroleum products; sale and service of tires, batteries, automotive accessories and replacement items; washing and lubrication services; the supplying of other incidental automotive customer services and products; and the performing of automotive maintenance and repair, excluding such repairs as spray painting, body, fender, axle, frame, major engine overhaul or recapping/retreading of tires. ~~A service station may also include the operation of a convenience store, as defined herein.~~

CAR WASH – A structure or area used for the purpose of cleaning or reconditioning the exterior and interior surfaces of automotive vehicles but not including an incidental one-bay washing facility in a gasoline service station where washing facilities are accessory to the operation of said service station. A self-operated vehicular laundering facility not requiring attendants or employees, regardless of capacity, is also considered to be a car wash. No vehicle repairs ~~or sale of petroleum, fuels or lubricants~~ shall be performed in association with the car wash.

CONVENIENCE STORE – A retail establishment which does not exceed 10,000 square feet in gross floor area and which offers ~~a limited selection of~~ grocery, household and personal items for quick purchase and food preparation and which may include the dispensing of gasoline and other fuels. ~~at self-service pumps.~~

PERIMETER SETBACK – A line parallel to the exterior property lines which form the boundary of the site of a mobile home park or planned residential development, the depth of which is the required distance specified by this chapter and in which area no structures, streets (other than crossings), storm water detention facilities or parking are permitted, but which may include landscaping, buffer yards, ~~and~~ common open space, and underground piping or lines for water, sewer, gas and electric collection and/or distribution.

SECTION 4. Section 175-10.A. is amended by adding the following to the list of Zoning Districts:

ADO	Airport District Overlay
Route 228 COD	Route 228 Corridor Overlay District

SECTION 5. Section 175-10.B. is amended by adding the following to descriptions:

(11) ADO Airport District Overlay
The purpose of this district is to considers safety issues around the Pittsburgh-Butler Regional Airport, to regulate and restrict the heights of constructed structures and objects of natural growth, create appropriate zones, establish the boundaries thereof and provide for changes in restrictions and boundaries of such zones, create the permitting process for use within said zones and provide for enforcement, assessment of violation penalties, an appeals process, and judicial review.

(12) Route 228 COD Route 228 Corridor Overlay District. The purpose of this overlay district is to provide a land use management tool to guide new development in a manner consistent with the Township's Comprehensive Plans to maintain the Township's unique rural character while allowing for economic growth that will benefit the Township, neighboring communities, and the larger region. The MPC provides in Section 605(2) for the establishment of additional zoning classifications (overlay districts) to be made within any zoning district for the regulation, restriction or prohibition of uses and structures at, along, or near major thoroughfares, their intersections and interchanges, and transportation arteries. This portion of Route 228, between the Township's western border and the intersection of Route 228 and Route 8, is a major thoroughfare in need of special attention with regard to land use and development in the Township.

SECTION 6. Article IV (AG-A Rural Residential), Section 175-15.A.2., A.3., B.2., and B.3. shall be amended as follows:

§ 175-15. Area and bulk regulations. ~~[Amended 11-21-2012 by Ord. No. 125]~~
In the AG-A Rural Residential District, all uses shall be subject to the following regulations, or by the express standards and criteria for the specific conditional uses or uses by special exception contained in Article XI.

A. Minimum lot size:
   (1) Farms: 20 acres.
   (2) Single-family dwellings: ~~one acre (43,560 square feet.)~~.
      (a) On lots with both public water and public sewage – three-quarters (¾) of an acre (32,670 square feet).
      (b) On lots without public water or public sewage – one acre (43,560 square feet).

(3) Two-family dwellings: ~~two acres (87,120 square feet.)~~
   (a) On lots with both public water and public sewage – one and one-half (1.5) acres (65,340 square feet).
   (b) On lots without public water or public sewage – two acres (87,120 square feet.)
(4) Schools: five acres.
(5) All other uses: one acre.

B. Minimum lot width:
(1) Farms: 200 feet.
(2) Single-family dwellings: ~~150~~125 feet.
(3) Two-family dwellings: ~~200~~175 feet.
(4) All other uses: 150 feet

SECTION 7. Article XIII (R-AG Residential Agriculture District), Section 175-245.A. and B. shall be amended as follows:

§ 175-245. Area and bulk regulations.

In the R-AG Residential Agriculture District, all uses shall be subject to the following regulations, except as they may be modified by Article X governing planned residential development, or by the express standards and criteria for the specific conditional uses or uses by special exception contained in Article XI.

A. Minimum lot size:
(1) Farms: 20 acres.
(2) Single-family dwellings: ~~one acre (43,560 square feet.)~~.
   (a) On lots with both public water and public sewage – three-quarters (¾) of an acre (32,670 square feet).
   (b) On lots without public water or public sewage – one acre (43,560 square feet).
(3) Two-family dwellings: ~~two acres (87,120 square feet.)~~
   (a) On lots with both public water and public sewage – one and one-half (1.5) acres (65,340 square feet).
   (b) On lots without public water or public sewage – two acres (87,120 square feet.)
(4) Schools: five acres.
(5) All other uses: one acre.

B. Minimum lot width:
(1) Farms: 200 feet.
(2) Single-family dwellings: ~~150~~125 feet.
(3) Two-family dwellings: ~~200~~175 feet.
(4) All other uses: 150 feet

SECTION 8. The following Tables need to be corrected or inserted as indicated:

a. The table (Development Reference Table) under Section 175-65.B(1) is amended to read "Development Reference Table – **Table 1**";
b. The reference in Section 175-68.B.(1) to "~~Table XX~~" is deleted and is to be replaced by "**Table 2**";
c. The reference in Section 175-68.C.(1) to "~~Table XX~~" is deleted and is to be replaced by "**Table 2**";
d. The heading in Section 175-68.C(5)(c)), which reads "~~**Table XX: Road Way Setbacks**~~" is deleted and replaced with "**Table 2: Roadway Setbacks**"
e. Section 175-156.B.(5), is amended by adding "**Table 3: Off-Street Parking Requirements**" above the Use and Number of Parking Spaces Required columns;
f. The text from Section 29 of Ordinance No. 128 needs to be inserted in new Section 175-156.C. and the heading of the Shared Parking Matrix shall be amended to read: "**Table 4: Shared Parking Matrix**";
g. Section 175-157.B.(1) is amended by adding "**Table 5**" above the Gross Floor Area and Number of Berths Required columns;
h. Section 175-157.B.(2) is amended by adding "**Table 6**" above the Gross Floor Area and Number of Berths Required columns.

SECTION 9. Article XI (Standards and Criteria for Conditional Uses and Uses by Special Exception), Section 175-98 "Billboards," as adopted by Ordinance No. 108, and, as codified in the Code, and as amended by Section 5 of Ordinance No. 128, and is hereby repealed in its entirety, and the following is hereby adopted and is to be inserted in the Code at Section 175-98:

§ 175-98. Billboards.

A. Location. Billboards are permitted as an authorized use only in (I) the C-2 Community-Scale Commercial District (conditional use; see § 175-45.B.(1)(b), but not in the Route 228 Corridor Overlay District; *see* Ordinance No. 130, Sections 1, Code Sections 175-252 and 175-258); (ii) the I-1 Restricted Industrial District (conditional use; *see* § 175-55.B.(1)(a)), and (iii) the C-3 Regional Commerce District (use by special exception; *see* § 175-221.B.(1)) Zoning Districts, and not in any other zoning district.

(1) Billboards may not be placed within 750 feet of the property line of any lot containing any residential structure, school, or place of worship. Required spacing shall be measured from the closest point of the billboard structure to the closest point of the property line of any lot containing a residential structure, school, or place of worship.

(2) The minimum front, side and rear yard requirements applying to a principal use as set forth the zoning district in which the billboard is to be located shall apply to each billboard structure.

(3) A billboard shall be considered a structure and shall be included in the calculation of maximum building coverage as specified in this chapter. The maximum lot coverage calculation shall be cumulative, including the billboard and any other structures and buildings on the same lot therewith.

(4) No billboard shall be erected in such a manner as to block the view from the road or street of any existing business identification sign or residential or non-residential structure or to limit or reduce the light and ventilation requirements as defined by this chapter.

(5) No billboard shall be constructed that obstructs visibility within the clear sight triangle to a height of 25 feet from the average ground elevation of the public street or road on which it is situated and shall not in any case obstruct or impede traffic safety. Average ground elevation shall be measured as the median between the high point and low point found within the clear sight triangle area.

(6) Billboards shall maintain a lateral minimum spacing of 750 feet between billboard structures. Required spacing shall be measured from a point perpendicular to the centermost point of the billboard structure along the front lot line parallel to the center line of the roadway to which the billboard is oriented. The applicant shall document this spacing of any existing adjacent billboards.

(7) Billboards may not be mounted on the roof or project above the parapet of a building wall.

(8) A detailed plan shall be submitted which indicates billboard size, number of faces, landscaping, construction types and site plan illustrating compliance with applicable setbacks and other restrictions and/or conditions of use.

(9) Billboards shall not be part of a roof or wall nor shall they be mounted on the roof, wall, or other part of a building or any other structure.

(10) A billboard with display lighting (i.e., indirect lighting to illuminate the sign face) shall be constructed and maintained so that it does not glare upon adjoining property and shall not exceed a maximum of one footcandle upon an adjoining lot or street.

(11) Display lighting shall not operate between 12:00 midnight and 5:00 a.m., prevailing local time.

(12) The use of colored lighting for display lighting is not permitted.

(13) No billboard structure, sign face, or display lighting shall depict image movement, flash, or emit noise.

(14) No billboard structure, sign face, or display lighting shall cause distractions, confusion, nuisance, or hazard to traffic, aircraft or other properties.

B. Size and height. A billboard shall have a maximum allowable gross surface area of 750 square feet per sign face. A billboard shall have a maximum of two sign faces per billboard structure.

(1) The billboard structure may have sign faces placed back-to-back or in a V-shaped configuration on a single billboard structure.

(2) A billboard sign face shall be independently supported and have vertical support(s) made of metal which are galvanized or otherwise treated to prevent rust and corrosion.

(3) The vertical support(s) shall be capable of enabling the entire sign face(s) to be able to withstand a minimum 75 miles per hour wind load, or the minimum load requirement established by applicable building code, whichever is greater.

(4) If the billboard foundation is visible from the right-of-way, the entire base of the billboard structure shall be permanently landscaped with a combination of deciduous and evergreen trees, shrubs, ornamental grasses and groundcovers.

(5) Grass, sod or turf shall not be considered an acceptable plant for use within landscaped buffer yards.

(6) Landscaping shall be maintained by the billboard sign owner in an attractive and healthy manner in accordance with accepted conservation practices.

(7) Permanent landscaping shall form a base and/or backdrop to the billboard sign when practical in the opinion of the Zoning Officer.

(8) All grading shall be in accordance with Township regulations.

(9) All earth cuts or fills are to be permanently seeded or planted to prevent erosion.

C. Maintenance.

(1) A billboard structure shall be entirely painted every three years.

(2) Every 10 years the owner of the billboard shall have a structural inspection made of the billboard by an engineer or an architect and shall provide to the Township a certificate from an engineer or architect attesting that the billboard is structurally sound.

(3) Annual inspections of the billboard may be conducted by the Township to

determine compliance with the provisions of this chapter.

(4) Billboards found to be in violation of this chapter shall be brought into compliance or shall be removed within 30 days upon proper notification by the Township. Failure to comply shall be a violation of this chapter.

(5) Billboards using removable paper or other materials shall be maintained in such condition as to eliminate loose or frayed material protruding or hanging from the structure.

SECTION 10. Article XIV (Signs), Section 175-160.A.(7) is amended as follows:

(7) Billboard. An off-premises sign which advertises an establishment, activity, person, product or service which is unrelated to or unavailable on the premises where the billboard is located. See Sections 175-98, 175-252, and 175-258 for regulation of billboards.

SECTION 11. Article XIV (Signs), Section 175-165 "Billboards" is hereby repealed in its entirety, and its text is to be deleted and replaced with the following:

(Section intentionally repealed and left blank)

SECTION 12. It is the express intent of Sections 9, 10, and 11 of this Ordinance No. 133 that all prior ordinances and/or Code sections, or parts thereof, relating to billboards, with the exception of Ordinance No. 130, Sections 1, Code Sections 175-252 and 175-258, are hereby repealed. The further intent of this Ordinance is that Section 9 hereof, to be codified in the Code at Section 175-98, and Code Sections 175-252 and 175-258, enacted pursuant to Ordinance No. 130, shall be the only provisions in Chapter 175 (Zoning), applicable to the regulation of location, size and height, and maintenance of any billboard proposed after its date of first publication and its effective date. Provisions in Article XIV (Signs), with the exception of 175-168, remain applicable to billboards to the extent not inconsistent with this Ordinance.

SECTION 13. Article XII (Supplemental Regulations), Section 175-154, Article XX (TC Town Center District), Section 175-219, Article XXI (C-3 Regional Commercial District), Section 175-230, and the Subdivision and Land Development Chapter, Chapter 150, Section 29.C.2, Section 35.C., and Section 35.D. shall be amended to read as follows:

§ 175-154. Sidewalks ~~and bikeways~~.

A. Purpose. In accordance with the Township Comprehensive Plan objectives, the Township seeks to establish a general network for the safe and efficient movement of pedestrians. Where feasible, the primary segments of this system shall be integrated into the design of the Township's arterial streets. For all development along arterial streets, a developer shall consider and incorporate into all development proposals related to this network.

B. Unless otherwise specified by the Township, PennDOT or other designating authority, the general locations and minimum dimensions of the primary segments within this said network shall be established in accordance with the following:

~~(1) West Route 228 (within south right-of-way): six- to eight-foot bikeway;~~

(~~2~~1) Route 8 (west of right-of-way boundary): ~~six- to eight-foot bikeway~~five- to six-foot sidewalk; and

(~~3~~2) Route 8 (east of right-of-way boundary): five- to six-foot sidewalk.

C. Unless otherwise defined by the Township, sidewalks ~~and/or bikeways~~ along arterial roads shall begin a minimum of eight feet from the edge of the right-of-way measuring toward the building setback line located within the required Greenway. (See § 175-155, Greenways.) A landscaped planting strip shall be maintained in the area between the edges of the right-of-way and said sidewalk.

. . . .

§ 175-219. Design standards.

H. All land development within a Town Center District shall provide sidewalks within the front yard setback. The minimum width of all sidewalks within the front yard setback shall be five feet unless otherwise specified by the Township. Sidewalks shall be located to optimize the amount of contiguous area available for landscaping within the front yard. When practical, all new sidewalks shall directly connect to existing sidewalks situated on adjoining lots. See also § 175-154, Sidewalks~~ and bikeways~~.

§ 175-230. Design standards.

G. All land development within a Regional Commerce District shall provide sidewalks within the front yard of a lot and on a lot in order that a continuous internal sidewalk shall be provided from the public sidewalk along the street to the principal building entrance of any use. The minimum width of all sidewalks within the front yard setback shall be six feet. All other sidewalks shall be a minimum of five feet. Sidewalks shall be located to optimize the amount of contiguous area available for landscaping on a lot. When practical, all new sidewalks shall directly connect to existing sidewalks situated on adjoining lots. See also § 175-154, Sidewalks~~ and bikeways~~.

§ 150-29. Public improvements.

C. Pedestrian and bicycle facilities

(1) Sidewalks. Sidewalks adjacent to and on both sides of streets shall be required in all commercial subdivisions; residential subdivisions of 20 lots

or more; land developments; and multiple-family developments; and when required by Chapter 175, Zoning. All sidewalks shall be installed in accordance with Chapter 101, Improvement Design Standards.

(2) Bikeways. ~~All subdivisions and land developments adjoining or containing existing or proposed bikeways identified in the Township Recreation Plan shall provide bikeways and shall include provisions for the future extension of such bikeways.~~ Where possible, bikeways should be separated from all other modes of travel. All bikeways shall be installed in accordance with Chapter 101, Improvement Design Standards.

(3) Pedestrian connections. All subdivisions and land developments shall be required to provide pedestrian connections linking pedestrian ~~and bicycle~~ facilities to similar adjacent facilities.

§ 150-35 Transportation Network.

A. Purpose. . . .

B. Streets. . . .

C. Sidewalks.

(1) General. All sidewalks shall be located within a right-of-way or public access easement and constructed in accordance with Chapter 101, Improvement Design Standards.

(2) Width. The width of all sidewalks shall be as follows:

(a) Sidewalks along arterial and collector streets shall be a minimum of ~~five~~six (6) feet wide and shall be buffered from the street by a ~~ten~~eight foot-wide ~~landscaped planter~~ strip consisting of grass or landscape stones.~~street trees installed in accordance with § 150-39 of this chapter.~~ Note: Figure 401.2.1 Chapter 101, Improvement Design Standards shall be amended to reflect these changes.

(b) Sidewalks along local streets shall be a minimum of four (4) feet wide and shall be buffered from the street by a six-foot-wide ~~landscaped planter~~ strip consisting of grass or landscape stones.~~street trees installed in accordance with § 150-39 of this chapter.~~

D. Bikeways.

(1) General. Where bikeways are ~~required or~~ provided they shall be located within a right-of-way or public access easement and constructed in accordance with Chapter 101, Improvement Design Standards. Except where impracticable, bikeways shall be separated from other modes of travel including pedestrians.

(2) Width. All bikeways shall have a minimum width of six feet per

travel lane where adjacent to a street, or five feet per travel lane where not on a street.

E. Public transportation. . . .

SECTION 14. Article XIV (Signs), Section 164.C. is amended to read as follows:

§ 175-164. Signs authorized in commercial and industrial districts.

The following signs shall be permitted in all commercial and industrial districts:

. . . .

C. Business identification signs.

(1) Wall signs. Illumination, if provided, for any sign in the TC and C-3 District shall be achieved through an indirect lighting source only. No internally illuminated signs shall be erected.

(2) Freestanding signs.

(a) Ground sign.

[1] No freestanding pole sign exists or is proposed to be erected on the lot.

[2] The maximum surface area of the ground sign shall not exceed ~~24~~ thirty-two (32) square feet in the C-1 and C-2 Districts and shall not exceed 64 square feet in the I-1 District.

[3] The height and location of the sign shall be designed so as not to interfere with visibility for vehicular traffic entering or leaving the lot or traveling on any street, and in no case shall the total height exceed six feet.

[4] Ground signs shall be nonilluminated or indirectly illuminated only. Internally illuminated ground signs shall ~~not~~ be permitted.

[5] All freestanding ground signs shall be located at least 10 feet from any property line, except where property abuts on a public right-of-way, the ground sign shall be set back at least 20 feet from the right-of-way.

[6] The maximum surface area of the ground sign shall not exceed 40 square feet in the TC District.

[7] The maximum surface area of the ground sign shall not exceed 64 square feet in the C-3 District.

[8] The maximum height of a ground sign shall be eight feet.

SECTION 15. Article XX (TC Town Center District), Section 175-210.B. and C., are amended as follows:

§ 175-210. Authorized uses.

B. Conditional uses.

(1) Commercial recreation.
(2) Home occupation, other.
(3) Manufacturing.
(4) Place of worship/place of assembly.
(5) Public utility buildings.
(6) Restaurant.
(7) Vehicle repair garage.
(8) Vehicle sales.

C. Uses by special exception.

(1) Group care facility or transitional dwelling.
(2) Clinics.
(3) Comparable uses not specifically listed.
(4) Day-care center.
~~(5) Place of worship/place of assembly.~~
(65) Temporary use or structure, other than for construction.

SECTION 16. Article XXII (Airport District Overlay), Sections 175-231, 175-233, 175-234, and 175-237 are hereby amended as follows:

All references to ~~Butler County Airport~~ shall be deleted and replaced with Pittsburgh-Butler Regional Airport.

SECTION 17. The revised Middlesex Township Official Zoning Map, adopted pursuant to Ordinance Nos. 124 and 125, and the Route 228 Corridor Overlay District Sheet, adopted pursuant to Ordinance No. 130, are hereby confirmed.

SECTION 18. The following Sections of Article X (Planned Residential Development)are hereby amended as indicated:

§ 175-65. Design standards.

All design standards and improvements of the land development plan for a proposed planned residential development shall also meet the requirements set forth in the Middlesex Township Subdivision and Land Development Ordinance, except as expressly stated in this ordinance. If the provisions of this section are inconsistent with other provisions of this ordinance, the provisions of this section shall apply.

A. Planned residential development parcel.

(1) Planned residential developments are permitted within the R-1, R-2 and R-AG districts.

(2) The minimum number of acres that may be developed as a planned residential development parcel is 30 acres.

(3) The development parcel shall be serviced by public water and public sewers approved by the Pennsylvania Department of Environmental Protection (DEP). Utilities within the development parcel shall be ~~registered with the Pennsylvania Public Utility Commission (PUC)~~ provided by a public utility and/or a local municipal authority.

(4) The planned residential development parcel shall have a perimeter setback, as defined by this Chapter, which is a minimum of 50 feet in depth around its entire boundary (except for street crossings), which area shall not be included in any lot within the development.

(5) No structures, storm water detention facilities or parking are permitted within the perimeter setback. Only landscaping, buffer yards, common open space, and underground piping or lines for water, sewer, gas and electric collection and/or distribution shall be permitted within the perimeter setback. The impact of the excavation for and location of utility lines on trees located on neighboring properties shall be considered.

(~~4~~6) Ancillary nonresidential uses may be permitted in a planned residential development parcel only if all of the following criteria are met:

. . .

B. Basis Development Parameters

(1) ~~Development Reference Table~~

~~Dwelling Unit Type~~	~~Land Uses~~	~~Open Space Requirement (percentage of overall site acreage)~~	~~Minimum Lot Size (square feet)~~
~~Type 1~~	~~Mixture of both of the following uses: detached single-family and attached single-family. No one use may exceed 75% of the overall mix~~	~~30%~~	~~7500 per detached single-family unit:~~
~~Type 2~~	~~Detached single-family only~~	~~40%~~	~~7500 per detached single-family unit~~

(1) Development Reference Table – **Table 1**

Dwelling Unit Type	**Land Uses**	**Open Space Requirement – percentage of overall site acreage**	**Minimum Lot Size (square feet)**
Type 1	Mixture of both of the following uses: detached single-family and attached single-family. No one use may exceed 75% of the overall mix	40%	Single-Family detached in R-2 – 9,000 sq. feet In R-1 – 12,000 sq. feet In R-AG – 15,000 sq. feet Attached Multi-Family in R-2 – 4,500 sq. feet/unit In R-1 – 6,000 sq. feet/unit In R-AG – 7,500 sq. feet/unit
Type 2	Detached single-family only	40%	Single-Family detached in R-2 – 9,000 sq. feet In R-1 – 12,000 sq. feet In R-AG – 15,000 sq. feet

(2) The minimum percentage of lots in the development which must meet or exceed base zoning district (R-1, R-2, or R-AG) area and bulk regulations (see §§ 175-29, 175-201, and 175-245 (as amended by Section 7 of this Ordinance)), rather than those standards in **Table 1** above, is thirty-five percent (35%).

(~~2~~3) In order to encourage flexibility of development, variations shall be permitted in the density and intensity of land use throughout the entire planned residential development. Greater concentration of density and intensity of land use may be permitted so long as the overall density of the overall development defined in this ordinance is not exceeded.

(~~3~~4) All single-family interior lots within a planned residential development shall have a minimum lot width of ~~60~~seventy-five (75) feet as measured at the building setback line.

(~~4~~5) Other area and bulk regulations. In addition to the setback requirements of § 175-68, development on a lot within the development parcel shall conform to the lot requirements outlined in Articles IV, VI, XIX and XXIII as applicable.

(~~5~~6) All lots located within a planned residential development parcel shall be contiguous. Where more than one lot exists, said lots may not be divided by an existing right-of-way.

(~~6~~7) Continuity of development.

(a) To maintain continuity between existing and proposed development patterns throughout the Township and transitions of density, if attached single-family units are proposed as part of a planned residential development, said residential uses shall be located between any nonresidential development proposed as part of the planned residential development and single-family residential development proposed as part of the planned residential development. If nonresidential development is not proposed, dwellings of greatest density shall be located closest to the arterial street/collector street to which the proposed development connects to as its primary entrance.

(b) Access to attached single-family units from an arterial street or collector street shall not be permitted. A minimum of four said units shall be accessible from any one designated access point along an arterial street or collector street.

C. Maximum permitted density for a planned residential development.

(1) R-AG Zoning District: ~~four~~three (3) dwelling units per acre.

(2) R-1 Zoning District: ~~six~~four and one-half (4.5) dwelling units per acre.

(3) R-2 Zoning District: ~~eight~~six (6) dwelling units per acre.

~~(4) When a planned residential development parcel proposed for development pursuant to this article contains a minimum of 300 feet of frontage abutting a publically dedicated street, then the density for each zoning district comprising the entire development parcel may be increased by 10%.~~unit

. . . .

§ 175-66. Common open space reservation.

. . . .

C. Recreational facilities and structures located in common areas shall be considered common open space, provided the total impervious surfaces constitute no more than 5% of the total open space.

(1) For access and visibility, the common open space shall have a minimum frontage of 100 feet on an existing or proposed street or shall adjoin an existing park or common open space that is accessible from a street. If such frontage is located on a private street, the Township shall reserve the right to

decline ownership and maintenance responsibility for the common open space if offered by the developer. The minimum width of the common open space land shall be 50 feet at its narrowest dimension.

(2) Common open space shall be within 150 feet of an existing or proposed public street or shall be visible from said street if the recreation open space does not have frontage on said street.

(3) ~~To the greatest extent possible,~~At least twenty-five percent (25%) of the common open space (10% of the overall site) shall be in compact and contiguous areas.

D. At least twenty-five (25%) of the common open space shall be located on generally level land. Generally level land shall be considered as areas with natural and/or man-made slopes with a gradient less than ~~15%~~ten (10%).

. . . .

§ 175-68. Additional building setbacks.

C. Standards.

(1) All development parcels abutting a roadway identified in Table 2 shall provide a right-of-way setback in conformance to the dimensions identified in Table 2. The right-of-way setback shall be located between the right-of-way line of the primary roadway and the lot's required yard setback.

(2) Front Setbacks.

(a) Minimum ~~F~~front setbacks for ~~internal~~ lots within the development parcel shall be: 40 feet

~~Minimum front setbacks. The minimum front setback shall as follows:~~

~~[1] R-AG: 30 feet.~~

~~[2] R-1: 20 feet.~~

~~[3] R-2: 15 feet.~~

(b) Variable front setbacks. ~~No more than three adjacent lots (herein called the series) shall be located at the minimum front lot line. The lot adjacent to the series shall have a variable front setback distance measuring no less than five feet, but not more than 10 feet in variation from the adjacent lots is encouraged. A maximum of three lots with this setback variation may occur.~~Variable front setbacks shall be permitted. All lots must all meet the 40-foot setback and a variable front setback distance may be used measuring no less than five (5) feet, but not more than fifteen (15) feet, in variation from any adjacent lot.

(3) Rear setbacks. ~~For interior lots abutting the boundary of the development parcel, the minimum rear setback is 60 feet. For interior lots abutting the boundary of the development parcel where a 10 foot buffer already exists, the minimum rear setback is 50 feet. For interior lots abutting the rear of another residential lot, t~~The minimum rear setback is 40 feet.

. . .

§ 175-71. Screening.

~~A. If topographical or other barriers are not sufficient to assure the privacy of the planned residential development parcel and abutting lots and development parcels, the following requirement shall be imposed at all places where there are buildings, structures or parking areas within 100 feet of the planned residential development's parcel boundary.~~

~~(1)~~A. To maintain adequate privacy and screening, structures on interior lots which abut the perimeter of the development parcel(s) must be setback in accordance with § 175-68C(3).

~~(2)~~B. The perimeter setback of the planned residential development shall be screened with two evergreen trees and three deciduous trees for every one hundred (100) feet of length of the perimeter setback. The required vegetation shall be planted in a staggered rows or in groupings to create a natural-looking landscape buffer. Where mature existing wooded vegetation sufficient to serve as a visual screen exists along the perimeter and no development is proposed within seventy-five (75) feet of the lot line, a fifty-foot (50') preservation strip may be substituted. Existing and planted trees shall comply with the requirements of Section 175-140.F. and G. ~~at a minimum by Buffer Yard A in accordance with § 175-140B of this chapter so as to protect the development. No fences or walls inconsistent with the Township Ordinances in effect with regard to such structures shall be permitted.~~

§ 175-72. Building spacing.

A. The requirements determining the spacing of buildings shall be as flexible as possible so as to encourage imaginative site design. The spaces between buildings shall guarantee adequate light, air and emergency access.

B. ~~Each b~~Buildings shall be so arranged so as to discourage the predominance of garage faces and/or off-street parking from the public right-of-way.

C. The minimum distance between the nearest points of any exterior building walls shall be not less than 30 feet, except that for residential buildings not exceeding two stories in height, exterior end walls with no openings therein shall be not less than 20 feet apart.

SECTION 19. Chapter 162 (VEHICLES AND TRAFFIC), Article IV, Section 162-19 is hereby amended by inserting the following streets under the Name of Street heading:

[Weatherburn Estates]
Blue Heron Court
Condor Drive (subject to subsequent adoption by the Township)
Eagle Ridge Drive
Falcon Drive

Hawkeye Drive (subject to subsequent adoption by the Township)
Marsh Drive
Nightingale Drive (subject to subsequent adoption by the Township)
Pelican Drive (subject to subsequent adoption by the Township)
Weatherburn Drive (subject to subsequent adoption by the Township)

[Blackberry Estates]
Blackberry Lane

[Blackhawk]
Blackhawk Drive (subject to subsequent adoption by the Township)
Bald Eagle Court (subject to subsequent adoption by the Township)
Wing Shadow Court (subject to subsequent adoption by the Township)

[Middlesex Crossing]
Adair Avenue (subject to subsequent adoption by the Township)
Hardin Way (subject to subsequent adoption by the Township)
Humbolt Place (subject to subsequent adoption by the Township)
Ringold Court (subject to subsequent adoption by the Township)
Shelby Way (subject to subsequent adoption by the Township)

[Mill Creek PRD]
Tilly Drive (subject to subsequent adoption by the Township)

SECTION 20. 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 21. Repealer. All ordinances, code sections or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 22 This Ordinance shall take effect immediately upon its adoption.

ORDAINED AND ENACTED this 20th day of March, 2019.

ATTEST:

Secretary

THE TOWNSHIP OF MIDDLESEX COMMONWEALTH OF PENNSYLVANIA BUTLER COUNTY

TOWNSHIP OF MIDDLESEX

By: _____
Michael Spreng, Chairman

By: _____
Donald R. Marshall, Vice-Chairman

By: _____
Robert Brash, Supervisor

I, Travis Cavanaugh, Township Manager/Secretary of the Township of Middlesex, do hereby certify that the foregoing Ordinance No. 133 was advertised in the Butler Eagle, a newspaper of general circulation, on March 6, 2019, and on March 13, 2019, and that this is a true and correct copy of Ordinance No. 133 adopted at a regular meeting of the Board of Supervisors, held on the 20th day of March, 2019.

Township Manager/Secretary

3/20/2019
Date