



Penn Township
Westmoreland County, Pennsylvania

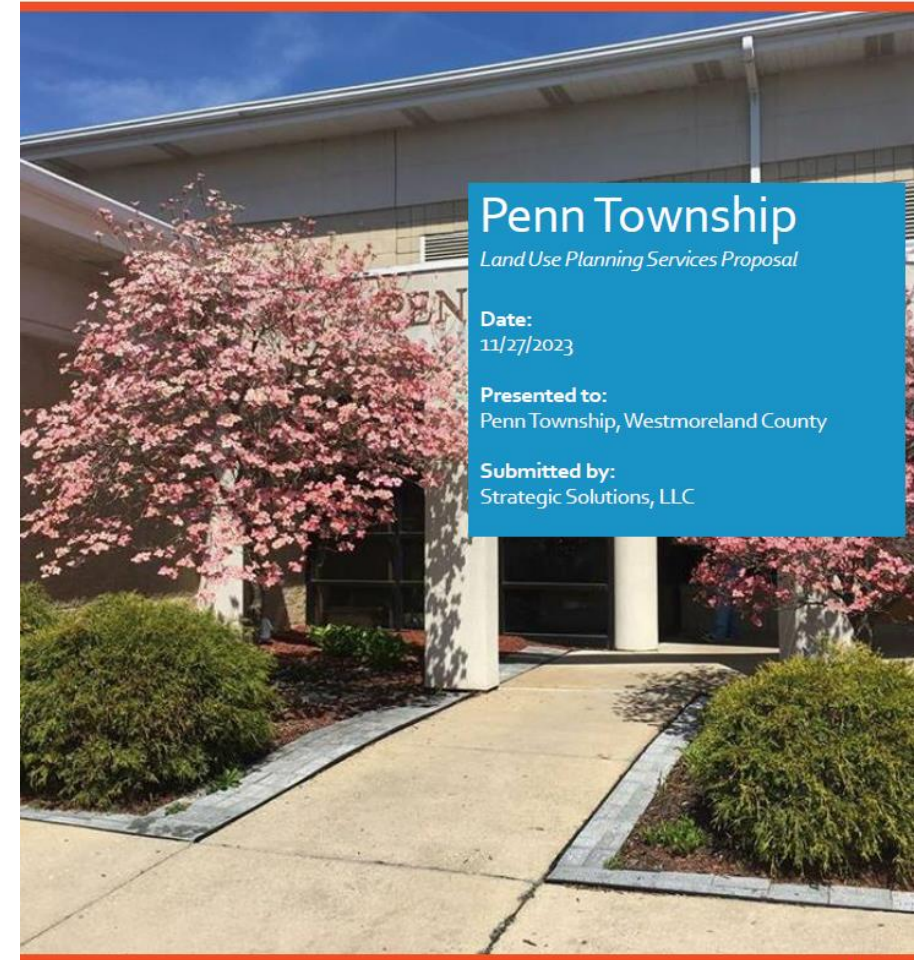
Joint Board of Commissioners & Planning Commission Meeting

Informational Session for Proposed Zoning
Amendments: Industrial Commerce (IC) and Rural
Resource (RR) Zoning Districts

November 26, 2024

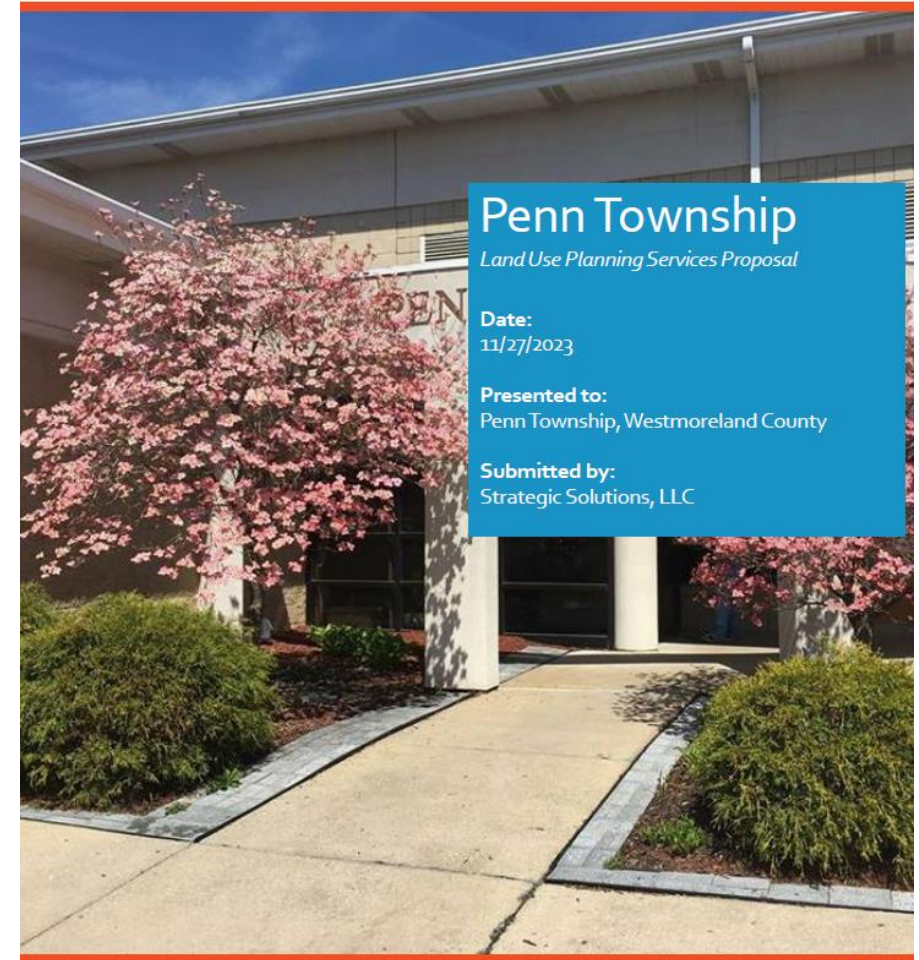
Ensuring a Productive and Respectful Discussion

- **Approach the Podium with Any Questions for All to Hear**
 - There will be time for questions and public comment throughout the presentation
- **Speak Clearly and Adjust the Microphone if Needed**
- **Avoid Repetitive Questions**
 - This ensures everyone who has questions can ask them
- **Be Polite and Courteous**



Agenda

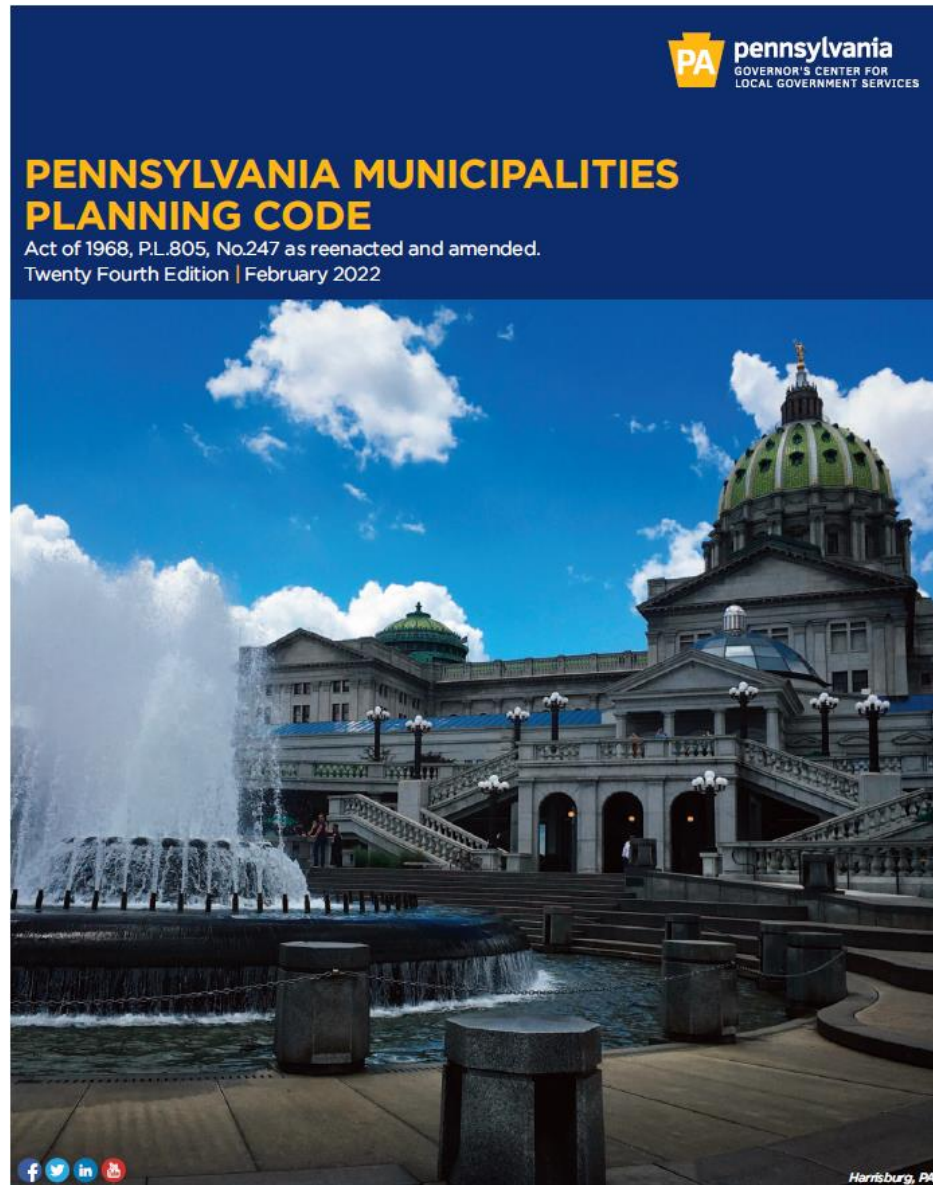
- **Zoning Basics**
 - *The Pennsylvania Municipalities Code (MPC)*
 - *What is Zoning?*
 - *How the Zoning Amendment Process works in Pennsylvania*
- **A Walk-Through the Proposed Ordinance Amendments – IC & RR**
 - *Proposed Community Development Goals & Objectives*
 - *Proposed Text Amendments to the RR – Rural Resource Zoning District*
 - *Proposed Text Amendments to the IC – Industrial Commerce Zoning District*
 - *Proposed Map Amendments to the IC – Industrial Commerce Zoning District*
- **Looking Ahead: The Harrison City-Export Road & Turnpike Interchange Zoning Changes**
- **Q&A**
- **Public Comments**



Zoning Basics

The MPC, Zoning, and Zoning Amendments

The Pennsylvania Municipalities Code (MPC)



- Legislative framework enacted in Pennsylvania to guide land use planning and regulations in municipalities across the state.
- Provides wide array of regulatory tools to aid in making the best decisions for the growth, development, and well-being of a community.
- Gives the governing body of the municipality to enact, amend, or repeal zoning ordinances in order to promote public welfare, health, and safety.
- Encourages that zoning ordinance should be in alignment with the municipalities comprehensive planning efforts.
- Outlines specific public participation requirements before enacting, amending, or repealing the zoning ordinance.

What is Zoning? – Key Principles

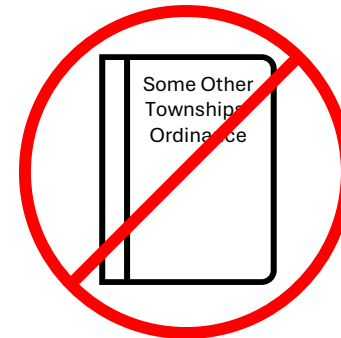
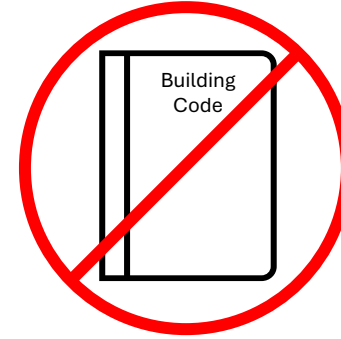
Zoning is a tool the municipalities use to manage land use and development, guided by the MPC. Zoning is guided by several key principles the ensure that an ordinance is compliant, for example:

- Accommodating All Uses
 - Ordinances must allow for all lawful land uses, and all areas of the Township must be zoned.
 - Regulations cannot be overly restrictive to prohibit the uses.
- Avoiding Exclusionary Zoning
 - Ordinances that fail to account for lawful uses can be declared invalid.
 - This could result in the use being allowed anywhere in the Township without local regulations.
- Amending the Ordinance
 - Plan for future growth
 - Account for present and future uses
 - Can establish review mechanisms for specific uses
 - Conditional Uses
 - Special Exceptions



What is Zoning?

- **Zoning** is not a building code. It should not prescribe how to build something. It may regulate height and size, but not construction.
- **Zoning** is not a property maintenance code. It may regulate what can and cannot take place on a given property but should not be used in place of a property maintenance code.
- **Zoning** officers are often code enforcement officers as well, but zoning authority is given to local governments by the Municipalities Planning Code (MPC). The MPC does not address or give authority to enforce other local codes and ordinances like fire prevention, quality of life or property maintenance.



Zoning Ordinance - Amendment Process

Planning Agency Review

- If not prepared by Planning Agency, at least 30 days prior to Public Hearing.

County Review

- Submit to County 30 (45) days prior to Public Hearing.

Mail Notice

- **To property owners, at least 30 days prior to the public hearing.

Post Property

- **At least one week prior to the Public Hearing.

Public Hearing

- Held by governing body, advertised pursuant to public notice.

Adoption

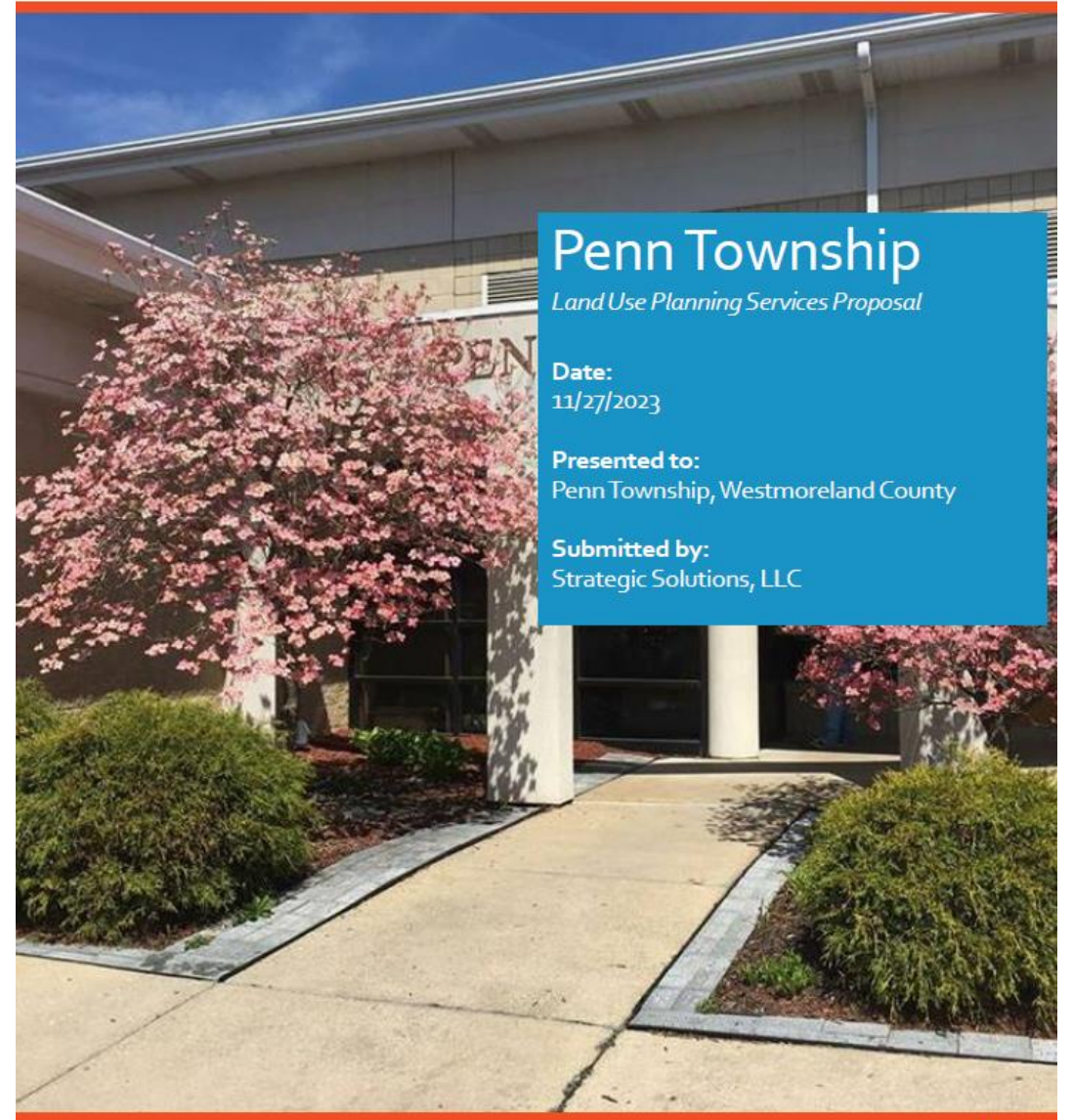
- Don't forget publication of ordinance (or solicitor summary) no more than 60 or less than 7 day prior to adoption.

Deliver to County

- Within 30 days after enactment.

****For Zoning Map Amendments**

QUESTIONS?



Amendment Walk-Through

Community Development Goals & Objectives, the RR & IC Districts

A Brief Recap

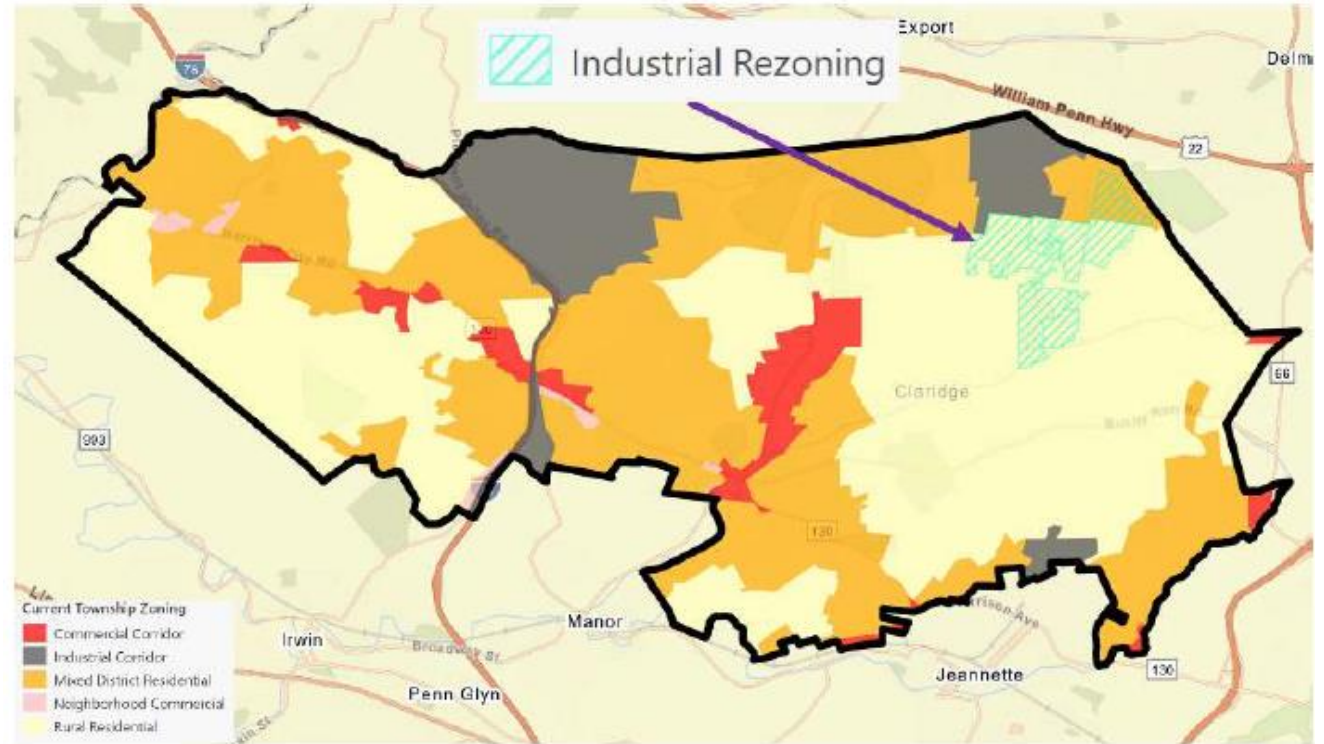
Penn Township's 2023 Economic Development and Impact Strategy Report, performed by Dawood Engineering, laid the groundwork for several transformative land use planning efforts to target growth and economic development within the Township.

Updating the Township's Zoning Ordinance to expand light industrial uses was identified as one of these efforts as a top land use planning priority for the community.

- Rezoning lands near Bushy Run Business Park capitalizes on existing infrastructure (i.e. Route 22) just beyond the Township boundary.

Why amend the Rural Resource Zoning District?

- During Steering Committee Meeting Discussions, it was noted that much of the IC District abuts the RR Zoning District.
- Language was amended in the RR Zoning District to protect the rural character of the Township within that district.



Penn Township Economic Development Impact Report pg.32

Industrial Commerce & Rural Resource Amendments

February 6, 2024

- Project Kickoff Meeting

April 25, 2024

- Steering Committee Meeting
- Prioritize Projects

May 15, 2024

- Joint BOC & PC Meeting to Introduce Planning Projects

July 25, 2024

- Steering Committee Meeting
- IC & RR Amendment Discussion

August 15, 2024

- Steering Committee Meeting
- IC & RR Amendment Discussion

August 26, 2024

- Steering Committee Meeting
- Finalize Draft IC & RR Amendments

September 11, 2024

- BOC Meeting to Discuss Draft IC & RR Amendments

September 18, 2024

- BOC Forwards IC & RR Amendments to the PC for Formal Review

October 1, 2024

- PC Reviews Draft IC & RR Amendments
- Comments collected for any revisions

November 26, 2024

- Joint Board of Commissioners & Planning Commission Meeting: Info Session

December 3, 2024

- PC Makes Recommendation to the BOC

December 8, 2024

- Notifications to Property Owners Affected by the Map Change to be Sent

December 31, 2024

- Properties affected by the Map Change to be posted

January 8, 2025

- Public Hearing

January 15, 2025

- Ordinance Adoption by BOC

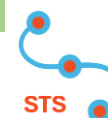


This is a **TENTATIVE** schedule, and dates may change. All Public Hearing dates will be advertised and all property postings, or other legal notifications will be in accordance with the requirements set forth within the MPC.

Indicates a Public Meeting

Indicates Internal Review or Task

Indicates a Public Hearing

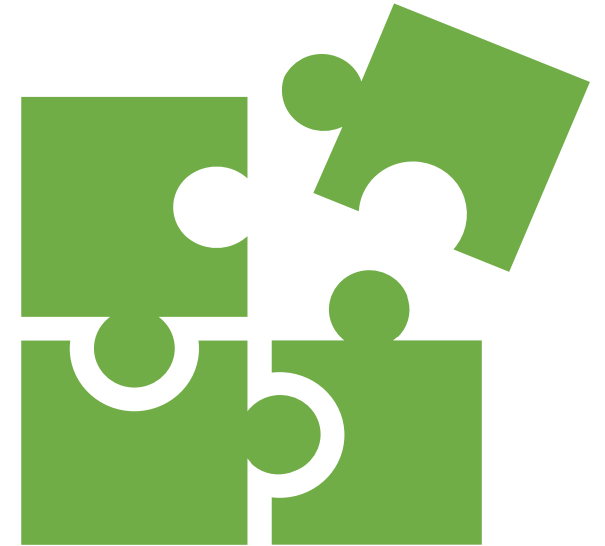


Community Development Goals & Objectives

Derived from the Community Development Goals & Objectives in the current zoning ordinance (§190-102) and from the 2006 Comprehensive Plan.

Proposed Goals & Objectives were reviewed by the Steering Committee & the Planning Commission.

1. **Encourage** land use patterns to compliment orderly land development with an efficient and safe circulation system which minimizes traffic congestions and ensures existing facilities and services are maintained at levels meeting the needs of current and future residents of the Township.
2. **Guide** commercial and industrial development into areas with adequate infrastructure to include the rejuvenation of existing commercial areas to grow the nonresidential tax base.
3. **Encourage** the preservation of open space and the agricultural character of the Township.
4. **Foster** a balance of low-density residential development with large open spaces and higher density development to support growth of mixed-use and commercial areas.



Proposed Definition Changes

TOWNSHIP OF PENN
ORDINANCE No. __ of 2024

PENN TOWNSHIP
WESTMORELAND COUNTY, PA

ZONING ORDINANCE TEXT AMENDMENT

AN ORDINANCE OF THE TOWNSHIP OF PENN, WESTMORELAND COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP ZONING ORDINANCE, NUMBER ____, TO ADD COMMUNITY DEVELOPMENT GOALS AND OBJECTIVES, AMEND DEFINITIONS TO MATCH LISTED USES AND UPDATE OUTDATED DEFINITIONS, AMEND THE TEXT WITHIN THE RURAL RESOURCE AND INDUSTRIAL COMMERCE ZONING DISTRICTS TO ADD AND REMOVE PERMITTED USES, ADD CRITERIA FOR NEW USES AND ADD SUPPLEMENTAL REGULATIONS FOR EXISTING USES, AND AMEND THE DIMENSIONAL STANDARDS TO BETTER ALIGN WITH THE COMMUNITY DEVELOPMENT GOALS AND OBJECTIVES.

- WHEREAS,** the Township of Penn, Westmoreland County, Pennsylvania (hereinafter "Township") Township Board of Commissioners (hereinafter "Board") desire to amend the Zoning Ordinance to better align with the amended Community Development Goals & Objectives of the Township regarding development within the Rural Resource and Industrial Commerce Zoning Districts, in a manner as authorized by and consistent with the Pennsylvania Municipalities Planning Code (hereinafter "MPC");
- WHEREAS,** in the judgment of the Board, amending the definitions, permitted uses, dimensional standards and supplemental regulations in Chapter 190 – Zoning, will further enforce the intent of the Rural Resource and Industrial Commerce Zoning Districts regarding type of development and maintaining character while allowing for appropriate uses;
- WHEREAS,** the Board desires to amend the Township Zoning Ordinance to allow certain development within the Rural Resource and Industrial Commerce Zoning Districts;
- WHEREAS,** the Penn Township Planning Commission reviewed the proposed amendment on ____, ____, 20__ and recommended adoption to the Board on ____, ____, 20__;
- WHEREAS,** on ____, ____, 20__, the Board authorized advertisement of a public hearing at which the proposed ordinance amendment would be considered and the hearing was properly advertised on ____, ____, 20__ and ____, ____, 20__, pursuant to the requirements of the MPC;
- WHEREAS,** the Board held a public hearing on ____, ____, 20__, pursuant to the MPC, at which time testimony was received concerning the proposed ordinance amendment; and
- WHEREAS,** in the judgment of the Board, the proposed amendment is consistent with the Township's overall comprehensive plan and advances the Township's Community Development Objectives; and

Proposed Definition Changes

Definitions begin on page 2 of the Combined Amendment Packet.

Listed uses within the ordinance have no definition, an unclear definition, or an outdated definition. The proposed amendment addresses those issues. For example, below are permitted uses within the Township however do not have definitions for them.

Veterinary Facility – An establishment where animals are medically, surgically, or diagnostically treated, whether or not the animals are kept for treatment. Veterinary facilities may include veterinary hospitals, veterinary clinics, and teaching hospitals.

Multi-Tenant Office Building – A professional office building that houses, several clients, or businesses, that conduct services related to their profession.

Power Plant – A facility designed to generate electricity from various energy sources for distribution.

Automotive Sales, Service, and Repairs – The retail sales, rental, and service of automobiles, motorcycles, and trucks under 26,000 GVW, but not including any heavy equipment or any other vehicles which is not classified as a “motor vehicle” under the Pennsylvania Motor Vehicle Code, and which may include the servicing and repair of customers’ vehicles. This use may include a car wash, as defined by this Ordinance, as an Accessory Use.

Rural Resource (RR) Text Amendment

TOWNSHIP OF PENN
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WESTMORELAND COUNTY, PA

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WHEREAS, in the judgment of the Board, the proposed amendment is consistent with the Township's overall comprehensive plan and advances the Township's Community Development Objectives; and

Rural Resource (RR) Text Amendment

RR Text Amendments begin on page 6 of the Combined Amendment Packet.

An Overview:

- Amendment to the Purpose of the District to be clearer and more concise and align with the proposed Community Development Goals & Objectives. (Page 6)

The RR Rural Resource District is established in order to provide land for continuing agricultural operations, resource management, timber harvesting, outdoor recreation, public and private conservation areas, low density single-family residential to maintain the rural character of the Township, and support compatible uses.

- Elimination of higher density housing (*duplex, multi-family*). (Page 6-7)
 - Reduction of lot size to half (.5) acre for single-family dwellings if connected to public utilities, one (1) acre minimum if on-lot utilities.
- Amendments to permitted uses to match the definitions listed in the Ordinance. (Page 6-7)
- Addition of PSES as a Conditional Use and ASES as a Permitted Accessory Use. (Page 8)

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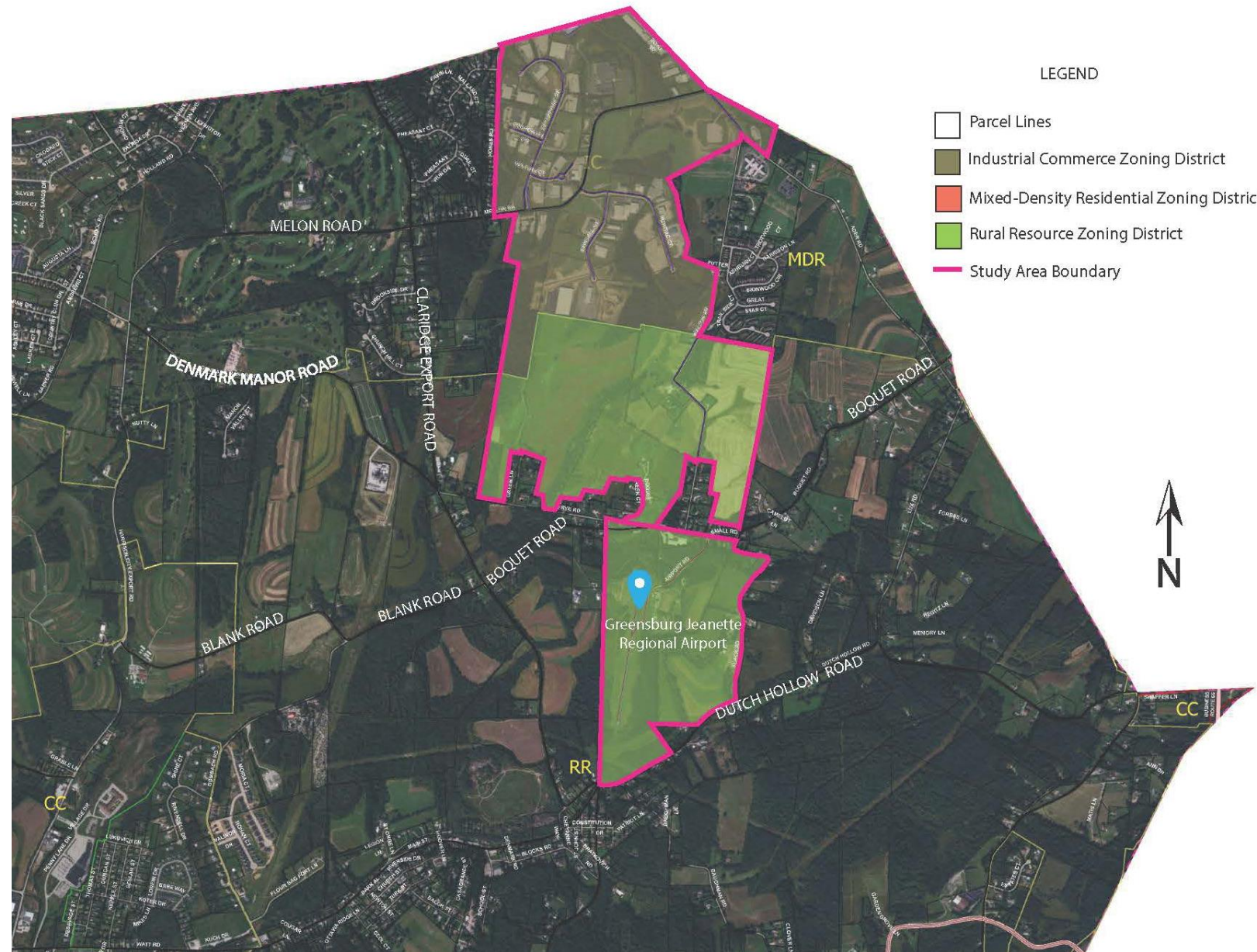
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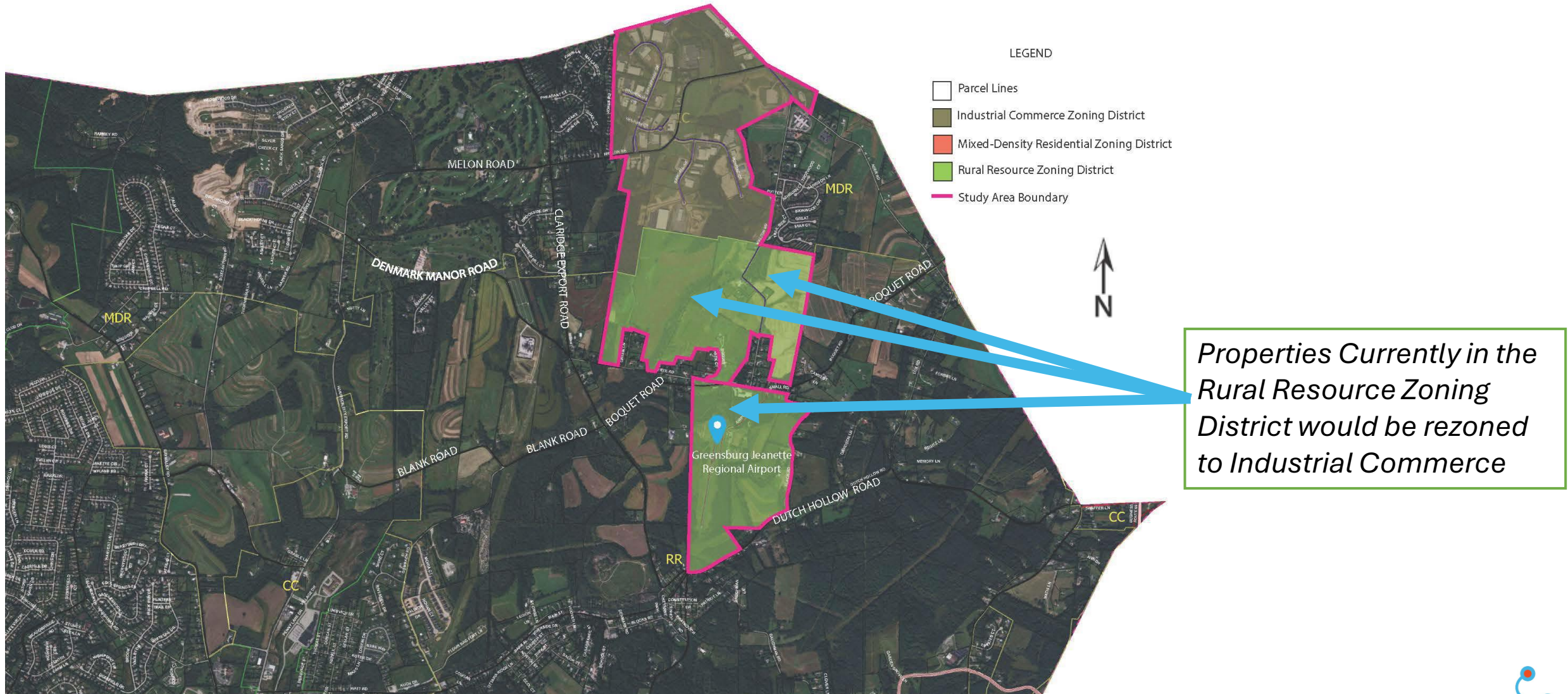
Light Industrial Rezoning



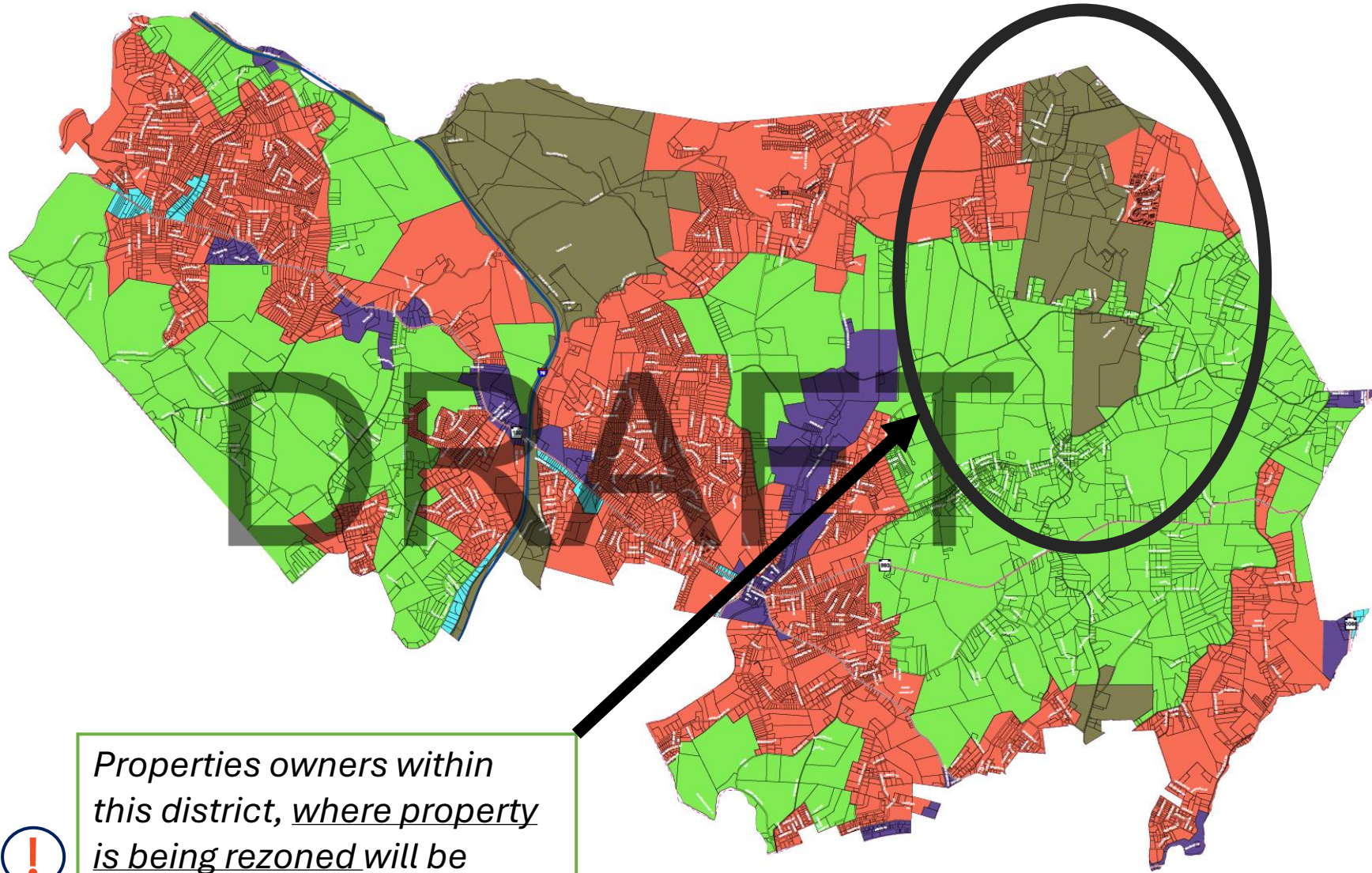
Light Industrial Rezoning Near Bushy Run Corporate Park



Light Industrial - Rezoning Study Area 9.3.24



DRAFT Zoning Map After IC Rezoning Amendments



! Properties owners within this district, where property is being rezoned will be notified via USPS of the Public Hearing.

Why This Area?

- These parcels adjoin existing IC uses or provide for expansion of those uses.
- Availability of Developable/redevelopable land.
- Existing infrastructure in the area provides for development opportunity.
- Proximity to Route 22 to allow for more direct route for vehicular traffic.

Light Industrial Rezoning Near Bushy Run Corporate Park

IC Text Amendments begin at the bottom of page 8 of the Combined Amendment Packet.

An Overview:

- Amendment to the existing Purpose of the District noting restricting further residential development and align with proposed Community Development Goals & Objectives. (Page 8)

The IC Industrial Commerce District is established in order to provide for current and future heavy and light industrial, processing, planned light industrial and planned commerce uses, in addition to warehousing and logistics, supply yards, and compatible support uses while prohibiting the development of future residential development or uses.

- Amendments to permitted uses to match the definitions listed in the Ordinance. (Page 9-10)
- Amendments to permitted uses within the IC District (Page 9-11)
 - Removal of residential uses and uses that support residential uses.
 - Addition of Principal Solar Energy Systems (PSES) and Accessory Solar Energy Systems (ASES).
 - Addition of Truck Stop as a Conditional Use.
 - Move Warehouse/Logistics to a Conditional Use.
- Amendments to Dimensional Standards of the District. (Page 11-12)
- Addition of Truck Stop and Warehouse/Logistics Conditions. (Page 12-14)
- New Conditions added for Industrial, Heavy uses. (Page 24-25)

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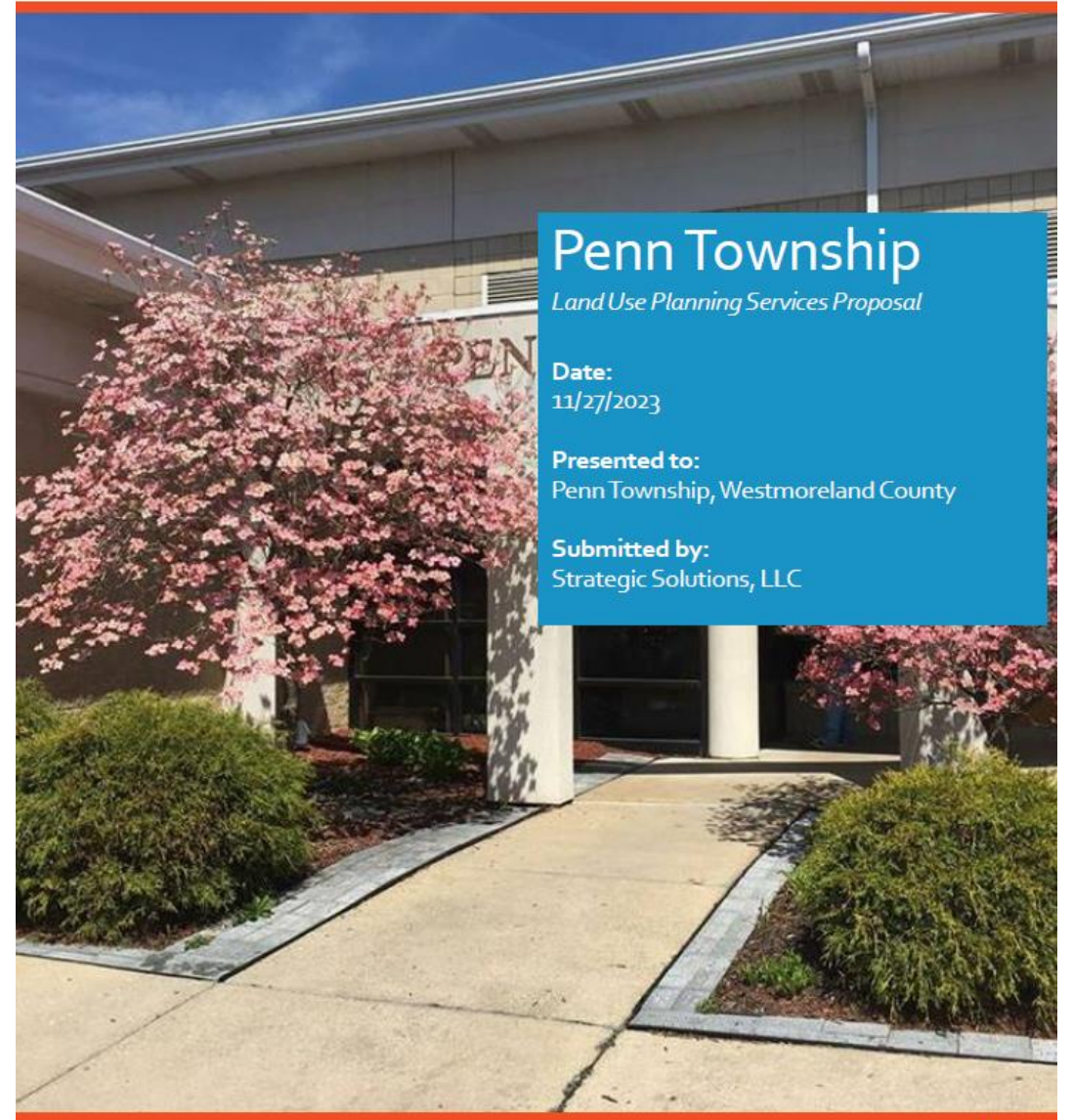
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Page | 1

Additional Items within the Amendment




Additional Items within the Text Amendments

Detailed regulations begin at the bottom of page 12 of the Amendment Packet.

Truck Stop – A new use to the Zoning Ordinance, allowable by Conditional Use within the IC District, as proposed.

New conditions have been included to address:

- Maximum lot size 
- Traffic Study requirements
- Internal circulation of the site
- Prohibition of overnight parking
- Prohibition of truck idling
- Copies of all required permits submitted to the Township
- Additional setbacks if adjacent to residential uses or districts for the property itself and the fueling area.

Warehousing/Logistics – Currently Permitted, by right, proposed to be permitted by Conditional Use.

New conditions have been included to address:

- Minimum lot size compared to size of the proposed building footprint
- Loading dock locations
- Prohibition of overnight parking
- Site Access and internal circulation
- Truck queuing requirements
- Additional landscaping requirements
- Additional buffer requirements if adjacent to residential uses or districts.




A maximum lot size of three (3) acres is being proposed in order to allow the use and for basic amenities but prevent massive Truck Stops from impacting the community.

Additional Items within the Text Amendments

Page 14-21 of the Combined Amendment Packet.

Principal Solar Energy Systems (PSES) – A new use proposed in the Zoning Ordinance for both the IC & RR Zoning Districts. Regulations have been proposed to address the following:

- State Certifications requirements
- Any other State permitting requirements
- Noise study requirements
- Glare
- Landscaping and screening
- Establishment of a point of contact for the Township to call and address concerns or complaints on the property
- Location, height, stormwater management, buffering, and security
- Additional setbacks if adjacent to a residential use or zoning district 
- Decommissioning Language:
 - Procedures have been proposed to protect the Township, in the form of Financial Security, in the event that a development is abandoned, and the Township must dismantle the equipment.



The additional setback is proposed to be 600 feet from the property line if the PSES is adjacent to a residential use or residentially designated zoning district. This mimics current setbacks for Oil & Gas Developments in the current ordinance.

Additional Items within the Text Amendments

Page 21-24 of the Combined Amendment Packet.

Accessory Solar Energy System (ASES) – A new use proposed in the Zoning Ordinance, permitted by right in all zoning districts.

Regulations have been proposed to address the following:

- State Certifications requirements
- Any other State permitting requirements
- Decommissioning
- Glare
- Landscaping and screening
- Location, height, stormwater management, buffering, and security
- Additional screening if adjacent to a residential use or zoning district



This use is permitted by right within the current ordinance. After discussions with the Planning Commission, it was recommended to permit this use by Conditional Use.

Page 24 of the Combined Amendment Packet.



Industrial, Heavy – Listed as *Industrial and Processing* currently as a use by right within the IC District. Proposed to be permitted by Conditional Use.

Regulations added to address the following:

- Minimum lot size
- Additional setbacks if adjacent to residential use or district
- Additional screening requirements if adjacent to residential use or district
- Required State Permitting
 - If any outside permits are revoked/suspended, Township zoning approvals will be also.

Next Steps for the RR & IC Amendments

TONIGHT

-Questions, Answers, and Public Comment.

December 3, 2024

-Review of the IC & RR Amendments by the Planning Commission at their regularly scheduled Public Meeting.

-Recommendation from the Planning Commission to the Board of Commissioners.

January 8, 2025

-Board of Commissioners to hold a Public Hearing on the RR & IC Amendments

January 15, 2025

-Board of Commissioners makes decision on proposed Amendments at their regularly scheduled Public Meeting

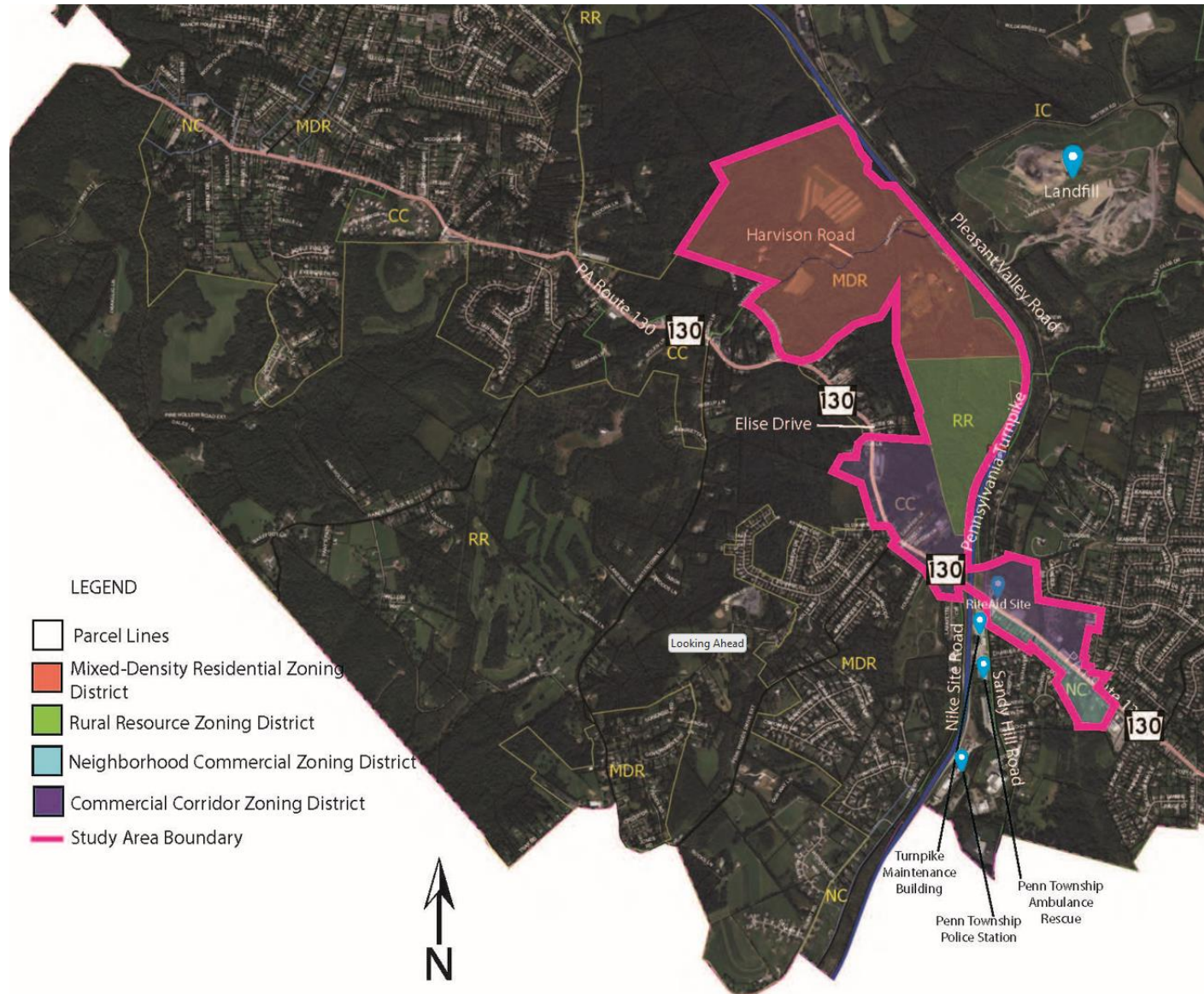


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Looking Ahead

Proposed Zoning Changes for Harrison City-Export Road & Areas Surrounding the Future Turnpike Interchange

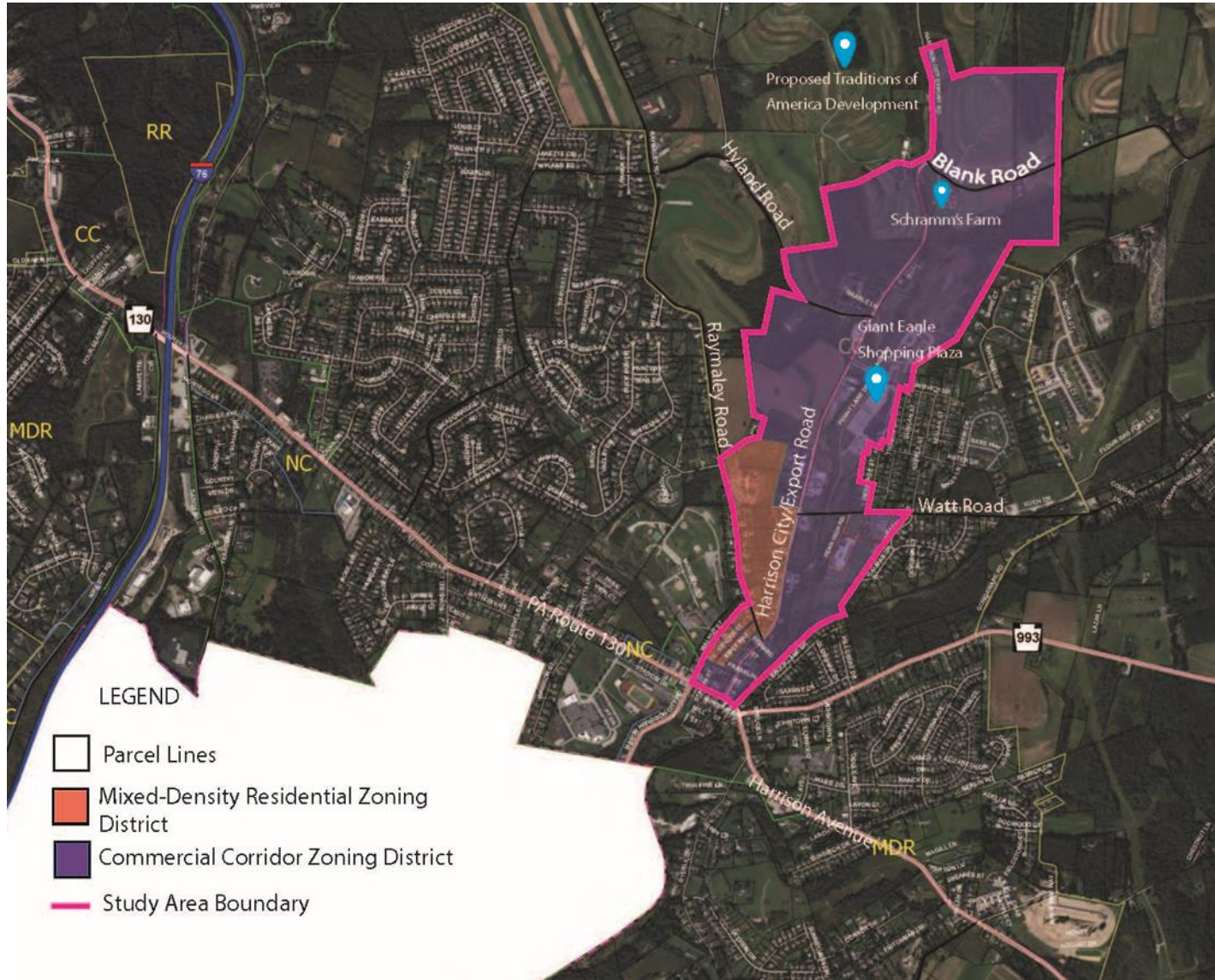
Pennsylvania Turnpike Interchange Study Area



- The Township's Economic Development and Impact Strategy Report stressed the importance of proactive planning measures to prepare for the coming interchange.
- Focus on drawing nonresidential development to the Township that will compliment or be supported by the interchange.
- Will be proposed as a new zoning district – The Interchange Commerce Zoning District.
- Proposed language establishes:
 - Purpose of the District
 - Revised Definitions
 - Changes to Permitted Uses
 - Dimensional Standards
 - Height Requirements
 - Lot Coverage Requirements

Area reviewed by the BOC & PC on May 15, 2024, Joint Public Meeting

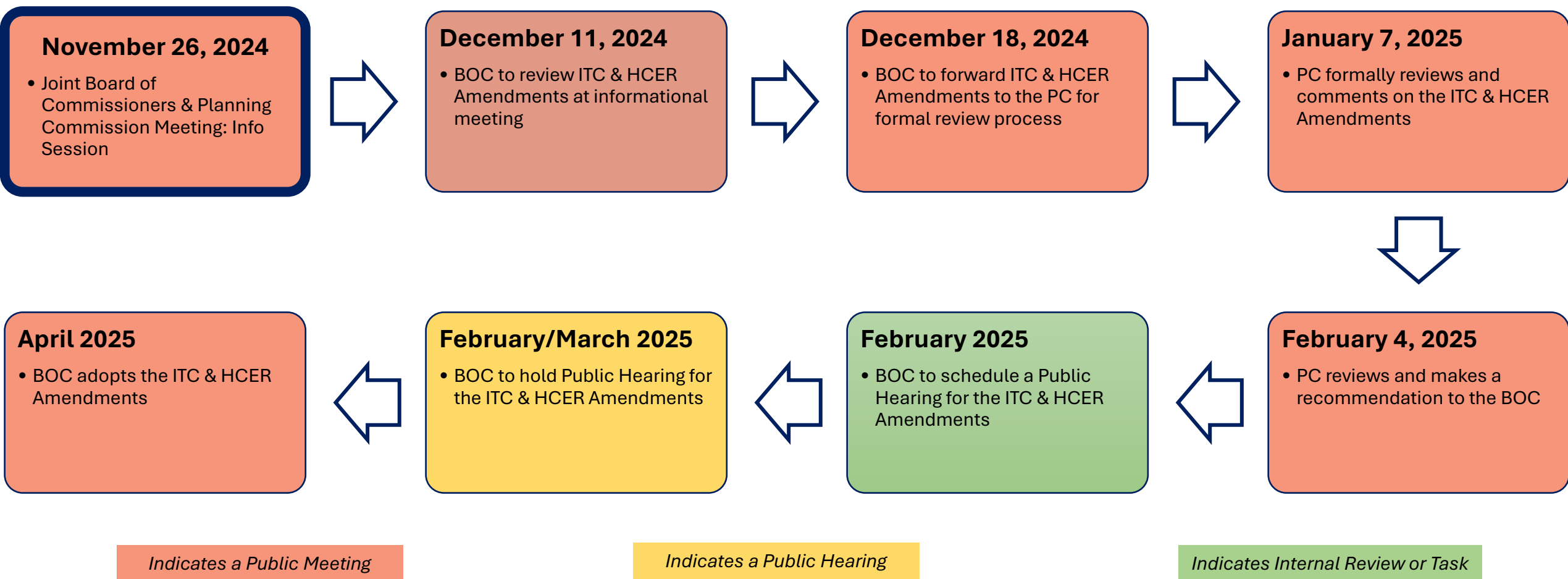
Harrison City-Export Road Corridor Study Area



- The Township's Economic Development and Impact Strategy Report noted that this corridor was in need for additional guidance for development.
- Focus on drawing a mix of uses to the corridor to create a “downtown” for the Township.
- Will be proposed as a new zoning district – The Harrison City-Export Road Zoning District.
- Proposed language establishes:
 - Purpose of the District
 - Revised Definitions
 - Changes to Permitted Uses
 - Dimensional Standards
 - Including Specific Standards for Nonresidential Uses
 - Height Requirements
 - Lot Coverage Requirements
 - Density Requirements

Area reviewed by the BOC & PC on May 15, 2024, Joint Public Meeting

Interchange Commerce & Harrison City-Export Road Amendments



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QUESTIONS?

