

ZONING

ARTICLE II

Definitions

117.201. INTERPRETATION.

117.202. DEFINITIONS.

TERMS DEFINED. As used in this ORDINANCE, the following terms shall have the following meanings:

ABUTTING - Having a common border with, or being separated from such common border by, an alley or EASEMENT.

ACCESS - A means of vehicular approach or entry to or exit from a LOT, a SITE or a PARCEL.

ACCESSORY USE - See USE, ACCESSORY.

ACCESSORY STRUCTURE - A detached, subordinate STRUCTURE the USE of which is clearly incidental to the PRINCIPAL STRUCTURE or USE of the LOT.

ADULT DAY CARE CENTER - A facility licensed by the Commonwealth of Pennsylvania, located within a BUILDING, which BUILDING is not used as a DWELLING, for the care, during part of a twenty-four hour day, of adults who are handicapped, elderly, or otherwise require such supervision and care.

ADULT DAY CARE HOME - A facility licensed by the Commonwealth of Pennsylvania, located with a DWELLING, for the care, on a regular basis, during part of a twenty-four hour day, or not more than six (6) adults who are handicapped, elderly, or otherwise require such supervision, excluding care provided to adults who are relatives of the OPERATOR. Such use shall be secondary to the use of the DWELLING for living purposes and shall meet all other requirements for a HOME OCCUPATION.

AFRICANIZED HONEY BEE - Hybrids of the African Honeybee with various European honeybees that are aggressive compared to the European subspecies. **[Added 8-14-13 by Ord. No. 389]**

AGRICULTURE - Any agricultural use, including farming, dairying, pasturage, agriculture, horticulture, floriculture,

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viticulture, and animal and poultry husbandry and related use of equipment and STRUCTURES necessary for the foregoing purposes.

ALTERATION, STRUCTURAL - See STRUCTURAL ALTERATION.

AIRPORT NOISE EXPOSURE AREA - PARCELS which are exposed or projected to be exposed to airport related noise levels in excess of 65 Ldn; in this ORDINANCE, as defined by the Allegheny County Department of Aviation in 1981 in conjunction with the Airport Noise Control and Land Use Compatibility Study.

AMPHITHEATER - An outdoor theater used for lectures, meetings, gatherings and entertainment purposes.

AMUSEMENT ARCADE -

A. If an ACCESSORY USE, any establishment where two (2) or fewer AMUSEMENT DEVICES are located.

B. If a PRINCIPAL USE, any establishment where three (3) or more AMUSEMENT DEVICES are located.

AMUSEMENT DEVICE - Any mechanical device, electrical device, electromechanical device, machine or apparatus whatsoever for the playing of games and amusements, which devices or apparatus are commonly known as "pinball machines," video games" and jukeboxes," or upon which games are played, or any device on which music is played after the insertion therein of a coin or other disc, slug or token or for which fees are paid to an attendant.

AMUSEMENT PARK - An establishment existing primarily for entertainment purposes and offering rides and exhibitions for a fee.

ANIMAL HOSPITAL, LARGE - A veterinary hospital with or without a KENNEL that provides treatment facilities for small animals and has treatment facilities for large animals; e.g., horses and cows.

ANIMAL HOSPITAL, SMALL - A veterinary hospital with or without a KENNEL that provides treatment facilities for DOMESTIC PETS.

ANIMAL SHELTER - See KENNEL.

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ANTENNA - Any system or wires, rods, discs, panels, flat panels, dishes, whips, or other similar device used for the transmission or reception of wireless signals. An Antenna may include an omnidirectional antenna (rod), directional antenna (panel), parabolic antenna (disc) or any other wireless antenna. An antenna shall not include TOWER-BASED WIRELESS COMMUNICATIONS FACILITIES as defined herein. **[Added 12-10-14 by Ord. No. 396]**

APIARY - any place where one or more colonies of nuclei of bees are kept. **[Added 8-14-13 by Ord. No. 389]**

APPLICANT - A LANDOWNER or DEVELOPER who has filed an

APPLICATION FOR DEVELOPMENT, or permit application for WIND ENERGY SYSTEM including his heirs, successors and assigns, as the case may be. **[Amended 06-11-08 by Ord. No. 354]**

APPLICATION FOR DEVELOPMENT - Every application, whether preliminary or final, required to be filed and approved prior to the start of CONSTRUCTION or DEVELOPMENT, including but not limited to an application for ZONING APPROVAL, for temporary ZONING APPROVAL, for the approval of a SUBDIVISION or LAND DEVELOPMENT or for the approval of a PRELIMINARY DEVELOPMENT PLAN. Every APPLICATION FOR DEVELOPMENT must include the form designated by the ZONING ADMINISTRATOR and the appropriate SITE PLAN.

APPLICATION FOR FINAL APPROVAL - The APPLICATION FOR FINAL APPROVAL of a PLANNED DEVELOPMENT to be submitted by a DEVELOPER to the ZONING ADMINISTRATOR in accordance with Article VIII.

APPLICATION FOR TENTATIVE APPROVAL - The APPLICATION FOR TENTATIVE APPROVAL of a PLANNED DEVELOPMENT to be submitted by a DEVELOPER to the ZONING ADMINISTRATOR in accordance with Article VIII.

AREA, LOT - See LOT AREA.

ARTERIAL ROAD - A PUBLIC road intended to provide for high-speed travel between or within communities or to and from COLLECTOR ROADS and EXPRESSWAYS. ACCESS is controlled so that only regionally significant land uses may take direct ACCESS to these streets.

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ASSISTED LIVING FACILITY - A residential facility which provides services and supervision for two or more persons not related to the operator who, because of a handicap, disability, mental illness or mental retardation, require supervision and services to meet their needs but do not require the services of a health related facility as defined herein. ASSISTED LIVING FACILITY shall include without limitation: Personal Care Boarding Homes and GROUP CARE FACILITIES.

AUDITORIUM - A room, hall or BUILDING used for lectures, meetings and gatherings.

AUTHORITY - A body politic and corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164) known as the "Municipality Authorities Act of 1945."

AUTOMOTIVE REPAIR - The repair, rebuilding, or reconditioning of motor vehicles or parts thereof, including collision service, painting and steam cleaning of vehicles.

AUTO SALVAGE - See JUNKYARD.

AUTHORIZED USE - Any PRINCIPAL or ACCESSORY USE allowed by this chapter as a PERMITTED USE BY RIGHT, CONDITIONAL USE, USE BY PLANNED DEVELOPMENT, or USE by SPECIAL EXCEPTION.

AVIATION-RELATED INDUSTRIES - Any business or facility necessary to or inherently part of the PIA including but not limited to cargo handling, aircraft maintenance, etc. **[Amended 8-9-95 by Ord. No. 243]**

BASEMENT - A portion of a BUILDING located partially or completely below grade.

BAR - An establishment in which the principal business is the sale of alcoholic beverages for consumption on the premises. **[Added 9/26/94 by Ord. No. 236]**

BASE SITE AREA - A portion of a SITE, calculated in accordance with Section 117.308.1 of this ORDINANCE.

BED AND BREAKFAST - An owner-occupied DWELLING unit that contains no more than three guest rooms for transient guest lodging, with or without meals, provided for compensation. **[Amended 1-13-93 by Ord. No. 221]**

BEDROOM - A room marketed, designed, or otherwise likely to function primarily for sleeping.

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BEE - any stage of the common hive or honeybee (*Apis mellifera*) or other species of the genus *Apis*. **[Added 8-14-13 by Ord. No. 389]**

BEEKEEPER - an owner of an apiary or a person who has charge of an apiary of one or more colonies of bees in the Township. **[Added 8-14-13 by Ord. No. 389]**

BEE DISEASE - any American or European foul brood, sac brood, bee paralysis or other disease or abnormal conditions or eggs, larval, pupal, or adult stages of the honeybee. **[Added 8-14-13 by Ord. No. 389]**

BEVERAGE DISTRIBUTION - A use engaged in the distribution of manufactured beverages to the public. Beverages are stored at the establishment in quantities as provided by the manufacturer and are opened and or consumed off site. **[Added 8-9-95 by Ord. No. 243]**

BILLBOARD - An off-premises SIGN which advertises an establishment, an activity, a person, a product or a service which is unrelated to or unavailable on the premises on which the SIGN is located. A BILLBOARD STRUCTURE shall be considered the PRINCIPAL USE on a LOT.

BLACKSMITH SHOP - A site where one shapes and forges iron with a hammer and anvil and may repair and fit horseshoes. **[Added 8-9-95 by Ord. No. 243]**

BOARD - The Zoning Hearing Board appointed and organized in conformance with the MPC.

BOARDER - An individual(s) other than a member of the family occupying the DWELLING UNIT, or part thereof, who, for a consideration, is furnished sleeping accommodations and may be furnished meals or other services as part of the consideration.

BOARDING HOUSE - A BUILDING other than a HOTEL where, for compensation and arrangement only meals, or lodging and meals are provided for three (3) or more persons but not exceeding ten (10) persons. A BOARDING HOUSE shall not be considered an ASSISTED LIVING FACILITY.

BOATWORKS - An area where boats are repaired, stored, and dry docked. **[Added 8-9-95 by Ord. No. 243]**

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BUFFERYARD - A portion of a SITE, together with a specified type and amount of planting thereon, and any STRUCTURES which may be required between PARCELS to eliminate or minimize conflicts between them.

BUILDABLE SITE AREA - The portion of the SITE which is available for residential DEVELOPMENT as calculated in Section 117.312.1 by subtracting TOTAL RESOURCE PROTECTION LAND or MINIMUM REQUIRED OPEN SPACE from the BASE SITE AREA.

BUILDING - A STRUCTURE built, maintained, or intended for use for the shelter or enclosure of persons, animals, or property of any kind. The term is inclusive of any part thereof. Where independent units with separate entrances are divided by party wall, each unit is a BUILDING.

BUILDING CODE - The BUILDING CODE of the TOWNSHIP.

BUILDING, HEIGHT OF - The vertical distance from the average grade level along the FRONT BUILDING LINE to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable and gambrel roofs.

BUILDING, PRINCIPAL - A BUILDING in which is conducted the main or principal use of the LOT on which said BUILDING is situated.

BUILDING LINE, FRONT - The line of that face of the BUILDING nearest the front line of the LOT. This face includes sun parlors and covered porches whether enclosed or unenclosed, but does not include steps.

BUILDING LINE, REAR - A line parallel to the REAR LOT LINE, a distance from the REAR LOT LINE in accordance with the REAR YARD or SETBACK requirements of this chapter.

BUILDING PERMIT - A permit for the erection or STRUCTURAL ALTERATION of a STRUCTURE to be erected or structurally altered in accordance with the BUILDING CODE.

BULK FUEL STORAGE - A place for storage of petroleum and other fuels usually transported in large volumes rather than in packages or boxes.

BULK MATERIALS OR MACHINERY STORAGE - A place for storage of heavy equipment, machinery or materials used in construction, farming or industrial operations.

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BUS TERMINAL - Any premises for the storage or parking of motor-driven buses. **[Added 1-9-02 by Ord. No. 302]**

BUSINESS OR PROFESSIONAL OFFICES - Any office of recognized professions, such as doctors, dentists, lawyers, architects, engineers, artists, musicians, designers, teachers and others who, through training, are qualified to perform services of a professional nature.

BUSINESS SERVICES - Any activity conducted for gain which renders services primarily to other commercial or industrial enterprises.

CALCULATED FLOOR AREA RATIO - The ratio of the gross floor area of buildings on a site to the **BASE SITE AREA** which is calculated in Section 117.313.2 by multiplying the **FLOOR AREA RATIO** found in the Summary Table of District Standards (Section 117.307.1) by the **REDUCTION FACTOR** calculated in Section 117.313.2.

CALCULATED IMPERVIOUS SURFACE RATIO - The ratio of **IMPERVIOUS SURFACE** on a **SITE** used in the determination of **SITE** capacity for non-residential uses which is calculated in Section 117.313 by dividing the **UNRESTRICTED SITE AREA** by the **BASE SITE AREA**.

CALIPER - A measurement of the size of a tree equal to the diameter of its trunk measured four and one-half (4.5) feet above natural grade.

CAMPGROUNDS - An area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, and/or major recreational equipment, and which is primarily used for recreational purposes and retains an open air or natural character. **[Added 8-9-95 by Ord. No. 243]**

CANOPY - A rooflike cover which is freestanding or which projects from the wall of a **BUILDING** for the purpose of shielding an area from the rain or snow.

CARETAKER'S RESIDENCE - A **DWELLING** which is used exclusively by either the owner, manager, or operator of a **PRINCIPAL USE** and which is located on the same **SITE** as the **PRINCIPAL USE**.

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CARPORT - A STRUCTURE used for the shelter of a vehicle and which includes a roof attached to the side or back of a PRINCIPAL BUILDING or supported by columns and which is open on two (2) or more sides from the roof to the ground over which it stands.

CARTWAY. The paved portion of a road or STREET right-of-way excluding shoulders, curbs and drainage swales.

CAR WASH - An area of land and/or a structure with machine or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles. **[Added 8-9-95 by Ord. No. 243]**

CEMETERY - Land used or dedicated to the burial of the dead, including crematoriums, mausoleums, necessary sales, and maintenance facilities. **[Added 6-8-05 by Ord. 329]**

CHAPTER - References to "this CHAPTER" shall mean this ORDINANCE.

CHEMICAL PLANT - A facility where substances are produced from or converted into other substances by chemical processes. **[Added 8-9-95 by Ord. No. 243]**

CHICKENS - for the purposes of this code, a chicken (*Gallus domesticus*) refers only to a female chicken. **[Added 8-14-13 by Ord. No. 389]**

CHICKEN COOP - building used for housing chickens. **[Added 8-14-13 by Ord. No. 389]**

CHILD DAY CARE CENTER - A facility licensed by the Commonwealth of Pennsylvania and located within a BUILDING which is not used as a DWELLING and which is used for the care, during part of a twenty-four hour day, of children under the age of sixteen (16) which may be accessory to a business or professional office.

CHILD DAY CARE HOME - A facility licensed by the Commonwealth of Pennsylvania and located within a DWELLING, for the care on a regular basis, during part of a twenty-four hour day, of three (3) to six (6) children under sixteen (16) years of age, excluding care provided to children who are relatives of the OPERATOR. Such use shall be secondary to the use of the DWELLING for living purposes and shall meet all other requirements for a HOME OCCUPATION.

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CHURCH - A BUILDING used as a place of worship or religious teaching.

CLIENT - Any person who pays for a service: (a) who is receiving treatment and/or services in a HEALTH CARE FACILITY or ASSISTED LIVING FACILITY or (b) who regularly attends a Day Care Facility or Nursery School/Pre School. The facility may be located within a BUILDING, which BUILDING is not used as a DWELLING.

CLINIC - An establishment where patients who are not lodged overnight are admitted for examination and treatment by a group of physicians practicing medicine together.

COLLECTION AND RECYCLING FACILITY - Center for the acceptance by donation, redemption, or purchase of RECYCLABLE MATERIALS from the public. COLLECTION FACILITIES may include: reverse vending machines and small collection facility.

COLLECTOR ROADS - Roads connecting residential STREETS to ARTERIAL ROADS or providing ACCESS to nonresidential USES and STREETS. COLLECTOR ROADS form barriers between neighborhoods and are designed for higher speeds and traffic volumes than are STREETS.

CO-LOCATION - The mounting of one or more WIRELESS COMMUNICATIONS FACILITY (WCF), including ANTENNAE, on an existing TOWER-BASED WCF or utility or light pole or other similar structure. **[Added 12-10-14 by Ord. No. 396]**

COLONY - an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times many drones. **[Added 8-14-13 by Ord. No. 389]**

COMMERCIAL OR TRADE SCHOOLS - PUBLIC or PRIVATE schools used to teach skills in a particular industrial art or vocational curriculum.

COMMERCIAL PARKING LOT - An area not within a building where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking by the public. **[Added 8-9-95 by Ord. No. 243]**

COMMON AREAS - All those areas in PLANNED DEVELOPMENTS, including COMMON OPEN SPACES, owned or leased and maintained by an association or other combination of persons for the

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benefit of the residents of the PLANNED DEVELOPMENT and, if owned under the Pennsylvania Unit Property Act, including all common elements designated for the USE of all DWELLING UNIT OWNERS.

COMMON OPEN SPACE - A LOT or portion thereof or a body of water or a combination thereof within a DEVELOPMENT SITE for the use and enjoyment of residents of the PLANNED RESIDENTIAL DEVELOPMENT, not including STREETS, off-street PARKING AREAS and areas set aside for facilities for the general populace.

COMPREHENSIVE PLAN - The overall policy guide for the physical DEVELOPMENT of the TOWNSHIP consisting of maps, charts and textual matter in accordance with the MPC.

COMMUNITY GARAGE - A single BUILDING or group of minor GARAGES, one STORY and/or two STORIES in height, arranged in a row or surrounding a common means of ACCESS for the USE of adjacent DWELLING OWNERS or residents of multiple DWELLINGS.

CONCRETE or ASPHALT BATCH PLANT - An area where a quantity of concrete or asphalt is produced as the result of one operation. **[Added 8-9-95 by Ord. No. 243]**

CONDITIONAL USE - An AUTHORIZED USE which may be granted only by the SUPERVISORS pursuant to express standards and criteria after recommendation by the PLANNING COMMISSION and after a PUBLIC HEARING held in accordance with the requirements of this ORDINANCE.

CONDITIONAL USE SITE PLAN - See SITE PLAN, CONDITIONAL USE.

CONDOMINIUM - A multiple DWELLING where each DWELLING UNIT in the structure is individually owned and the owner of each unit has an undivided interest in the common elements and facilities of the structures and surrounding grounds.

CONSTRUCTION - The CONSTRUCTION, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a STRUCTURE, including the placement of MOBILE HOMES.

CONSTRUCTION SHED - A moveable structure capable of being dismantled in less than one day and without any foundation used for temporary field office or storage purposes at a construction site. **[Amended 2-12-92 by Ord. No. 209]**

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CONSTRUCTION TRAILER - A vehicle with or without its own motive power and used for temporary field office or storage purposes at a CONSTRUCTION site. **[Added 2-12-92 by Ord. No. 209]**

CONVENIENCE STORE - A store selling RETAIL groceries and general merchandise not exceeding 5,000 square feet of selling area.

COUNTY - The COUNTY of Allegheny, Pennsylvania.

CURATIVE AMENDMENT - See LANDOWNER CURATIVE AMENDMENT.

DAY CAMP - A recreation facility which provides daytime sporting and outdoor activities to participants, but which provides no overnight lodging or camping facilities.

DAY CARE FACILITY - A CHILD DAY CARE CENTER, CHILD DAY CARE HOME, ADULT DAY CARE CENTER or ADULT DAY CARE HOME or any facility which attempts to combine the services performed therein for the purpose of serving both children and/or adults.

dB(A) - The sound pressure level in decibels. Refers to the "a" weighted scale defined by ANSI. A method for weighting the frequency spectrum to mimic the human ear.
[Added 06-11-08 by Ord. No. 354]

DECIBEL - The unit of measure used to express the magnitude of sound pressure and sound intensity.
[Added 06-11-08 by Ord. No. 354]

DECK - A platform, either freestanding or attached to a building, that is above twelve inches (12") of the finished grade, but does not contain walls or a roof. A DECK that includes walls or a roof must comply with the minimum required yard setbacks for the zoning district in which it is located.
[Added 2-12-03 by Ord. No. 310]

DEDICATION - The transfer of property interests from private to PUBLIC ownership for a PUBLIC purpose. The transfer may be of fee-simple interest or of a less than fee interest, including an EASEMENT.

DENSITY - A calculation of the number of DWELLING UNITS permitted on a SITE.

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DER - Pennsylvania Department of Environmental Resources.

DEVELOPER - Any LANDOWNER, agent of such LANDOWNER or tenant with permission of such LANDOWNER, who makes or causes to be made an APPLICATION FOR DEVELOPMENT.

DEVELOPMENT - The division of a PARCEL of land into two (2) or more parcels; the CONSTRUCTION, reconstruction, conversion, STRUCTURAL ALTERATION, relocation, or enlargement of any BUILDINGS; any USE or change in USE of any BUILDINGS or land; and extension of any USE of land or any clearing, GRADING, or other movement of land, for which permission may be required pursuant to this ORDINANCE.

DISTRIBUTED ANTENNA SYSTEMS (DAS) - A network of spatially separated Antenna sites connected to a common source that provides wireless service within a geographic area or structure. **[Added 12-10-14 by Ord. No. 396]**

DISTRIBUTED ANTENNA SYSTEM HUB FACILITY (DAS Hub Facility) - A facility that links various DAS antennae used by wireless providers to transmit wireless signals throughout a localized coverage area. Typically, these facilities contain head-end equipment, such as equipment for wireless service providers, a neutral host cabinet, and electrical equipment. DAS Hub Facilities are considered to be tower-based WCFs. **[Added 12-10-14 by Ord. No. 396]**

DISTRICT FLOOR AREA RATIO - The ratio of PERMITTED FLOOR AREA to BASE SITE AREA which is defined for each ZONING DISTRICT and is found in the Summary Table of District Standards (Section 117.307.1).

DISTRICT IMPERVIOUS SURFACE RATIO - The ratio of PERMITTED IMPERVIOUS SURFACE AREA to BASE SITE AREA which is defined for each ZONING DISTRICT and is found in the Summary Table of District Standards (Section 117.307.1).

DISTRICT MAXIMUM DENSITY FACTOR - The greatest number of DWELLINGS permitted on one (1) acre of UNRESTRICTED SITE AREA within a ZONING DISTRICT as defined for each ZONING DISTRICT in the Summary Table of District Standards (Section 117.307.1) and which is used in calculating PERMITTED SITE DENSITY in Section 117.312.

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DISTRICTS, ZONING - Administrative tracts designating the uses to which land can legally be utilized. Boundaries of the districts are shown on the "District Zoning Map" which is part of this ORDINANCE.

DOMESTIC PETS - Animals normally found in a DWELLING and kept for company or pleasure, including but not limited to dogs, cats, hamsters, parakeets or canaries, but not a sufficient number to constitute a KENNEL.

DRIVE-IN SERVICES - Establishments which offer in-car service or take-out service, including but not limited to banks, food stores and restaurants, but not including drive-in theaters.

DRIVE-IN THEATER - An area where people view presentations of dramatic performances or motion pictures from parked motor vehicles. **[Added 8-9-95 by Ord. No. 243]**

DRIVEWAY - A private area used exclusively for circulation and ingress and egress to a STREET by the owner or owners or visitors of the LOT.

DRY-CLEANING PLANT - An establishment to cleanse clothing and fabric with chemical solvents rather than water. **[Added 8-9-95 by Ord. No. 243]**

DWELLING - A BUILDING or portion of a BUILDING designed and used as a residence and having separate living, cooking, and sanitary facilities, for the exclusive use of one family.

DWELLING, APARTMENT BUILDING - A BUILDING comprised of multiple DWELLINGS which share common YARDS and common ACCESS to individual DWELLINGS.

DWELLING, LOT-LINE - A fully detached single-family BUILDING located on one of the side LOT LINES of an individual LOT.

DWELLING, MULTIPLEX - A single-family attached DWELLING or a multiple family DWELLING consisting of residences which may be arranged in a variety of configurations, including back to back, side to side or vertically. Each residence may have direct ACCESS to a private YARD or ACCESS point or may share YARDS and ACCESS points with other residences in the BUILDING. No more than six (6) DWELLINGS shall be permitted in one BUILDING.

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DWELLING, PATIO - A detached or semi-detached single-family BUILDING extending from ground to roof. The LOT for the BUILDING is either partially or fully enclosed by a wall to create a private YARD between the wall and the BUILDING.

DWELLING, SINGLE-FAMILY - A single-family detached BUILDING located on a privately owned LOT which has private YARDS on all four sides of the BUILDING.

DWELLING, TOWN - An attached single-family BUILDING consisting of a single DWELLING from ground to roof and having individual outside ACCESS.

DWELLING, TWIN - A semi-detached DWELLING for a single family which is also known as a "duplex unit." A DWELLING extends from ground to roof and has only one wall in common with another DWELLING.

DWELLING, VILLAGE - A fully detached single family residence distinguished by its 15' minimum FRONT YARD on a smaller LOT. Landscape features provide the scale and privacy that permits their location close to the STREET.

DWELLING, WEAK-LINK - An attached single family BUILDING consisting of a single BUILDING from ground to roof and having individual outside access. This dwelling unit has both a one-story and a two-story portion. The units are wider than town DWELLINGS and are located on larger LOTS.

EASEMENT - Authorization by a LOT owner of the USE by another and for a specified purpose of any designated part of his LOT.

EMERGENCY SERVICES, PUBLIC - Any service to citizens for injury or life threatening events including but not limited to ambulance, paramedic or fire and rescue services provided by a PUBLIC agency.

EMERGENCY SERVICES, PRIVATE - Any service to citizens for injury or life threatening events including but not limited to ambulance, paramedic or fire and rescue services provided by privately-owned entities.

EMPLOYEE DINING FACILITIES - An ACCESSORY USE within a PRINCIPAL STRUCTURE of a PLANNED INDUSTRIAL PARK DEVELOPMENT or PLANNED OFFICE CENTER DEVELOPMENT where persons can obtain food in a lunchroom, cafeteria, luncheonette, sandwich or

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snack shop, automat or similar facility which is open during the same hours that are normal to the PRINCIPAL USE(S') operation and which has no exterior SIGNS and does not advertise to the general populace.

ESSENTIAL SERVICES - The erection, CONSTRUCTION, alteration or maintenance by PUBLIC utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduit cables, fire alarm boxes, police call boxes, traffic signals; hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such PUBLIC utilities or municipal or other government agencies or for the PUBLIC health or safety or general welfare, but not including BUILDINGS or Utility or Broadcasting Stations or Towers. **[Amended 7-9-97 by Ord. No. 260]**

EXOTIC ANIMALS - not limited to, any of the following, whether bred in the wild or in captivity, and any or all hybrids. The animals listed are intended to act as examples and are not to be construed as an exhaustive list: hippopotamuses, giraffes, camels, deer, lions, tigers, cougars, leopards, wolves, coyotes, foxes, jackals, bears, weasels, skunks, raccoons, hyenas, mongooses, sloths, Africanized honeybees, armadillos, kangaroos, wallabies, opossums, rhinoceroses, monkeys, chimpanzees, gorillas, squirrels, beavers, porcupines, crocodiles, and alligators. **[Added 8-14-13 by Ord. No. 389]**

EXPRESSWAY - ROADS providing for high-speed travel between COLLECTORS or between other EXPRESSWAYS. ACCESS is controlled so that no land USES may take direct ACCESS.

EXTERMINATORS - RETAIL businesses that specialize in the extermination of vermin and insects.

EXTRACTION OF MINERALS - Any USE consisting of the mining and extraction of coal or other minerals.

FAA - Federal Aviation Administration.

FAIRGROUNDS - An exhibition and gathering for the buying and selling of farm products, manufactured goods, entertainment and amusements for the public. **[Added 8-9-95 by Ord. No. 243]**

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FACILITY OWNER - The entity or entities having an equity interest in the WIND ENGERGY SYSTEM, including their respective successors and assigns.

[Added 06-11-08 by Ord. No. 354]

FAMILY - One or more persons related by blood, marriage or adoption and, in addition, any domestic servants or gratuitous guests thereof; or a group of not more than two (2) persons, who need not be related by blood, who are living together in a DWELLING UNIT and maintaining a common household. However, if two (2) persons are living together unrelated by blood or marriage, the profit motive cannot be the basis for the relationship.

FARM - Any LOT containing at least five (5) acres used for AGRICULTURE.

FEDERAL GOVERNMENT - The government of the United States of America.

FEMA - The Federal Emergency Management Agency.

FENCE - A fabricated barrier used to enclose an area of land.

FILLING - The depositing on land, whether submerged or not, of sand, gravel, earth, or other materials of any composition whatsoever.

FINAL APPROVAL - The ultimate approval of a PLANNED DEVELOPMENT granted by the SUPERVISORS which follows TENTATIVE APPROVAL and filing of the FINAL DEVELOPMENT PLAN, all granted in accordance with Article VIII of this ORDINANCE.

FINAL DRAWINGS - Drawings submitted for FINAL APPROVAL of a PLANNED UNIT DEVELOPMENT.

FINANCIAL INSTITUTIONS - Any commercial establishment that lends money or engages in a finance-related business.

FIS - FLOOD Insurance Study with accompanying FLOOD boundary - floodway map prepared for the TOWNSHIP by the Federal Insurance Administration, dated September 24, 1987.

FISH - including, but not limited to, aquatic animals that are cold-blooded aquatic, vertebrates that have gills, fins, and typically have elongated bodies covered with scales. **[Added 8-14-13 by Ord. No. 389]**

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FISH HATCHERY - a place for hatching eggs or fish. See FISH.
[Added 8-14-13 by Ord. No. 389]

FLAG LOT - An interior LOT located to the rear of another LOT, but with a narrow portion of the LOT ("flagpole") extending to a PUBLIC STREET to provide ACCESS. The FRONT LOT LINE of a FLAG LOT is that LOT LINE most parallel to the STREET from which ACCESS is gained, located at the end of the flagpole.
[Added 2-12-92 by Ord. No. 209]

FLOOD - A temporary inundation of normally dry land areas.

FLOOD FRINGE AREA - The remaining portion of the one hundred (100) year floodplain in those areas identified as an AE Zone in the FEMA Flood Insurance Study.

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.

FLOOD WAY AREA - Actual stream or drainage channel subject to periodic inundation by water and identified as an AE ZONE in the FEMA Flood Insurance Study.

FLOODPROOFING - Any combination of structural and nonstructural additions, changes or adjustments to STRUCTURES which reduce or eliminate FLOOD damage to real estate or improved real property, water and sanitary facilities, STRUCTURES and their contents.

FLOOR AREA - The sum of the gross FLOOR AREA for each of a BUILDING'S stories measured from the exterior limits of the faces of the STRUCTURE. The FLOOR AREA of a BUILDING includes BASEMENT FLOOR AREA and includes attic FLOOR AREA only if the attic area meets the BUILDING CODE standards for habitable FLOOR AREA. It does not include cellars and unenclosed porches or any floor space in an accessory BUILDING or in the principal BUILDING which is designed for the parking of motor vehicles in order to meet the parking requirements of this ordinance.

FLYWAY BARRIER - a barrier composed of a fence, vegetation, hedge, or combination thereof, which directs the bees quickly into the sky. **[Added 8-14-13 by Ord. No. 389]**

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FOOD PROCESSING - The preparation of food products for sale.

FORESTRY - The growing and care of trees.

FUR-BEARING ANIMAL RANCH - an establishment maintained for raising fur-bearing animals under range conditions. See FUR-BEARING ANIMALS. **[Added 8-14-13 by Ord. No. 389]**

FUR-BEARING ANIMALS - certain animals, whose skin is covered with a thick and hairy coat, but which does not include exotic animals. **[Added 8-14-13 by Ord. No. 389]**

GARDEN CENTER - A place of business where RETAIL and wholesale products and produce are sold to the RETAIL consumer. These centers may include a NURSERY and/or GREENHOUSES. These items may include plants, NURSERY products and stock, fertilizers, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels and other garden and farm tools and utensils.

FUEL GENERATION PLANT - A plant where petroleum products are produced. **[Added 8-9-95 by Ord. No. 243]**

FURNITURE REFINISHING PLANT - A plant where furniture is reconditioned. **[Added 8-9-95 by Ord. No. 243]**

GARAGE - A deck or BUILDING, or part thereof, used or intended to be used for the parking and storage of motor vehicles.

GARAGE, COMMUNITY - See COMMUNITY GARAGE.

GARAGE, PRIVATE - See PRIVATE GARAGE.

GARAGE, PUBLIC - See PUBLIC GARAGE.

GAS - Any fluid combustible or noncombustible, which is produced in a natural state from the earth and which maintains a gaseous or rarified state at standard temperature of 60 degrees Fahrenheit and pressure 14.17 PSIA, any manufactured gas, any byproduct gas or any mixture of gases including methane. **[Added 06-13-07 by Ord. No. 343]**

GASOLINE SERVICE STATION - A RETAIL establishment supplying gasoline and oil, tires, accessories and services for vehicles directly to the populace, including minor repairs and the sale

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of groceries, but not including such major repairs as spray painting, body, fender, axle, frame, major engine overhaul or recapping/retreading of tires.

GOLF COURSE OR COUNTRY CLUB - Facilities or grounds, either PUBLIC or PRIVATE, used primarily to play golf.

GRADING - The act of changing the natural contour of the land in any way.

GRADING PLAN - A plan to be prepared and submitted with an APPLICATION FOR DEVELOPMENT in accordance with this ORDINANCE or the GRADING Ordinance.

GREENHOUSE - An enclosed BUILDING, permanent or portable, which is used for the growth of small plants.

GROSS LEASABLE FLOOR AREA OF BUILDING - The TOTAL FLOOR AREA OF BUILDING designed for tenant OCCUPANCY, excluding halls, corridors and other areas used in common by tenants of the BUILDING expressed in square feet and measured from the centerline of joint partitions and exteriors of outside walls.

GROUP CARE FACILITY - A facility which houses more than eight (8) but no more than fifteen (15) persons, including CLIENTS and OPERATOR(S), who are provided services to meet their needs by an OPERATOR.

GROUP HOME - A facility in which up to eight (8) persons who are not a FAMILY reside.

HEALTH CARE FACILITY - A general or specific facility, including tuberculosis and psychiatric facilities, rehabilitation facilities, skilled nursing facilities, kidney disease treatment centers, intermediate care facilities and ambulatory surgical facilities, both profit and nonprofit and including those operated by an agency of the State or local government, but shall not include an office used exclusively for their private or group practice by physicians, psychologists or dentists, nor a program which renders treatment solely on the basis of prayer or spiritual means in accordance with the tenants of any church or religious denomination, nor a facility conducted by a religious organization for the purpose of providing health care services exclusively to clergymen or other persons in a religious profession who are members of the religious denominations conducting the facility.

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HEALTH AND FITNESS-RELATED ESTABLISHMENT - Any establishment having a source of income or compensation derived from offering a service to the public involving health, healing or fitness-related activities and providing or offering to provide physiological or psychological healing or therapy. This includes, but is not limited to, a health club, massage establishment and public spa or public hot tub. This term shall not include any business or establishment operated for the practice of a profession which is licensed by the Commonwealth of Pennsylvania, such as physicians, dentists, nurses, podiatrists, chiropractors, physical therapists, and similar occupations. Massage facilities shall constitute no more than five percent (5%) of the FLOOR AREA OF BUILDING.

[Amended 9-26-94 by Ord. No. 236]

HEIGHT OF STRUCTURE (Excluding BUILDING) - The vertical distance measured from the average finished ground elevation to the highest point on such STRUCTURE.

HEIGHT, BUILDING - See BUILDING, HEIGHT OF.

HIVE - any frame hive, box hive, box, barrel, log, gum, skep, or other receptacle or container, natural or artificial, or any part thereof, which may be used or employed by a Beekeeper as a domicile for bees which are expected to establish a permanent nest. The hive or hive grouping may be referred to as the "Beekeeping facilities" herein. **[Added 8-14-13 by Ord. No. 389]**

HOME OCCUPATION - An ACCESSORY USE of a service character, conducted within a DWELLING by the residents thereof, which is clearly secondary to the USE of the DWELLING for living purposes and does not in any way change the character of the DWELLING. No exterior evidence of the secondary USE activity shall be permitted other than a HOME OCCUPATION SIGN. Nonresident persons may not be employed in the DWELLING. The activity shall not provide any additional environmental impact on the TOWNSHIP, as expressed in § 117.103, General purposes, of this ORDINANCE, other than those impacts normally experienced in a residential ZONING DISTRICT. Such restricted possible added impacts include, but are not limited to, additional traffic, on-street parking, noise, smoke, odors, dust, exterior lights, SIGNS and storage of materials.

HOME OCCUPATION SIGN - See SIGN, HOME OCCUPATION.

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HORSE - a large hooped mammal having a short-haired coat, a long mane, and a long tail, domesticated, and used for riding and for drawing or carrying loads. The definition of horse includes a donkey and equine hybrids, such as a mule or hinny. **[Added 8-14-13 by Ord. No. 389]**

HOSPITAL - BUILDING(S) used for the short-term care of patients suffering from physical or mental illnesses but not including narcotics addiction or those found to be criminally insane, and which may or may not be publicly or privately operated.

HOTEL - A BUILDING in which lodging and/or boarding are provided and offered to TRANSIENTS for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a PERSON in charge at all hours. **[Amended 04-11-12 by Ord. No. 375]**

HUB HEIGHT - The distance measured from the surface of the tower foundation to the height of the WIND TURBINE hub, to which the blade is attached. **[Added 06-11-08 by Ord. No. 354]**

IMPERVIOUS SURFACE - Those surfaces which do not absorb water. They consist of all BUILDINGS, PARKING AREAS, roads, sidewalks, and any areas of concrete or asphalt or non-absorbent material. In the case of lumberyards, areas of stored lumber constitute IMPERVIOUS SURFACES.

IMPERVIOUS SURFACE, ON LOT - The total amount of IMPERVIOUS SURFACE which is present on a LOT.

IMPERVIOUS SURFACE RATIO - The measure of the intensity of land USE which is expressed as a ratio and which is determined by dividing the total area of all IMPERVIOUS SURFACES on a SITE by the BASE SITE AREA or in the case of a residential lot, by dividing the total area of all ON-LOT IMPERVIOUS SURFACES by the LOT AREA.

IMPOUNDMENT OPERATOR - Any person, partnership, company, corporation and its subcontractors and agent having an interest in an Oil and Gas Impoundment site, or otherwise involved in the construction, maintenance, and use of Oil and Gas Impoundments. **[Added 10-12-14 by Ord. No. 395]**

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INCINERATORS - Furnaces or apparatus for the burning of garbage.

INCUBATOR - STRUCTURES providing support services and space for one or more low-impact start-up companies.

JUNKYARD - A LOT used for the storage of any scrap material or junk, including, without limitation, appliances, fixtures, non-working automobiles, automobile parts, machines or machinery parts, equipment, containers and building materials. Such JUNKYARD shall be operated in accordance with the provisions of TOWNSHIP Ordinance No. 188.

KENNEL - An establishment where four (4) or more DOMESTIC PETS who are six (6) months old or older are bred, trained and/or boarded for compensation.

LAKES AND PONDS - Natural or artificial bodies of water which retain water year round. A LAKE is a body of water of two (2) or more acres. A POND is a body of water of less than two (2) acres. Artificial PONDS may be created by dams or may result from excavation. The shoreline of such bodies of water shall be measured from the maximum condition rather than from the permanent pool in the event of any difference.

LAND DEVELOPMENT - Any of the following activities:

(1) The improvement of one LOT or two or more contiguous LOTS, tracts or PARCELS of land for any purpose involving:

(a) a group of two more residential or non-RESIDENTIAL BUILDINGS, whether proposed initially or cumulatively, or a single non-RESIDENTIAL BUILDING on a LOT or LOTS regardless of the number of occupants or tenure; or

(b) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of STREETS, COMMON AREAS, leaseholds, CONDOMINIUMS, BUILDING groups or other features.

(2) SUBDIVISION of land.

(3) The following shall not be considered a LAND DEVELOPMENT:

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(a) the conversion of an existing single-family detached DWELLING into not more than three (3) residential UNITS, unless such UNITS are intended to be a CONDOMINIUM;

(b) the addition of an accessory BUILDING, including FARM BUILDINGS, on a LOT or LOTS subordinate to an existing PRINCIPAL BUILDING; or

(c) the addition or conversion of BUILDINGS or rides within the confines of an enterprise which would be considered an AMUSEMENT PARK. This exclusion shall not apply to a newly acquired PARCEL to be used for operating an AMUSEMENT PARK until the initial plans for the expanded area have been approved by the TOWNSHIP.

LANDFILL - Those PARCELS in the TOWNSHIP currently or previously used for disposal of domestic, industrial or other wastes.

LANDOWNER - The legal or beneficial OWNER or OWNERS of a LOT, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee (if he is authorized under the lease to exercise the rights of the LANDOWNER) or other persons having a proprietary interest in the LOT.

LANDOWNER CURATIVE AMENDMENT - A proposed amendment to this CHAPTER submitted by LANDOWNER to the PLANNING COMMISSION and the SUPERVISORS in accordance with the requirements of this CHAPTER when such LANDOWNER desires to challenge on substantive grounds the validity of any provision of this CHAPTER which prohibits or restricts the USE or DEVELOPMENT of land in which he has an interest.

LANDSCAPE PLAN - A LANDSCAPE PLAN prepared by a landscape architect identifying each tree and shrub by size, type and scientific name, B & B or bare root, location together with a planting diagram and such other diagrams or reports necessary to show method of planting, staking and mulching, grass seeding specifications and mixtures and existing trees over six (6) inches in DBH.

LANDSLIDE-PRONE AREA - Land which is susceptible to movement or sliding; in this ordinance, as identified by the Allegheny County Department of Planning, based on maps of such areas prepared by the United States Geological Survey in 1973.

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LAUNDROMAT - Self-service commercial establishment for the washing of clothing, household linens and related items.

LAUNDRY AND DRY-CLEANING OUTLET - A RETAIL establishment for receiving, pickup and pressing of garments, where no cleaning or drying operations are conducted.

LIGHTING - Artificial illumination as of walks, parking lots, STRUCTURES and outdoor features. LIGHTING is defined and regulated in terms of the following characteristics:

(1) Candlepower - the amount of light that will illuminate a surface one foot distant from a light source to an intensity of one footcandle. Maximum (peak) candlepower is the largest amount of candlepower emitted by any lamp, light source or luminaire.

(2) Cutoff - the point at which all light rays emitted by a lamp, light source or luminaire are completely eliminated (cutoff) at a specific angle above the ground.

(3) Cutoff angle - the angle formed by a line drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source, above which no light is emitted.

(4) Cutoff-type luminaire - a luminaire with elements such as shields, reflectors or fractor panels which direct and cut off

the light at a cutoff angle that is less than ninety degrees.

(5) Footcandle - a unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one candle.

(6) Glare - the brightness of a light source which causes eye discomfort.

(7) Luminaire - a complete lighting unit consisting of a light source and all necessary mechanical, electrical and decorative parts.

(8) Maximum permitted illumination - the maximum illumination measured in footcandles at the interior BUFFERYARD line at ground level in accordance with the standards of subsection 317 hereof.

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LIVESTOCK - an animal belonging to the bovine (cow or ox), caprine (goat), equine (horse), ovine (sheep), or porcine (pig) species, ostriches, rheas, and emus, or poultry (i.e. turkey, duck, geese, guinea fowl), but excluding chickens. The animals listed are intended to act as examples and are not to be construed as an exhaustive list. **[Added 8-14-13 by Ord. No. 389]**

LOGGING - The act of cutting live trees for cord wood, timber, pulp or for any commercial purpose, excepting therefrom the cutting of trees by a property owner on his/her own property for his/her own use, or the clearing for planting crops or cutting fruit trees on an existing farm in the AG - Agricultural District, or the clearing necessary for land for which an APPLICATION FOR DEVELOPMENT has been approved by the TOWNSHIP where the clearing is in the area where STRUCTURES are being erected or PUBLIC IMPROVEMENTS are being provided.

A landowner who cuts/harvests trees or permits such cutting/harvesting of trees upon the landowner's property for other than the landowner's own use, is a person engaging in logging, and in a logging operation. A logging operation shall include the acts of tree harvesting, site clean up and site restoration. **[Amended 2-10-99 by Ord. No. 275]**

LOT - A designated part of a SITE or a PARCEL that is legally existing. A SITE or PARCEL may include more than one (1) LOT, but a LOT cannot include more than one (1) SITE.

LOT AREA - The area contained within the boundary lines of a LOT.

LOT, CORNER - A LOT ABUTTING two or more STREETS at their intersection.

LOT DEPTH - The mean horizontal distance between the FRONT LOT LINE and the REAR LOT LINE of the LOT measured within the LOT boundaries.

LOT LINE - A line bounding a LOT which divides one LOT from another or from a STREET or any other PUBLIC or PRIVATE space.

LOT LINE DWELLING - See DWELLING, LOT LINE.

LOT LINE, FRONT - The LOT LINE that extends along a PRIVATE or PUBLIC STREET.

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LOT LINE, REAR - That LOT LINE which is parallel to and most distant from the FRONT LOT LINE of the LOT; in the case of an irregular, triangular, or gore-shaped LOT, a line twenty (20) feet in length, entirely within the LOT, parallel to and at the maximum possible distance from, the FRONT LOT LINE shall be considered to be the REAR LOT LINE.

LOT LINE, SIDE - Any LOT LINE other than a FRONT or REAR LOT LINE.

LOT LINE, STREET - In the case of a LOT ABUTTING only one STREET, the STREET LINE separating such LOT from such STREET; in the case of a double frontage LOT, each STREET LINE separating such LOT from a STREET shall be considered to be the FRONT LOT LINE, except where the REAR YARD requirement is greater than the FRONT YARD requirement in which case one of two opposing YARDS shall be REAR YARD.

LOT WIDTH - The mean horizontal distance between the SIDE LOT LINES measured at right angles to those SIDE LOT LINES at the FRONT BUILDING LINE. Where there is only one SIDE LOT LINE, LOT WIDTH shall be measured between such LOT LINE and the opposite LOT LINE or future right-of-way line.

MAINTENANCE GUARANTEE - A guarantee of facilities or work to insure the correction of any failures of any improvements required pursuant to this ORDINANCE and regulation, or to maintain the same.

MANUFACTURING - The process of making wares by hand, by machinery or by other agency, often with the provision of labor and the use of machinery.

MANUFACTURING, HEAVY - MANUFACTURING including the production, processing, cleaning, testing and distribution of materials, goods, foodstuffs and products which is characterized by one of the following traits:

A. The MANUFACTURING plant has more than one hundred thousand (100,000) square feet of FLOOR AREA or more than two hundred (200) employees on any shift; or

B. Due to the nature of the materials, equipment or process utilized, the MANUFACTURING operation is considered to be unclean, noisy, hazardous or is associated with other objectionable elements.

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MANUFACTURING, LIGHT - MANUFACTURING including the production, processing, cleaning, testing and distribution of materials, goods, foodstuffs and products which by the nature of the materials, equipment and process utilized is to a considerable measure clean, quiet, and free of any objectionable or hazardous element and which takes place in plants with less than or equal to one hundred thousand (100,000) square feet of FLOOR AREA or fewer than two hundred (200) employees on any shift.

MARQUEE - A permanent roof-like STRUCTURE or CANOPY of rigid materials supported by and extending from the facade of a BUILDING.

MINERAL - Any solid material, aggregate, or substance of commercial value, whether consolidated or loose, found in natural deposits on or in the earth.

MINIMUM OPEN SPACE RATIO - The ratio of the SITE required to be retained as unused land as defined for each zoning district found in the Summary Table of District Standards (Section 117.307.1).

MINIMUM REQUIRED OPEN SPACE - The total amount of land which is required to remain unused calculated in Section 117.312 by multiplying the BASE SITE AREA X the MINIMUM OPEN SPACE RATIO found in the Summary Table of District Standards (Section 117.307.1).

MINI-WAREHOUSE - A BUILDING or group of BUILDINGS in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized and controlled-access stalls or lockers for the dead storage of a customer's goods or wares. No sales, service, or repair activities other than the rental of dead storage units are permitted on the premises.

MIXED USE - Two (2) or more PRINCIPAL BUILDINGS on one (1) LOT or SITE or the conduct of multiple PRINCIPAL USES within one (1) PRINCIPAL BUILDING on one (1) LOT or SITE, which PRINCIPAL USES or BUILDINGS have differing zoning requirements.

MOBILE HOME - A transportable single-family DWELLING UNIT contained in one (1) or more parts and designed to be joined into one (1) integral DWELLING UNIT, capable of again being separated for repeated towing, which arrives at a LOT complete

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and ready for OCCUPANCY, except for minor and incidental unpacking and assembly operations, constructed with electrical, plumbing and sanitary facilities and constructed so that it may be used without a permanent foundation.

MOBILE HOME LOT - A LOT in a MOBILE HOME PARK improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single MOBILE HOME and which is leased by the OWNER of the PLANNED MOBILE HOME PARK DEVELOPMENT to the residents of the MOBILE HOME erected on the LOT.

MOBILE HOME PARK - A PARCEL of land under single ownership containing two (2) or more MOBILE HOME LOTS improved with the necessary facilities and services for the placement of MOBILE HOMES for non-transient use.

MOTEL - A BUILDING having rooms available for lodging or boarding available to TRANSIENTS for a fee that can be accessed either through an inside lobby or through adjacent PARKING AREAS. **[Amended 04-11-12 by Ord. No. 375]**

MPC - The Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S., 10101 et seq., as amended.

MULTIPLEX DWELLING - See DWELLING, MULTIPLEX.

NATURAL GAS COMPRESSOR STATION OPERATOR - Any person, partnership, company, corporation and its subcontractors and agent having an interest in a Natural Gas Compressor Station or site, or otherwise involved in the contraction, maintenance, and use of Natural Gas Compressor Stations. **[Added 12-10-14 by Ord. No. 397]**

NET DENSITY FACTOR - The greatest number of DWELLINGS permitted on one (1) acre of BUILDABLE SITE AREA as defined for each ZONING DISTRICT in the Summary Table of District Standards (Section 117.307.1) and which is used in calculating PERMITTED PRD DENSITY for PLANNED RESIDENTIAL DEVELOPMENTS in Section 117.312.1.

NET FLOOR AREA - The total FLOOR AREA of a BUILDING, measured from the interior faces of walls, excluding stairwells and elevator shafts, common hallways which are not rentable space, lobbies, restrooms, storage (except in conjunction with warehouses and other industrial USES) and equipment rooms,

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food preparation areas in a restaurant, interior vehicle parking or loading areas and any other areas not accessible to the general public.

NEWS AND MAGAZINE STORE - A RETAIL or wholesale establishment devoted primarily to selling newspapers, magazines, books and other printed materials.

NIGHTCLUB - A commercial establishment which may or may not dispense food and/or beverages for consumption on the premises, and where a dance floor or entertainment (excluding adult entertainment) is provided. **[Added 9-26-94 by Ord. No. 236]**

NIGHTCLUB (ADULT ENTERTAINMENT) - A commercial establishment which may or may not dispense food and/or beverages for consumption on the premises that features live performances of persons, male or female, designed to be erotically appealing e.g. topless dancers, strippers, etc. **[Added 9-26-94 by Ord. No. 236]**

NONCONFORMING LOT - A LOT which fails to meet the requirements of this ORDINANCE regarding size, shape or area, but was lawfully existing prior to the effective date of adoption or amendment of this CHAPTER.

NONCONFORMING STRUCTURE - A STRUCTURE or part of a STRUCTURE, including but not limited to SIGNS, which does not comply with this ORDINANCE or amendment thereto but was lawfully existing prior to the effective date or adoption or amendment of this CHAPTER. **[Amended 4-25-94 by Ord. No. 233]**

NONCONFORMING USE - Any USE of a LOT or STRUCTURE which does not comply with this CHAPTER and which USE lawfully existed prior to the effective date of this ORDINANCE or amendment thereto.

NONRESIDENTIAL USE - Any USE other than a RESIDENTIAL USE.

NON-TOWER WIRELESS COMMUNICATIONS FACILITY (NON-TOWER WCF) - Components of a WIRELESS COMMUNICATIONS FACILITY other than WIRELESS SUPPORT STRUCTURES, including DAS networks. **[Added 12-10-14 by Ord. No. 396]**

NOTICE, PUBIC - See PUBLIC NOTICE.

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NURSERY - An enterprise which conducts the RETAIL and wholesale sale of plants grown on the SITE, as well as accessory items (but not power equipment such as gas or electric lawnmowers and farm implements) directly related to their care and maintenance. The accessory items normally sold are clay pots, potting soil, fertilizers, insecticides, hanging baskets, rakes, and shovels.

NURSERY SCHOOL/PRE-SCHOOL - A facility licensed by the Commonwealth of Pennsylvania designed to provide daytime care and educational instruction for compensation of children not related to the OPERATOR. If the facility is located with a DWELLING, it must meet all other requirements for a HOME OCCUPATION, shall be secondary to the use of the DWELLING for living purposes and shall serve no more than six (6) pre-school age children.

NURSING HOME - BUILDING(S) used for the care of children or the aged or infirm or a place of rest for those persons suffering disorders requiring full-time nursing care, but not including facilities for major surgery or institutions for the care and treatment of narcotics addiction.

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 by itself or by catching or collecting debris carried by such water, or which is placed where the flow of the water might carry the same downstream to the damage of life and property.

OCCUPANCY - The physical possession upon, on or within any LOT or STRUCTURE for a USE.

OCCUPANCY PERMIT - A permit for the USE or OCCUPANCY of a BUILDING, STRUCTURE or LOT indicating compliance with all provisions of the Zoning ORDINANCE and the BUILDING CODE.

OFFICE BUILDING - A BUILDING used principally for commercial offices. An OFFICE BUILDING may contain restaurants, cocktail lounges, drug stores, barber shops, news stands, gift shops, and similar accessory commercial uses, and parking GARAGES, providing that at least 90 percent of the usable FLOOR space of the FLOORS above the first FLOOR shall be used for commercial offices.

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OFF-STREET PARKING - Any area arranged, designed, used or intended for use of parking and located within the boundaries of individual property.

OIL - Hydrocarbons in liquid form at standard temperature of 60 degrees Fahrenheit and pressure 14.17 PSIA.

[Added 06-13-07 by Ord. No. 343]

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, 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, 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, OIL AND GAS IMPOUNDMENTS and NATURAL GAS PROCESSING PLANTS or facilities performing the equivalent functions that operate as midstream facilities. This definition does not include purely subsurface activity as a result of fracing. **[Added 10-12-14 by Ord. No. 395]**

OIL AND GAS IMPOUNDMENT - A lined depression, excavation, pit or facility situated in or upon the ground, either natural or artificially used to store water including but not limited to fresh water, brine, fracturing fluid or residual waste. This definition does not include temporary water or fluid storage operations of a duration of less than six (6) months. **[Added 10-12-14 by Ord. No. 395]**

ON-SITE - Located on the LOT in question, except in the context of ON-SITE detention, when the term means within the boundaries of the DEVELOPMENT SITE as a whole.

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

OPEN SPACE - A portion of a SITE which may be improved but which is permanently preserved as non-buildable land intended for passive or active recreation.

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OPERATIONS - Location, drilling, operation, alteration or plugging of any well or reconditioning any well with the purpose of production. **[Added 06-13-07 by Ord. No. 343]**

OPERATOR - The individual(s), organization(s) or entity which is responsible for the operation of a GROUP HOME FACILITY, or WIND ENERGY SYSTEM. **[Amended 06-11-08 by Ord. No. 354]**

HEALTH CARE FACILITY, ASSISTED LIVING FACILITY, day care facility and/or nursery school/pre-school and which also provides the services and supervision required by its CLIENTS or oversees their provision.

ORCHARD - Land used for the cultivation of fruit or nut trees. **[Added 8-9-95 by Ord. No. 243]**

ORDINANCE - The TOWNSHIP Zoning ORDINANCE, adopted as ORDINANCE 196.

OUTLET - A store or enterprise that sells and/or markets a particular product or service.

OVERLAY DISTRICT - An area of the TOWNSHIP subject to the restrictions set forth in Article V of this ORDINANCE.

OWNER - The person or persons having the right of legal title to, beneficial interest in, or a contractual right to purchase a LOT or PARCEL .

PARCEL - Any designated piece or tract of land located in the TOWNSHIP established by a plat or otherwise as permitted by law.

PARKING AREA - A PUBLIC or PRIVATE GARAGE or a paved, open off-street area other than a DRIVEWAY or STREET with adequate means of ACCESS and used exclusively for the parking of vehicles of occupants or visitors of the LOT; however, a DRIVEWAY serving a SINGLE-FAMILY DWELLING or which is for the exclusive USE of an individual DWELLING UNIT in a RESIDENTIAL BUILDING may be used as PARKING AREA.

PARKING SPACE - A portion of a PARKING AREA not less than nine (9) feet wide and eighteen (18) feet long, exclusive of DRIVEWAYS designed for the parking of only one (1) vehicle.

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PATIO - A level, surfaced area directly adjacent to a principle or accessory structure at or within twelve inches (12") of the finished grade without a permanent roof, intended for outdoor lounging, dining and the like.

[Added 2-12-03 by Ord. No. 310]

PAVING - A surface constructed of a minimum of six (6) inches Crushed Aggregate Base Course (four (4) inches for residential DRIVEWAYS and PARKING AREAS), three (3) inches ID-2 Bituminous Binder Course and 1 1/2" Bituminous Wearing Course, as defined by PA DOT'S Publication 408 latest edition and all modifications thereto, or 6" reinforced concrete (four (4) inches for residential DRIVEWAYS and PARKING AREAS), or other equivalent design approved by the TOWNSHIP ENGINEER.

PERFORMANCE GUARANTEE - A financial guarantee to insure that all improvements, facilities, or work required by this ORDINANCE will be completed in compliance with the ORDINANCE, regulations, and the approved plans and specifications of a DEVELOPMENT including but limited to a performance bond, LOC or escrow account in the amount of 110% of the cost of the facilities or improvements.

PERMITTED FLOOR AREA - The total FLOOR AREA of BUILDING which may be developed on a SITE as calculated in Section 117.313.1 using the DISTRICT FLOOR AREA RATIO or in Section 117.313.2 using the CALCULATED FLOOR AREA FACTOR.

PERMITTED IMPERVIOUS SURFACE AREA - The total area of a SITE which may be developed as IMPERVIOUS SURFACES as calculated in Section 117.313.1 by multiplying the BASE SITE AREA by the DISTRICT IMPERVIOUS SURFACE RATIO or as calculated in Section 117.313.2 by multiplying the BASE SITE AREA by the CALCULATED IMPERVIOUS SURFACE RATIO.

PERMITTED PRD DENSITY - The greatest number of DWELLINGS permitted to be developed as a PLANNED RESIDENTIAL DEVELOPMENT on the BUILDABLE SITE AREA which is calculated in Section 117.312.1 as the BUILDABLE SITE AREA multiplied by the NET DENSITY FACTOR.

PERMITTED SITE DENSITY - The greatest number of dwellings permitted on a SITE within a ZONING DISTRICT which is calculated in Section 117.312 as the UNRESTRICTED SITE AREA multiplied by the DISTRICT MAXIMUM DENSITY found in the Summary Table of District Standards (Section 117.307.1).

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PERMITTED USE BY RIGHT - An AUTHORIZED USE which, upon an APPLICATION FOR DEVELOPMENT, may be granted by the ZONING ADMINISTRATOR in accordance with the provisions of this CHAPTER.

PERSON - An individual, partnership, PUBLIC or PRIVATE association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

PERSONAL SERVICES - Any enterprise conducted for gain which primarily offers services to the general PUBLIC such as shoe repair, valet service, watch repairing, barber shop, beauty parlors and related activities.

PERSONAL WIRELESS SERVICE FACILITIES - Facilities for the provision of commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services. **[Added 7-9-97 by Ord. No. 260]**

PETROLEUM - Hydrocarbons in liquid form at standard temperature of 60 degrees Fahrenheit and pressure 14.17 PSIA. **[Added 06-13-07]**

PHARMACY - A RETAIL store which primarily sells prescription drugs, patent medicines and surgical and sickroom supplies.

PIA - Pittsburgh International Airport. **[Amended 8-9-95 by Ord. No. 243]**

PILOT PLANTS, LOW IMPACT - An experimental MANUFACTURING facility making products defined in this ORDINANCE as LIGHT MANUFACTURING.

PILOT PLANTS, HIGH IMPACT - An experimental MANUFACTURING facility making products defined in this ORDINANCE as HEAVY MANUFACTURING.

PLANNED DEVELOPMENT (PD) - A SITE of minimum specified acreage for which variations from the applicable ZONING DISTRICT or SUBDIVISION requirements may be allowed by the SUPERVISORS under Article VIII of this ORDINANCE which is controlled by a LANDOWNER to be developed as a single entity.

PLANNED DEVELOPMENT SITE PLAN - See SITE PLAN, PLANNED DEVELOPMENT.

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PLANNING COMMISSION - The PLANNING COMMISSION of the TOWNSHIP.

POULTRY - domesticated fowl such as chickens, turkey, duck, geese and guinea fowl. **[Added 8-14-13 by Ord. No. 389]**

POULTRY HATCHERY - a place for hatching eggs of poultry for commercial use. See POULTRY. **[Added 8-14-13 by Ord. No. 389]**

PRELIMINARY APPLICATION - As defined in the SUBDIVISION and LAND DEVELOPMENT ORDINANCE.

PRIMARY TOWER-BASED WIRELESS COMMUNICATIONS FACILITY (TOWER-BASED WCF) - Any structure exceeding thirty-five (35) feet in height that is used for the purpose of supporting one or more ANTENNAE, including, but not limited to, self-supporting lattice towers, guy towers and monopoles designed for the attachment of antennae of one or more wireless communications providers. **[Added 12-10-14 by Ord. No. 396]**

PRINCIPAL USE - See USE, PRINCIPAL.

PRIVATE - Belonging to or concerning an individual PERSON, company or interest independent from federal, state or local government agency.

PRIVATE AUTOMOBILE COLLECTION - Property on which new or used passenger automobiles, trailers, mobile homes or trucks in operating condition are displayed in the open. Any such vehicles must be parked and/or stored on an improved impervious driveway. **[Added 6-8-05 by Ord. No. 329]**

PRIVATE GARAGE - An ACCESSORY USE which is attached to or an integral part of a RESIDENTIAL BUILDING or DWELLING UNIT or an ACCESSORY STRUCTURE used for the storage of motor vehicles and other personal property owned and used by the residents of the RESIDENTIAL BUILDING or DWELLING UNIT.

PRIVATE RIGHT-OF-WAY - The area dedicated to the USE of a PRIVATE STREET or other PRIVATE purposes for the USE of owners, residents or visitors of a PLANNED DEVELOPMENT or LOT.

PRIVATE STREET - A STREET, including the entire PRIVATE RIGHT-OF-WAY, which is intended for PRIVATE USE and is a PRIVATE IMPROVEMENT.

PUBLIC - Owned, operated or controlled by a government agency, federal, state or local.

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PUBLIC GARAGE - A BUILDING or STRUCTURE available to the general populace in which motor vehicles are temporarily stored but which is not used for the repairs and maintenance thereof.

PUBLIC HEARING - A hearing before the Board of SUPERVISORS or ZONING HEARING BOARD after PUBLIC NOTICE, which requires sworn testimony of all witnesses and transcribing of all testimony.

PUBLIC IMPROVEMENTS - All STREETS, walkways, gutters, curbs, sewers, water lines and other utilities or related facilities to be dedicated to or maintained by the TOWNSHIP or to be maintained or operated by a private entity and the plans and specifications of which must comply with the TOWNSHIP PUBLIC IMPROVEMENTS Code.

PUBLIC NOTICE - A notice published once each week for two (2) successive weeks in a newspaper of general circulation in the TOWNSHIP. Such notice shall state the time and place of the PUBLIC HEARING and the particular nature of the matter to be considered at the PUBLIC HEARING. The first publication shall be not more than thirty (30) days or less than seven (7) days from the date of the PUBLIC HEARING.

PUBLIC OPEN SPACE - Land designated as OPEN SPACE which is owned by the municipality or other governmental agency and which is set aside for use by the general populace.

PUBLIC RIGHT-OF-WAY - The area dedicated to and accepted by the TOWNSHIP, COUNTY or Commonwealth for a PUBLIC STREET and other PUBLIC PURPOSES.

PUBLIC STREET - A STREET, including the entire PUBLIC RIGHT-OF-WAY, which has been dedicated or devoted to PUBLIC USE by legal mapping, USE or other lawful means.

PUBLIC UTILITY STRUCTURE - A STRUCTURE which does not involve storage of materials outside the STRUCTURE, and which is necessary to the provision of the PUBLIC utility service to the areas. Such STRUCTURES shall include transmission and maintenance facilities but shall not include administrative offices of the utility or Utility or Broadcasting Stations or Towers. **[Amended 7-9-97 by Ord. No. 260]**

RABBIT - a large-eared animal that is classified as a hopping lagomorph, including hares. **[Added 8-14-13 by Ord. No. 389]**

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RABBITRY - includes any establishment where rabbits are raised, bred, housed, sold or otherwise disposed of for hire or for profit, or where more than three (3) rabbits are harbored or kept. **[Added 8-14-13 by Ord. No. 389]**

REAR BUILDING LINE - See BUILDING LINE, REAR.

REAR LOT LINE - See LOT LINE, REAR.

REAR YARD - See YARD, REAR.

RECREATION FACTOR - The ratio found in the Summary Table of District Standards (Section 117.307.1) which is multiplied by the UNRESTRICTED SITE AREA on the SITE to determine the REQUIRED RECREATION LAND required to be maintained as usable recreation space.

RECREATIONAL FACILITIES, PRIVATE - COUNTRY CLUBS, riding stables, private GOLF COURSES, and other PRIVATE noncommercial recreation areas and facilities or recreation centers including PRIVATE community swimming pools.

RECREATIONAL FACILITIES, PUBLIC - PUBLIC Swimming Pools, PUBLIC skating rinks, PUBLIC recreational centers and other PUBLIC recreational areas and facilities (excluding GOLF COURSES). **[Added 2-12-92 by Ord. No. 209]**

REDUCTION FACTOR - The ratio calculated in Section 117.313.2 by dividing the CALCULATED IMPERVIOUS SURFACE RATIO by the MAXIMUM IMPERVIOUS SURFACE RATIO and which is used to reduce the PERMITTED FLOOR AREA on a SITE when the amount of RESOURCE PROTECTION LAND on the SITE places greater restrictions on SITE capacity.

REGULATORY FLOOD ELEVATION - The ONE HUNDRED YEAR FLOOD elevation, plus a freeboard safety factor of one and one-half (1 1/2) feet.

REQUIRED RECREATION LAND - The total amount of the SITE required to be maintained as usable recreation space which is calculated in Section 117.311 by multiplying the UNRESTRICTED SITE AREA by the RECREATION FACTOR found in the Summary Table of District Standards (Section 117.307.1).

RESIDENTIAL BUILDING - Any BUILDING which is used for residential OCCUPANCY by one (1) or more FAMILIES.

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RESIDENTIAL USE - The USE of any PARCEL or SITE for DWELLINGS and related purposes.

RESOURCE PROTECTION LAND - The total amount of the BASE SITE AREA required to be maintained as unused land in order to preserve sensitive natural features of the SITE and which is calculated in Table 117.310 as the sum of the amount of land having each resource multiplied by the RESOURCE PROTECTION RATIO established for that resource in the calculation sheet for Resource Protection (Table 117.310).

RESOURCE PROTECTION RATIO - The ratio shown on Table 117.310 which establishes the portion of SITES categorized by the resources on Table 117.310 to be presumed as RESOURCE PROTECTION LAND in accordance with Table 117.310 and depicted by the OVERLAY DISTRICTS.

RESTAURANT, DRIVE-IN - An establishment that delivers prepared food and/or beverages to customers in motor vehicles, regardless of whether or not it also serves prepared food and/or beverages to customers who are not in motor vehicles, for consumption either on or off the premises. **[Added 12-9-92 by Ord. No. 215]**

RESTAURANT, FAST FOOD - An establishment that offers quick food service for consumption on or off the premises, which is accomplished through a limited menu of items already prepared and held for service; or prepared, fired, or grilled quickly, or heated in a device such as a microwave oven. Orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers. **[Amended 12-9-92 by Ord. No. 215]**

RESTAURANT, STANDARD - An establishment whose principal business is the sale of food and/or beverages to customers in a ready-to-consume state, and whose principal method of operation includes one or both of the following characteristics: (1) customers, normally provided with an individual menu, are served their foods and beverages by a restaurant employee at the same table or counter at which food and beverages are consumed; (2) a cafeteria-type operation where food and beverages generally are consumed within the restaurant BUILDING.

RETAIL - The sale of commodities and services directly to consumers.

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RETAIL, LARGE - A RETAIL store in excess of 10,000 square feet.

RETAIL, SMALL - A RETAIL store less than 10,000 square feet.

ROOSTER - a male chicken. **[Added 8-14-13 by Ord. No. 389]**

SECONDARY TOWER-BASED WIRELESS COMMUNICATIONS FACILITY (TOWER-BASED WCF) - A structure thirty-five (35) feet or less in height that is used for the purpose of supporting one or more ANTENNAE including, but not limited to poles used to support DAS facilities, utility poles, and light poles. **[Added 12-10-14 by Ord. No. 396]**

SEMIPUBLIC USES - CHURCHES, Sunday schools, synagogues, parochial schools, PRIVATE schools, parsonages, colleges and other similar institutions of an educational, religious, charitable or philanthropic nature.

SET BACK LINE - A line on a LOT, generally parallel to a LOT LINE or road right-of-way line, located a sufficient distance therefrom to provide the minimum yards required by this ORDINANCE. The SETBACK LINE limits the area in which BUILDINGS are permitted subject to all applicable provisions of this ORDINANCE.

SEWAGE DISPOSAL SYSTEM, ON-SITE - A septic tank installation on an individual LOT which utilizes an aerobic bacteriological process for the elimination of solid wastes and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction, as permitted by Allegheny COUNTY Board of Health.

SHADOW FLICKER - Alternating changes in light intensity caused by the moving blade of a WIND ENERGY SYSTEM casting shadows on the ground and stationary objects, such as a window at a dwelling. **[Added 06-11-08 by Ord. No. 354]**

SHOPPING CENTER, COMMUNITY - A SHOPPING CENTER having from 150,000 to 500,000 square feet of gross FLOOR AREA.

SHOPPING CENTER - A group of RETAIL stores and other AUTHORIZED USES developed as a single entity on a SITE.

SHOPPING CENTER, NEIGHBORHOOD - A SHOPPING CENTER having less than 150,000 square feet of gross FLOOR AREA.

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SHOPPING CENTER, REGIONAL - A SHOPPING CENTER having in excess of five hundred thousand (500,000) square feet of gross FLOOR AREA.

SIGN - Any object, device, display, STRUCTURE, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. SIGNS do not include the flag or emblem of any nation, organization of nations, state, city, religious, fraternal, or civic organization; or merchandise and pictures or models of products or services located in a display window, works of art which in no way identify a product, or scoreboards located on athletic fields. Definitions of particular functional, locational, and structural types of SIGNS are listed below.

SOUND PRESSURE - The average rate at which sound energy is transmitted through a unit area in a specified direction. The pressure of the sound measured at a receiver.

[Added 06-11-08 by Ord. No. 354]

SOUND PRESSURE LEVEL - The sound pressure mapped to a logarithmic scale and reported in decibels (dB).

[Added 06-11-08 by Ord. No. 354]

SIGN, ARCADE - A SIGN suspended beneath a ceiling of an arcade, a roof, or MARQUEE, at right angles to the facade of the BUILDING, containing only the name of a business for the purpose of assisting pedestrian traffic travelling under the arcade, roof or MARQUEE in identifying the location of establishments within a SHOPPING CENTER or similar BUILDING.

SIGN, BULLETIN - A GROUND SIGN or WALL SIGN designed so that characters or letters can be changed or rearranged without altering the face or surface of the SIGN used by a school, CHURCH, library or other PUBLIC or semi-public BUILDING to announce the name of the organization, hours of operation and changing events. **[Amended 6-10-92 by Ord. No. 212]**

SIGN, BUSINESS IDENTIFICATION - A SIGN which contains the name, address and goods, services, facilities or events available on the premises.

SIGN, DEVELOPMENT - A SIGN which, by symbol or name, identifies a DEVELOPMENT. It may also provide an index of USES (tenants) included in the DEVELOPMENT.

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SIGN, DIRECTIONAL - A SIGN which directs and/or instructs vehicular or pedestrian traffic on the premises relative to PARKING AREAS, entrances, exits, loading areas, PUBLIC telephones and similar information and which shall contain no advertising other than the business name or logo.

SIGN FACE - The area comprising the surface upon which the message or copy is placed.

SIGN, GRAPHIC - A SIGN which is an integral and permanent part of a BUILDING facade. The SIGN shall consist of or be constructed of the same material as the facade of which it is a part, with the exception that individual letters or symbols which do not project more than one (1) inch from the facade need not be of the same material as the facade. Paint shall not be used to create a GRAPHIC SIGN on the facade of any BUILDING.

SIGN, GROUND - A SIGN which is affixed to the ground by means of a permanent foundation and which provides a maximum clearance of eighteen (18) inches between the bottom edge of the SIGN and the adjacent ground level. **[Amended 6-10-92 by Ord. No. 212]**

SIGN, HIGHWAY - A SIGN which is located on a SITE which has frontage on an EXPRESSWAY.

SIGN, HOME OCCUPATION - An IDENTIFICATION SIGN for a HOME OCCUPATION.

SIGN, MARQUEE - Any SIGN attached to or supported by a MARQUEE structure.

SIGN, POLE - A SIGN which is supported by one (1) or more poles, uprights or braces and which has a minimum clearance between the bottom edge of the SIGN and the adjacent ground level, as specified by this ORDINANCE. **[Amended 6-10-92 by Ord. No. 212]**

SIGN, POLITICAL - A temporary SIGN which indicates the name, cause or affiliation of anyone seeking PUBLIC office or which refers to an issue concerning which a PUBLIC election is scheduled to be held.

SIGN, REAL ESTATE SALES - A temporary SIGN advertising the sale or rental of premises. The SIGN may also bear the word "sold," "sale pending or "rented" across its face.

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SIGN, RESIDENTIAL IDENTIFICATION - A SIGN on a RESIDENTIAL BUILDING or at the entrance to any PLANNED RESIDENTIAL DEVELOPMENT which identifies the name, address, USE and/or management of the PRINCIPAL BUILDING or USE on the LOT or SITE.

SIGN, TEMPORARY CONSTRUCTION - A temporary SIGN advertising the name of contractors, mechanics or artisans engaged in performing work on premises.

SIGN, TEMPORARY DEVELOPMENT - A temporary SIGN which, by symbol or name, identifies a DEVELOPMENT. It may also provide an index of USES (tenants) included in the DEVELOPMENT.

SIGN, TEMPORARY SPECIAL EVENT DISPLAY - A banner, flag or pennant, constructed of durable material, and erected by permit for a specified period of less than sixty (60) days whose sole purpose is to advertise a special event.

SIGN, WALL - A SIGN mounted parallel to a BUILDING facade or other vertical BUILDING surface. Parallel SIGNS shall not extend beyond the edge of any wall or other surface to which they are mounted, nor shall they project more than eighteen (18) inches from its surface.

SINGLE-FAMILY DWELLING - See DWELLING, SINGLE-FAMILY.

SITE - A PARCEL which is the subject of an APPLICATION FOR DEVELOPMENT.

SITE AREA - The total PARCEL area in a SITE as determined by a SURVEY prepared by a registered Surveyor or Engineer.

SITE DIRECTORY - An on-premises SIGN which contains only the names and addresses of the several occupants of a SITE along with a location map. The SIGN shall contain no advertising, other than a logo and shall be erected at the entrance to a planned office or industrial park.

SITE LINE - A LINE bounding a SITE which divides one SITE from another.

SITE PLAN - A plan prepared by a registered Surveyor, Engineer or Architect for a USE AUTHORIZED BY RIGHT which contains the following:

1. Name of APPLICANT and LANDOWNER;
2. Name of DEVELOPMENT, if any;

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3. Evidence of preparation by a licensed architect, landscape architect or engineer.
4. Graphic and written scale;
5. North arrow;
6. Dates of preparation and revisions of SITE PLAN;
7. A SITE location map;
8. All calculations related to BASE SITE AREA, RESOURCE PROTECTION LAND, PERMITTED SITE DENSITY for RESIDENTIAL BUILDINGS, PERMITTED IMPERVIOUS SURFACE RATIO and PERMITTED FLOOR AREA for NON-RESIDENTIAL USES, and all other SITE CAPACITY calculations as required in Article 3 of this ORDINANCE.
9. A SITE PLAN drawn to no greater than 100' scale upon which is delineated and clearly identified the location, extent and area in acres, if applicable, of the following:
 - (1) Property lines for the SITE and adjacent PARCELS.
 - (2) RESOURCE PROTECTION LAND identified by location, area and type;
 - (3) SITE AREA;
 - (4) UNRESTRICTED SITE AREA;
 - (5) Proposed BUFFERYARDS;
 - (6) Location and dimensions of existing and proposed PUBLIC and PRIVATE roads, STREETS, DRIVEWAYS, walks and paths;
 - (7) Existing and proposed STRUCTURES with proposed DENSITY and approximate HEIGHT OF STRUCTURES indicated for each proposed type of STRUCTURE and USE;
 - (8) Proposed location and dimensions of all YARDS and OPEN SPACES;
 - (9) Existing contours and proposed GRADING PLAN in compliance with the TOWNSHIP GRADING Ordinance, drawn to no greater than 5' contours;
 - (10) General proposals for the disposition of stormwater runoff in compliance with this ORDINANCE and with the TOWNSHIP Stormwater Management Ordinance;
 - (11) Proposals for the disposition of sanitary wastes and the provision of water supplies;
 - (12) All applicable areas or USES regulated or mandated by this ORDINANCE, including but not limited to, OFF-STREET PARKING, OFF-STREET LOADING, exterior LIGHTING, SIGNS and OUTDOOR STORAGE.

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SITE PLAN, CONDITIONAL USE - A CONDITIONAL USE SITE PLAN shall include all of the requirements of the SITE PLAN and in addition shall also include all specific requirements set forth in Article VI having SITE PLAN relationships or which are requested to be delineated on the SITE PLAN of a CONDITIONAL USE.

SITE PLAN, PD - A PD SITE PLAN shall include all of the requirements of the SITE PLAN and in addition shall also include a proposed schedule of APPLICATION FOR DEVELOPMENT in cases calling for a phased DEVELOPMENT, and shall also include all specific requirements set forth in Article VIII having SITE PLAN relationships or which are requested to be delineated on the SITE PLAN.

SITE PLAN, SPECIAL EXCEPTION - A SPECIAL EXCEPTION SITE PLAN shall include all of the requirements of the SITE PLAN and in addition shall also include all specific requirements set forth in Article VII having SITE PLAN relationships or which are requested to be delineated on the SITE PLAN.

SOLICITOR - The SOLICITOR of the TOWNSHIP of Findlay.

STEALTH TECHNOLOGY - Camouflaging methods applies to wireless communications towers, ANTENNAE and other facilities which render them more visibly appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted ANTENNAE, building-mounted ANTENNAE painted to match the existing structure and facilities constructed to resemble trees, shrubs and light poles. **[Added 12-10-14 by Ord. No. 396]**

STEEP SLOPES - Land area where the inclination of the land's surface from the horizontal is twenty-five percent or greater. Slope is determined from on-site topographic SURVEYS prepared with a two-foot contour interval.

STORAGE SHED - An ACCESSORY USE for the storage of goods directly related to the PRINCIPAL USE(S) of the LOT, including but not limited to sheds for garden equipment and household goods used by the residents of a DWELLING. The gross FLOOR AREA of a STORAGE SHED shall not exceed three hundred forty (340) square feet with a maximum of ten percent coverage of the back or side yard in which it is located.

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STORAGE STRUCTURE - An ACCESSORY USE for the storage of goods directly related to the PRINCIPAL USE(S) of the LOT, including but not limited to structures for the storage of automobiles, equipment, or goods used in or produced by the PRINCIPAL USE on the LOT. The gross FLOOR AREA of a STORAGE STRUCTURE shall be greater than three hundred forty (340) square feet.

STORY - That portion of a BUILDING other than a cellar included between the surface of any floor and the surface of the floor next above it or if there is no floor above it, then the space between the floor and the ceiling next above it. A BASEMENT shall be counted as a STORY if it is used for living quarters or if two-thirds of its volume is above the average level of the adjacent ground.

STORY, HALF - A partial STORY, the habitable area of which does not exceed one-half (1/2) of the habitable area of the first floor.

STREET - An avenue, boulevard, road, highway, freeway, parkway, lane, viaduct and any other ways used by vehicular traffic or pedestrians but not including DRIVEWAYS or PARKING AREAS.

STRUCTURE - Any man-made object having an ascertainable stationary location on or in LOTS or water, whether or not affixed to the LOT. STRUCTURE includes but is not limited to BUILDINGS, GARAGES, CARPORTS, SIGNS, etc.

STRUCTURAL ALTERATION - STRUCTURAL ALTERATION means any change in the supporting or structural members of a BUILDING or STRUCTURE, such as the bearing walls, partitions, columns, beams, of the roof or exterior walls.

SUBDIVISION - The division or redivision of a LOT, tract or PARCEL of land by any means, into two (2) 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, 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.

SUBDIVISION ORDINANCE - The TOWNSHIP SUBDIVISION and LAND DEVELOPMENT Ordinance.

SUPERVISORS - The Board of SUPERVISORS of the TOWNSHIP.

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SURVEY - A precise legal description of a LOT and the graphic delineation of precise boundaries; dimensions and areas; all EASEMENTS and PUBLIC and PRIVATE RIGHTS-OF-WAY; and north point and graphic scale, affecting the LOT, SITE or PARCEL prepared by a professional land surveyor licensed and registered in the Commonwealth of Pennsylvania.

TEMPORARY STRUCTURE - Any STRUCTURE which is erected to be in place for not more than twelve (12) months, including but not limited to tents, air-supported STRUCTURES, portable bandstands, reviewing stands, bleachers, mobile office units, CONSTRUCTION SHEDS, sale offices for LOTS or DWELLINGS or other STRUCTURES of similar character. A TEMPORARY STRUCTURE shall be located at least ten (10) feet from any LOT LINE. Temporary OFF-STREET PARKING shall be provided in accordance with the requirements for the permanent USE in the ZONING DISTRICT.

TENTATIVE APPROVAL - Approval of an APPLICATION FOR DEVELOPMENT of a PLANNED DEVELOPMENT by the SUPERVISORS granted in accordance with Article VIII of this ORDINANCE.

TOTAL RESOURCE PROTECTION LAND - The total amount of RESOURCE PROTECTION LAND and REQUIRED RECREATION LAND required on a SITE as calculated in Section 117.312.1 of this ORDINANCE.

TOWER HEIGHT - The height above grade of the fixed portion of the tower, including the WIND TURBINE and blades.

[Added 06-11-08 by Ord. No. 354]

TOWNSHIP - The 2nd Class TOWNSHIP of Findlay.

TOWN HOUSE DWELLING - See DWELLING, TOWN HOUSE.

TOXIC MATERIAL - Those materials which are capable of causing injury to living organisms by chemical or biological means when present in relatively small amounts.

TRADE SHOP - An establishment offering building maintenance and repair services including but not limited to carpentry, painting, remodeling, roofing, plumbing, heating or insulating.

TRAILER - Any vehicle or portable STRUCTURE equipped for and used as sleeping or living quarters for one (1) or more persons or used to carry materials, equipment or other vehicles mounted upon wheels and used as a conveyance on STREETS and drawn by its own or other motive power.

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TRANSIENT - A PERSON who occupies or rents a suite, room or rooms in a hotel/motel for fewer than thirty (30) consecutive days for the purpose of habitation [**Added 04-11-12 by Ord. No. 375**]

TRUCK TERMINAL - A PARCEL used for a centralized storage of trucks or where trucks are congregated at a WAREHOUSE or other loading facility to load and unload products.

TWIN DWELLING - See DWELLING, TWIN.

UNRESTRICTED SITE AREA - That portion of a SITE suitable for DEVELOPMENT by virtue of its not including areas of RESOURCE PROTECTION LAND and which is calculated in Section 117.311 by subtracting RESOURCE PROTECTION LAND (Section 117.310) from the BASE SITE AREA.

USE - The purpose or activity for which land or any BUILDING thereon is designed, arranged, or intended, or for which it is occupied or maintained.

USE, ACCESSORY - An ACCESSORY USE is one which (1) is subordinate to and serves a principal STRUCTURE or a PRINCIPAL USE, (2) is subordinate in area, extent, and purpose to the principal STRUCTURE or USE served, (3) is located on the same LOT as the principal STRUCTURE or USE served except as otherwise expressly authorized by provisions of this ordinance, and (4) is customarily incidental to the principal STRUCTURE or USE. A subordinate USE which is clearly incidental and related to that of a principal STRUCTURE or PRINCIPAL USE of the LOT or SITE. ACCESSORY USE or combination of ACCESSORY USES may not occupy more than twenty percent of the REAR and SIDE YARDS.

USE BY SPECIAL EXCEPTION - An AUTHORIZED USE which may be granted only by the ZONING HEARING BOARD in accordance with express standards and criteria.

USE BY RIGHT - An AUTHORIZED USE permitted by administrative decision of the ZONING ADMINISTRATOR.

USE, CONDITIONAL - See CONDITIONAL USE.

USE, PRINCIPAL - The specific primary purpose for which a LOT or SITE is used.

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USE, TEMPORARY - A temporary use is one established for a fixed period of time with the intent to discontinue such use upon the expiration of such time. Such uses do not involve the CONSTRUCTION or alteration of any permanent STRUCTURE.

UTILITY GRID WIND ENERGY SYSTEM - A WIND ENERGY SYSTEM designed and built to provide electricity to the electricity utility grid. **[Added 06-11-08 by Ord. No. 354]**

VARIANCE - A VARIANCE is a relaxation of requirements where such VARIANCE will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of this ORDINANCE would result in unnecessary and undue hardship.

VEHICLE SALES - A facility for the sale, lease, and service of motor vehicles, but not including heavy equipment. **[Added 8-9-95 by Ord. No. 243]**

VILLAGE DWELLING - See DWELLING, VILLAGE.

WAREHOUSE - A BUILDING used for the storage of goods and merchandise.

WATERPARK - An AMUSEMENT PARK that features water-related amusements.

WEAK-LINK DWELLING - See DWELLING, WEAK-LINK.

WELL - A bore hold drilled or being drilled for the purpose or to be used for producing, extracting or injecting any gas, petroleum or other liquid related to oil or gas production or storage, including brine disposal, but excluding bore holes drilled to produce potable water to be used as such.

WETLANDS - All PONDS, LAKES, rivers, streams and brooks, and those geographical areas characterized by any or all of the following:

(a) Marshes, swamps, bogs, or other areas of permanent water retention fed by springs or natural drainage systems,

(b) All natural drainage systems which contain running water at least six (6) months of the year,

(c) Lands and submerged lands supporting a prevalence of aquatic or semi-aquatic vegetation.

ZONING

WIND ENERGY SYSTEM - shall mean a wind energy conversion system that converts wind energy into electricity through the use and consisting of a wind turbine, a tower, and associated control or conversion electronics, that has a rated capacity of not more than 20kw for residential systems and not more than 100kw for commercial systems and is intended for on-site production and consumption of electricity to serve the needs of the user of the property.

WIND TURBINE - means a wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and includes the nacelle, rotor, tower, and pad transformer, if any.

WINDOW DISPLAY - A SIGN or group of SIGNS affixed to the inside of a display window in a commercial establishment which advertises a product or service available on the premises or which announces or promotes a special sale or special event.

WIRELESS COMMUNICATIONS FACILITY (WCF) - The ANTENNAE, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics, and other equipment used for the purpose of transmitting, receiving, distributing, providing, or accommodating wireless communications services. Not included are Radio and TV Antennae Accessory to a PRINCIPAL USE and ANTENNAE and supportive structures for private, noncommercial, and amateur purposes including but not limited to ham radios and citizen band radios. **[Added 12-10-14 by Ord. No. 396]**

WIRELESS SUPPORT STRUCTURE - A freestanding structure, such as a TOWER-BASED WCF, or buildings which have been constructed for the shelter or enclosure of person, animals, or property other than WCFs or any other support structure that could support the placement or installation of a WCF if approved by the TOWNSHIP. **[Added 12-10-14 by Ord. No. 396]**

YARD - An OPEN SPACE at grade between a BUILDING and the adjoining LOT, lines, unoccupied by any USE or by any portion of a STRUCTURE from the ground upward, except as otherwise provided herein. In measuring a YARD for the purpose of determining the width of a SIDE YARD, the depth of a FRONT YARD, or the depth of a REAR YARD, the minimum horizontal distance between the LOT LINE and the main BUILDING shall be used.

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YARD, FRONT - A YARD extending across the front of a LOT between the side LOT LINES and being the minimum horizontal distance between the STREET right-of-way line and the main BUILDING or any projection thereof, other than the projections of the usual uncovered steps, uncovered balconies, or uncovered porch. LOTS having frontage on more than one STREET shall provide required FRONT YARDS along every STREET.

YARD, REAR - A YARD extending across the rear of a LOT and being the required minimum horizontal distance between the rear LOT LINE and the rear of the main BUILDING or any projection of uncovered steps, unenclosed balconies, or unenclosed porches.

YARD, SIDE - A YARD between the main BUILDING and the side of the LOT, and extending from the required FRONT YARD to the required REAR YARD, and being the minimum horizontal distance between a side LOT and the side of the main BUILDING or any projections thereof.

ZONING ADMINISTRATOR - The TOWNSHIP Manager or his designated representative appointed in accordance with the laws of the TOWNSHIP of Findlay and assigned to the Department of Planning and Community DEVELOPMENT, whose duty it shall be to administer this ORDINANCE. The ZONING ADMINISTRATOR shall be the zoning officer as required by the Pennsylvania MPC. The ZONING ADMINISTRATOR shall have all the powers and be subject to all the provisions as set forth in the MPC with respect to zoning officers.

ZONING APPROVAL - Approval under the provisions of this CHAPTER certifying that an APPLICATION FOR DEVELOPMENT or application for OCCUPANCY PERMIT has fulfilled the requirements of this ORDINANCE.

ZONING DISTRICT - An area of PARCELS in the TOWNSHIP in which regulations under this ORDINANCE uniformly apply including OVERLAY DISTRICTS.

ZONING DISTRICT CLASSIFICATION - The designation of ZONING DISTRICT indicating the PRINCIPAL USE(S) allowed as AUTHORIZED USES in the ZONING DISTRICT.

ZONING DISTRICT MAP - The official map of the TOWNSHIP which shall indicate the ZONING DISTRICTS and OVERLAY DISTRICTS and other relevant information thereon and shall be a part of this CHAPTER by reference.