

Agenda

**Township of Wilkins
Planning Commission Meeting
September 16, 2020**

(VIA Zoom link: <https://us02web.zoom.us/j/84562853851>)

1. Call to Order
2. Public Comments
3. Approval of the minutes of the Planning Commission meeting of July 1, 2020.
4. Review of Allegheny County Planning comments on GPTOZ zoning ordinance amendment.
5. Next meeting date: October 21, 2020
6. Adjournment

TOWNSHIP OF WILKINS PLANNING COMMISSION MEETING

July 1, 2020

The Planning Commission meeting was brought to order by Mr. Wolfgang at 7:00 p.m. The meeting was held remotely, using Zoom.us. The purpose of the meeting was to approve the minutes of the June 17, 2020 meeting; review the fourth draft of an ordinance creating a Transitional Overlay Zone for Greensburg Pike; and continue the review a conditional use application submitted by Dan and Amy Ott for 596 Brown Avenue.

The following members were present: Mr. Mark Wolfgang, Mr. Rodrick Campbell, Dr. Donald Hoffman and Mr. Richard DeRiso.

Also in attendance: Sylvia Martinelli, President of the Board of Commissioners, Joe Costa, Vice President of the Board of Commissioners, Mark Wells, Commissioner, Rebecca Vargo, Manager, Mr. John Rushford, Solicitor, Rob Arnold, HRG, Inc.

The following items were presented:

- 1) Wilkins Township Planning Commission Meeting Minutes of June 17, 2020

Greensburg Pike Rezoning:

- 1) Fourth draft of an ordinance creating a Transitional Overlay Zone for Greensburg Pike (GP-TOZ).
- 2) Illumination levels for Greensburg Pike Overlay District document prepared by Mr. Wolfgang and dated July 1, 2020.

Dan and Amy Ott – Application for Conditional Use:

- 1) Application for Conditional Use signed by Amy Ott and dated May 12, 2020
- 2) Extension of time for a Decision signed by Amy Ott and dated May 12, 2020
- 3) Copy of Ordinance 1085, amending the Zoning Code to add the use of Domestic Livestock for the promotion of Agroforestry as a conditional use in all residential zoning districts, adopted by the Board of Commissioners on January 6, 2020.
- 4) Correspondence dated June 12, 2020 and June 17, 2020 from Dan and Amy Ott regarding their conditional use application.
- 5) Copy of an email from Amy Ott to Rebecca Vargo and Rob Arnold regarding PennDot's review of the Ott request for conditional use approval.
- 6) Memorandum from John Rushford, Cafardi Ferguson, Wyrick, Weis + Gabriel, llc regarding the Ott's application for conditional use.
- 7) Memorandum from Robert Arnold, HRG, Inc., regarding the Ott's application for conditional use.

PUBLIC COMMENTS – AGENDA ITEMS:

Because the Planning Commission met remotely, a decision was made to have comments made for each specific topic. Comments were required to be typed into the chat box on Zoom. They are addressed below.

TOWNSHIP OF WILKINS PLANNING COMMISSION MEETING

July 1, 2020

APPROVAL OF MINUTES:

The minutes of the Planning Commission meeting of June 17, 2020 were presented for approval. All present were in favor of approving the minutes. Motion passes 4-0.

OTT APPLICATION FOR CONDITIONAL USE APPROVAL:

At the last meeting of the Planning Commission, Mr. Rushford recommended that he and Rob Arnold both submit documentation that all of the conditions of the Conditional Use have been met. The Planning Commission may also add additional requirements if it deems that necessary.

At issue last month was that the Agroforestry ordinance requires property to be in a residential zoning district to be agroforestry. The Ott's property is both Commercial and Residential. That needs to be reviewed from a legal perspective and addressed.

Upon Mr. Wolfgang's request, Mr. Arnold reviewed his correspondence of June 30, 2020. It is HRG's opinion that the Applicant is proposing to meet all of the physical/technical requirements of Ordinance 1085 and HRG takes no issue with the application. If the Applicant proposed future land disturbance or other activity that would trigger a technical engineering review, HRG, on behalf of the Township, reserves the right to review and comment on those submissions for conformance with applicable Township Ordinance requirements.

Mr. Rushford next reviewed the contents of his memorandum issued June 29, 2020. Ordinance 1085 of 2020 permits Agroforestry by conditional use in all residential zoning districts. The Ott's conditional use application for the agroforestry use will be solely contained in the R-2 parcel. The Ott's roadside stand will be located in the Commercial zoning district. The Commercial district permits enclosed stores for the sale of goods as a permitted use [see §173-10(E)]. Based upon this clarification, Mr. Rushford does not see any legal issue with the Ott's application for a conditional use.

Mr. Wolfgang questioned whether or not the agroforestry ordinance needs to be changed to permit that use in the commercial district. Mr. Rushford stated that no, in this particular case, the Ott's will be performing the agroforestry piece of this in the residential zoning district.

Mrs. Vargo further clarified that if the Ott's had just come forward with an application for occupancy to open a farm stand in the barn the Commercial zoning district on their property, that application would have been approved as a use by right. So, then the question is where are the Ott's going to practice agroforestry? The Commercial zoning area of their property hugs the Brown Avenue corridor. The Ott's do not intend to have animals close to the Brown Avenue line.

TOWNSHIP OF WILKINS PLANNING COMMISSION MEETING

July 1, 2020

Mr. Wolfgang questioned whether or not there was a chance in the future that they may be practicing agroforestry in the commercial zoning area of their property. Mrs. Vargo recommended that the Planning Commission could certainly make that a condition of their approval.

Mr. Ott stated that he just wanted to make sure that the Planning Commission recognized that they are following a phased approach to developing their agroforestry use. In the first year, they will only be operating a farm stand. In year two, they intend to tackle fencing and then hopefully in year three, they will be at the point of purchasing animals. Mr. Ott requested that the Planning Commission acknowledge in their approval that there was a flexible timeline so that the Ott's do not need to come back again.

Ms. Vargo read the section of the Agroforestry ordinance which refers to what Mr. Ott is concerned about. Under paragraph 14 of Ordinance 1085 "if domestic livestock operations cease for more than one year, then the presumption that this use is no longer ongoing shall be made an all structures, equipment and other items ordinarily associated with the domestic livestock use must be removed from the property." The Ott's have expressed concern that because of the way they will phase in the uses, that it may be seen by some future board that they are not in compliance and so they are seeking the Planning Commission's acknowledgement of the phased approach.

Mr. Wolfgang stated that this is a lot about semantics, because the Ott's have not yet started the domestic livestock portion of their conditional use yet anyway, but he is okay with moving forward with that acknowledgement.

It was **MOVED HOFFMAN – CAMPBELL** to recommend that the Board of Commissioners hold a public hearing on the Ott's application for conditional use and pending that hearing that the Board approve the application, with the following two conditions:

1. Domestic livestock shall only be kept on the area of land zoned residential and not on the commercial property.
2. There is an understanding that the husbandry portion of the conditional use approval will be completed at a later date and that this ruling shall still apply.

All in favor and **SO ORDERED**.

GREENSBURG PIKE REZONING:

[At their July 2019 meeting, the Planning Commission entertained a request by Mr. Scott Kramer for the rezoning of two parcels of land that he purchased at the corner of Greensburg Pike and Elizabeth Street (Lot/block 372-P-90 and 372-P-96)].

Review of Fourth Draft GP-TOZ Ordinance.

The fourth draft of the ordinance was presented to the Planning Commission. Changes made from the last meeting were as follows.

TOWNSHIP OF WILKINS PLANNING COMMISSION MEETING

July 1, 2020

- Amending the Ordinance title to include a reference to add permitted sign requirements under the GPTOZ.
- Amending the Ordinance to add a new Section 6, outlining permitted signs in the district (free standing, temporary, wall, window and projecting).
- Under Paragraph Q (new Section 7), adding that the Lot Width must comply with §173-13 of the zoning code.
- Under Paragraph Q, Parking (new paragraph 5), deleting the second sentence and moving it to "Landscaping (Paragraph Q, new paragraph 7(a); adding a paragraph (c) stating that appointment-based retail establishments may provide driveway parking; adding a paragraph (d) stating that driveways shall not be greater than 10' wide; and adding a paragraph (e) stating that establishments may have up to five parking spaces per lot for employees and guests.
- Under Paragraph Q, Driveways and access (new paragraph 6), paragraph (c) was modified to add that a sidewalk of at least 4' in width or a sidewalk matching the existing adjacent sidewalk must be provided along Greensburg Pike.
- Paragraph Q, new paragraph 7 was modified as follows:
 - New Paragraph (a) is the cut and paste from driveways, which states that all off-street parking and loading areas must be screened from any abutting property, adding that screening can be accomplished via earth berm, wood, vinyl, or composite material fencing or masonry; and adding that untreated wood is prohibited. Finally, the initial height of shrubs and hedges was changed from not less than 5 feet to not less than 2 feet.
 - Old Paragraph (b), detailing high level and low-level landscaping was deleted in its entirety.
 - New Paragraph (b), the final sentence, was deleted.
 - New Paragraph (c), the sentence "Shade trees may be planted up to 20 feet apart, ornamental trees up to 10 feet apart and shrub up to 5 feet apart. These are minimum standards. Trees and shrubs shall be interspersed; unless otherwise recommended/ approved."
- Paragraph Q, new paragraph 9, Accessory Structures, (b), composite material was added as an acceptable screening material for refuse enclosures and untreated wood was prohibited.
- Paragraph Q(12)(a) was modified to change the permitted signage from begin designated by the underlying zoning district to being permitted as a stipulated for the GPTOZ district.
- Paragraph Q(14)(e)(viii) was added to state "Noises with a continuous or constant volume of 55 DB or more are not permitted."

Commissioner Wells questioned whether Mr. Kramer had any comments as to the type of sign they were thinking about for the potential ice cream shop, or questions regarding the signs. He stated that what comes to mind is the classic neon sign on tope of Page Dairy mart on East Carson Street (South Side, Pittsburgh). Mr. Wells also questioned whether or not the Planning Commission was considering externally illuminated signs.

TOWNSHIP OF WILKINS PLANNING COMMISSION MEETING

July 1, 2020

The Planning Commission reviewed the new signage provisions and decided that externally illuminated signs should be permitted. The final sentence of Paragraph Q, new paragraph 7, Landscaping, subparagraph b was eliminated at the recommendation of Mrs. Vargo ("The percentage of screening at side lot lines shall be a minimum of 60% at 5 feet in height, upon reaching full growth.")

The members of the Board discussed the "Outdoor Seating" requirements, specifically, subparagraph f, where they agreed that the number of seats permitted in an outdoor seating area shall be calculated based upon the actual front yard set back multiplied by the actual width of the lot and then divided by 100.

$$\frac{\text{Existing Front Yard Setback} \times \text{Existing Lot Width}}{100}$$

Mr. Wolfgang provided some exterior light standards. Based upon that discussion, the following parameters will replace existing Paragraph Q(13)(b)(i):

<u>Use</u>	<u>Maximum lighting levels at surface</u>
Parking lots	2 foot candles
Sidewalks and entrances	5 foot candles
Signs	2 foot candles
Property line	0.5 foot candles

Existing Paragraph Q(13)(b)(ii) was changed to state that mounting heights of lighting fixtures may not exceed 10 feet (instead of 16 feet).

Mr. Heller and Mr. Kramer submitted two photographs to Mrs. Vargo to present to the Planning Commission, portraying what they anticipate the ice cream shop to resemble. The photograph was of Emerling's Ice Cream Shop in Indiana Township on Route 910. Mr. Heller stated that they just wanted to give the Planning Commission an idea of what the ice cream shop would look like. They can adjust the siding, but they like the overhang that makes it look like a front porch. They're really not looking for any type of signage.

Mr. Wolfgang stated that the benches that are shown on the photograph would not be permitted because they are permanent. Mr. Heller stated that they were thinking that they could fence in the property so that there would not be an opportunity for individuals to utilize the benches after hours – that would become more of a police issue. Mr. Heller provided a second photograph that shows the side of the building.

Commissioner Wells stated that one thing that everyone has to look at now is the new apparel business on Greensburg Pike – Pittsburgh Apparel. The new tenant landscaped the front of the building. It is zoned RC-1.

TOWNSHIP OF WILKINS PLANNING COMMISSION MEETING

July 1, 2020

Public Hearing. Mrs. Vargo stated that she spoke with Chad Hoover. VFC #3 is still willing to accommodate a public hearing. They have the ability to do both a virtual and live meeting at the same time. They can put 30 people in the building following social distancing guidelines, with another 10-15 in the bays if the trucks are moved out. The building is off limits from August 22nd through August 29th. Initially, Mrs. Vargo assumed that the ordinance would not be ready to be presented publicly until September, and she conveyed as much to Mr. Hoover. But now, the next meeting of the Planning Commission would have been August 19th which seems to be enough time to get this to the Board of Commissioners at their July 13th meeting to authorize advertisement of the public hearing and then post the property and send out a letter with the ordinance to all of the property owners to coincide with an August 19th date. The members of the Planning Commission were in favor of moving to a public hearing on the ordinance on August 19, 2020.

An so it was **Moved HOFFMAN – DERSIO** to recommend that the Board of Commissioners authorize the advertisement of a Public Hearing to be held on August 19, 2020 at Volunteer Fire Company #3 on Powell Street for the purpose of hearing public comments on a proposed ordinance which will create an overlay district on Greensburg Pike.

Mrs. Vargo updated the Planning Commission members about a potential new development for the former Eastmont School property.

NEXT MEETING:

The next meeting of the Planning Commission is scheduled for Wednesday, August 19, 2020 at Volunteer Fire Company #3, 109 Powell Street, at which time a public hearing will be held to hear public comments with regard to the Greensburg Pike Traditional Overlay Zone.

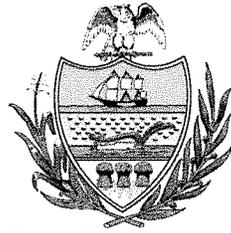
ADJOURNMENT:

It was **MOVED CAMPBELL-HOFFMAN** to adjourn the meeting. The meeting was adjourned at 8:00 pm. All in favor and so ordered.

Respectfully Submitted,

Rebecca Vargo
Secretary

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

August 21, 2020

Rebecca Vargo, Manager
Wilkins Township
110 Pepper Rd.
Turtle Creek, PA 15145

**RE: Wilkins Township - Proposed Zoning Ordinance Amendment – Greensburg Pike
Transitional Overlay Zone**

ACED File #: 20047-OR
Mail Date: July 15, 2020
45 Day DL: August 29, 2020

Dear Ms. Vargo:

The Planning Division of Allegheny County Economic Development (ACED) has reviewed the aforementioned matter pursuant to the Pennsylvania Municipalities Planning Code (MPC). As a result, the County offers the following for your consideration.

GENERAL OVERVIEW

The proposed ordinance is an amendment to the Township of Wilkins Zoning Ordinance, amending Chapter 173, Article I - General Provisions, Section 173-4 – Zoning Map, to include the Greensburg Pike Transitional Overlay Zone (GP-TOZ). In addition, the proposed ordinance amends Section 173-7, Defined Terms, to amend the definitions of Business, Medical Office, and Specialty Retail. Article III -District Regulations, Section 173-8, Zoning Districts, is also amended to provide for the Greensburg Pike Transitional Overlay Zone (GP-TOZ). In addition, the ordinance amends Section 173-11 to add GP-TOZ as a conditional use and Section 173-13, Lot and Yard Requirements, to add the GP-TOZ. Article V, Signs, is amended as well with respect to Section 173-35 to add permitted sign requirements. Finally, Article VI, Conditional Uses, specifically Section 173-49, is amended relating to Criteria for Approval to add a GP-TOZ as a conditional use for Greensburg Pike from Elizabeth Street to the Wilkins-Turtle Creek Boundary.

COMMENTS

Upon review of the ordinance, the following comments are offered for your consideration:

1. As with any zoning map amendment such as an overlay, it is recommended that the municipality consult with their Comprehensive Plan as well as the Allegheny County Comprehensive Plan. As a result of reviewing the Wilkins Township Comprehensive Plan of 2018, the following comments are noted for your consideration:

Page 1 of 6

LANCE CHIMKA, DIRECTOR
DEPARTMENT OF ECONOMIC DEVELOPMENT
ONE CHATHAM CENTER • SUITE 900 • 112 WASHINGTON PLACE • PITTSBURGH, PA 15219
PHONE (412) 350-1000 • WWW.ALLEGHENYCOUNTY.US/ECONOMIC/

- a. The Comprehensive Plan contains a section regarding *Regulatory Guidance for Redevelopment*. Specifically, this section states that the Township should consider “ground floor commercial space in multi-story buildings.” (19)
 - b. Further, it identifies *Providing Incentives for Workforce Housing* under the Redevelopment section. Specifically, this section states that the Township should “allow mixed uses for infill developments to increase their value.” (7)
 - c. With respect to the *Statement of Community Development Objectives for Churchill, Monroeville and Wilkins, PA*, the Comprehensive Plan identifies the following:
 - i. It states that the Township should “require that new uses are developed in ways that compliment nearby uses, and minimize impacts on surrounding residential areas.”
 - ii. It further states that the Township should “generally maintain and protect the existing pattern of development in each community, with deliberation, care and public discussion about proposed changes.”
 - iii. The next section states the Township should “require appropriate buffers and transitions between uses of greatly different intensity to protect property value and aesthetics.”
 - iv. It adds that the Township should “allow for mixed uses where appropriate, including with residential living on the upper floors of commercial uses.”
 - v. Finally, the Comprehensive Plan states that the Township should “maintain, as much as possible, the existing residential character in each community in terms of use, density, height regulations, lot size and yard requirements, while also promoting infill and rehabilitation of existing housing stock and vacated parcels.” (7-9)
2. Section 173-4, Zoning Map, identifies the lot and block numbers with respect to the Greensburg Pike Transition Overlay Zone (GP-TOZ). It is our recommendation that these properties be identified on the Zoning Map which is included as Appendix A to the proposed ordinance.
 3. With respect to the Definitions in Section 173-7, specifically the definition of Specialty Retail, we recommend that the Township carefully review this definition. Specialty Retail can be interpreted to mean many different things. As a result, the Township should anticipate that there will be variance requests for undefined uses, which are not specifically identified in this definition. Will the Township consider additional uses not on the list or is the list exhaustive? This should be evaluated.
 4. With respect to Section 173-49.Q., there are criteria with respect to the Greensburg Pike Transitional Overlay Zone (GP-TOZ). Specifically, this section contains requirements such as minimum lot area, setbacks, lot width, building size, parking, driveways and access, landscaping,

building design, accessory structures, height, outdoor seating, signage, exterior light standards, performance standards, and the processing of applications. As a result of a review of this section, we offer the following general comments for your consideration:

- a. With respect to Section 173-49.Q.(4)a. related to building size, it states that “Existing Residential Structures: Existing residential structures shall not be expanded by more than 25% or an amount equal to 45% of the usable lot area, whichever is the greatest.” In addition, Section 173-49.Q.(4)b. states that “Newly constructed buildings shall not exceed forty-five percent (45%) of the usable lot area.”
 - i. The application of this section is a bit vague. For example, what constitutes building size? Does this include areas of the building that are not open to the public and/or residential areas of the building? Does this include basements and attics? This section should be expanded to be explicitly clear with respect to what is counted when calculating the percentage for building size.
 - ii. The Township should evaluate mixed-uses and building code requirements. For example, the accessibility requirements are expansive under the Pennsylvania Uniform Construction Code Act (UCC), including the applicability to mixed-use buildings. As a result, the Township should consider the application of the building code to existing buildings.
5. From a general land planning perspective, we offer the following comments for your consideration:
 - a. Overall, the proposed ordinance has very detailed requirements with respect to parking, driveways and access, landscaping, building design, and lighting. Are these items all going to be reviewed during the course of the conditional use process? Overall, the crossover between the conditional use process and the land development process, if applicable, is not clear.
 - i. For example, if a project does not go through the land development process, how will the compliance with these items be verified?
 - ii. On another note, what if there is a change of tenant, but not of use? How will the Township verify compliance with these items? Overall, our recommendation is that the Township gives some consideration to the procedural process related to this ordinance.
 - b. Upon review of many other ordinances throughout Allegheny County, it is our recommendation that items such as landscaping, building design, and other design elements are often better suited for the Subdivision and Land Development Ordinance as opposed to the Zoning Ordinance. For example, if too many details get caught up in the Zoning Ordinance, the Zoning Hearing Board will be inundated with appeals on technical design elements. For example, the lighting levels at parking lots should not be the responsibility of the Zoning Hearing Board to grant variances. It is our

recommendation that this matter be reviewed by the Planning Commission, not the Zoning Hearing Board. Further, by not constraining applicants to go for variances for very minor design criteria, there is more of an economic development incentive by not requiring an extra step in the process, which is both costly and time consuming.

- c. With respect to design guidelines, we also recommend that they contain exhibits and/or renderings as opposed to just text within the ordinance. When a Township seeks a specific building design, for example, material use, glazing, and screening requirements are always better identified in an illustration that shows the Township's desired objective.
 - i. For example, the criteria contained in Section 173-49.Q.(8)b., Design guidelines, it states that "all principal and accessory structures shall be constructed primarily of a brick, stone, stucco, fireproof precast stucco or clay tile material and architectural wood siding. Colors and material shall be compatible with the adjacent residential area in design and appearance and additions to structure shall be architecturally compatible with the structure itself." This language is very vague and the Township and applicants would be better served by a rendering, which shows the intent.
- d. In addition, regarding Section 173-49.Q.(15), Processing, this section goes on to describe the process for review and approval of development proposals. Specifically, this section identifies Step 1 – Sketch Plan Meeting, Step 2 – Formal Development Proposal, Step 3 – Planning Commission Review, and Step 4 – Township Commissioners Public Hearing. As discussed earlier, it would be assumed that this section applies to the applicability of the conditional use hearing. As discussed, the Township should make the clarification between uses that potentially will require land development approval and/or conditional use approval. Further, this section should be consistent with the Pennsylvania Municipalities Planning Code (MPC).
- e. From a use perspective, a major issue for consideration with mixed-use zoning is the potential for land use conflicts. For example, what are the hours of operation for a specialty retail use? Does this use generate a lot of traffic on a certain day of the week and hour of day? Is parking adequate? Will an ice cream parlor on a busy Saturday night in the summer generate a lot of traffic that will adversely impact neighboring properties? As a result, is buffering adequate? Overall, these are many of the questions that should be given consideration as the Township goes through the review process. Some uses will have more of an adverse impact as opposed to other uses. This will be compounded by location and the surrounding properties, especially if they are residential. Overall, these are all sorts of issues that should be evaluated.
 - i. As a general comment, given these concerns, the Township should give consideration to what nonresidential uses are permitted. It is a good opportunity to look at permitted uses in an effort to minimize potential adverse impacts. In addition, if the overlay is enacted, the Township should periodically review it to determine what works and what doesn't work from a land use perspective. Further, how will the Township address issues of concern after a

use has been approved? For example, can the Township revisit the approval once a use is in operation in an effort to address adverse impacts that may not have been considered during the approval process?

- f. Finally, with respect to signage, illumination can have an adverse impact to neighboring residential properties. Hours and intensity of illumination should be carefully reviewed.
6. MPC §§303(a)(3) and (b) provide that when a municipality has adopted a comprehensive plan, any subsequent action to amend the zoning ordinance shall be submitted to the planning commission. The planning commission's review shall include a written statement as to whether or not the proposed action is in accordance with the objectives of the comprehensive plan. If a rezoning is adopted that isn't generally consistent with the comprehensive plan, per MPC 603(j), the municipality shall concurrently amend its comprehensive plan.
 7. Procedurally, please be advised of the following Municipalities Planning Code (MPC) requirements related to zoning/subdivision and land development ordinance amendments:
 - a. **County Review Period: 45 days.** Since MPC §304 is applicable in Allegheny County, *the county review time is 45 days for all applications*. MPC §304(b) states that municipalities may not take any action on an application until the county's comments are received, or the 45-day review period has passed.
 - b. **Timing of Public Hearings: 30 days.** Other sections of the MPC apply in regard to the timing of public hearings. For proposed amendment to a zoning ordinance, for example, MPC §609(e) applies. Municipalities may not hold the public hearing less than 30 days from the date the application was submitted to the county for review. However, MPC 304(b) still applies in regard to when the municipality may *act* on the application.
 - c. **Timing of Public Hearings: 45 days.** If the application is for a proposed new or substantially revised zoning ordinance, SALDO, or comprehensive plan, the public hearing may not be held less than 45 days from the date the municipality forwards the application to the county planning agency for its review.
 - d. **Failure to Comply.** If the municipality does not follow the applicable procedures of the MPC when amending or adopting land use ordinances and comprehensive plans, or taking other actions authorized by the MPC, it can leave a municipality vulnerable to challenges. Municipalities should always be careful to comply with the MPC, and consider consulting their solicitor if they have questions about the required procedures. (See also MPC §108)
 8. Procedurally, there are some important requirements for enacting proposed zoning map amendments to keep in mind (see bolded text below):
 - a. Since the proposed amendment involves a zoning map change, notice of said public hearing shall be conspicuously posted by the municipality at points deemed sufficient by

the municipality along the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one (1) week prior to the date of the hearing.

- b. MPC §609(2)(i) also requires that when proposed amendment involves a zoning map change, notice of the public hearing shall be mailed by the municipality at least thirty (30) days prior to the date of the hearing by first class mail to the addresses to which real estate tax bills are sent for all real property located within the area being rezoned as evidence by tax records within the possession of the municipality. This clause shall not apply when the rezoning constitutes a comprehensive rezoning, pursuant to Section 609(2)(ii).

If the proposed amendment is adopted, please send a copy of the fully executed ordinance to the County, including the signed and dated signature pages, within 30 days of adoption as required by the MPC. If the proposed amendment is modified, please resubmit the ordinance for review and reference the ACED file number for this review in your request.

Feel free to direct any inquiries or comments to my attention at 412.350.1361 or wmclain@allegHENYcounty.us.

Sincerely,



William McLain
Planning Division

WM:mts

**TOWNSHIP OF WILKINS
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO.: _____

AN ORDINANCE OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 173 ARTICLE I – GENERAL PROVISIONS, SECTION 173-4 – ZONING MAP TO INCLUDE THE GREENSBURG PIKE TRANSITIONAL OVERLAY ZONE (GP-TOZ) AND SECTION 173-7 DEFINED TERMS TO AMEND THE DEFINITIONS OF BUSINESS, MEDICAL OFFICE AND SPECIALTY RETAIL, ARTICLE III – DISTRICT REGULATIONS, SECTION 173-8 ZONING DISTRICTS TO PROVIDE FOR THE GREENSBURG PIKE TRANSITIONAL OVERLAY ZONE (GP-TOZ); 173-11 TO ADD GP-TOZ AS A CONDITIONAL USE, 173-13, LOT AND YARD REQUIREMENTS, TO ADD GP-TOZ; ARTICLE V, SIGNS, 173-35 TO ADD PERMITTED SIGN REQUIREMENTS, ARTICLE VI, CONDITIONAL USES, 173-49 CRITERIA FOR APPROVAL TO ADD A GP-TOZ AS A CONDITIONAL USE FOR GREENSBURG PIKE FROM ELIZABETH STREET TO THE WILKINS-TURTLE CREEK BOUNDARY.

WHEREAS, the Implementable Comprehensive Plan adopted by the Board of Commissioners of the Township of Wilkins in 2018 provides strategies for redevelopment through updated zoning ordinances that allow for mixed use development and encourage rehabilitation of deteriorated properties and infill development; and

WHEREAS, the Commissioners recognize that the Greensburg Pike corridor is transitioning from residential to mixed commercial and residential; and

WHEREAS, the Board is desirous of establishing a Transitional Overlay to provide for the location of small, low-impact service, specialty retail and office uses within designated residential areas on Greensburg Pike.

NOW THEREFORE, be it **ORDAINED** and **ENACTED** by the Board of Commissioners of the Township of Wilkins and it is hereby **ORDAINED** and **ENACTED** as follows:

Section 1. Chapter 173 of the Wilkins Township Codified Book of Ordinances, Article I, Section 173-4, Zoning Map, is hereby amended to include a zoning district, adopted under the powers conferred by Article VII-A of the Pennsylvania Municipalities Planning Code, known as

38 the Greensburg Pike Transition Overlay Zone (GP-TOZ). The following lot/block numbers shall
 39 be included in the GP-TOZ.

40 Lot/Block Physical Address

41 (From Turtle Creek Border to Ridge Street)

42 374-H-193 751 Greensburg Pike - 5529 SQ FT
 43 374-H-191 755 Greensburg Pike - 5099 SQ FT
 44 374-H-190 757 Greensburg Pike - 1,011 SQ FT
 45 374-H-176 Vacant Land - Greensburg Pike - 1.83 ACRES
 46 374-D-076 780 Greensburg Pike - 9181 SQ FT
 47 374-D-070 798 Greensburg Pike - 4300 SQ FT
 48 374-D-068 800 Greensburg Pike - 4118 SQ FT
 49 374-D-065 804 Greensburg Pike - 6669 SQ FT
 50 374-D-063 Vacant Land - Greensburg Pike (41' wide)
 51 374-D-059 814 Greensburg Pike - 10,310 SQ FT
 52 374-D-054 834 Greensburg Pike - 12,177 SQ FT
 53 374-D-052 902 Greensburg Pike - 3685 SQ FT
 54 374-C-014 Vacant Land - Greensburg Pike - 3249 SQ FT
 55 374-C-016 908 Greensburg Pike - 7560 SQ FT / 60' WIDE
 56 374-C-020 912 Greensburg Pike - 9793 SQ FT / 68' WIDE
 57 574-C-024 916 Greensburg Pike - 11,169 SQ FT / 63' WIDE
 58 374-C-026 920 Greensburg Pike - 42' WIDE
 59 374-C-028 922 Greensburg Pike - 44' WIDE
 60 373-R-208 Vacant Land - Greensburg Pike 8937 SQ FT / 70' WIDE
 61 373-R-206 934 Greensburg Pike 20,113 SQ FT

(From Ridge Street to Cherry Way)

63 373-R-210 944-946 Greensburg Pike - 15,585
 64 373-R-214 950 Greensburg Pike
 65 373-R-216 954 Greensburg Pike
 66 373-R-218 958 Greensburg Pike
 67 373-R-220 960 Greensburg Pike
 68 373-R-222 962 Greensburg Pike
 69 373-R-224 964 Greensburg Pike
 70 373-R-226 966 Greensburg Pike
 71 373-R-175 Vacant Land - Greensburg Pike → CIT ALFANT SIGN - Should we remove this?

(From Cherry Way to Powell Street)

74 373-R-228 970 Greensburg Pike - 9754 SQ FT
 75 373-R-230 972 Greensburg Pike
 76 373-R-232 974 Greensburg Pike
 77 373-R-234 976 Greensburg Pike
 78 373-L-096 978 Greensburg Pike
 79 373-L-098 980 Greensburg Pike - 7,088 SQ FT 50' WIDE (ALREADY C-1)
 80 373-L-106 990 Greensburg Pike (ALREADY C-1)
 81 373-L-080 995 Greensburg Pike (ALREADY C-1)

82 373-L-108 996-998 Greensburg Pike (ALREADY C-1)

83
84

85 Lot/Block Physical Address

(From Powell to Lions Park 373-B-178)

87 373-L-284 4305 Greensburg Pike (ALREADY C-1)

88 373-L-288 4303 Greensburg Pike - 6664 SQ FT.

89 373-G-086 4297 Greensburg Pike - SEVILLE COLONY OF 6+ ACRES

90 373-G-084 4233 Greensburg Pike - 5897 SQ FT

91 373-G-082 4229 Greensburg Pike - 8170 SQ FT (43' WIDE)

92 373-G-080 4225 Greensburg Pike - 43' WIDE

93 373-G-078 4221 Greensburg Pike 43' WIDE

94 373-G-076 4219 Greensburg Pike 43' WIDE

95 373-F-310 4215 Greensburg Pike 43' WIDE

96 373-F-308 4211 Greensburg Pike 43' WIDE

97 373-F-306 4209 Greensburg Pike - 40' WIDE

98 373-F-304 4205 Greensburg Pike - 43' WIDE

99 373-F-302 4203 Greensburg Pike - 43' WIDE

100 373-F-300 4201 Greensburg Pike - 43' WIDE

101 373-F-298 4151 Greensburg Pike - 43' WIDE

102 373-F-296 4147 Greensburg Pike - 43' WIDE

103 373-F-294 4143 Greensburg Pike - 43' WIDE

104 373-F-292 4141 Greensburg Pike - 43' WIDE

105 373-F-290 4139 Greensburg Pike -

106 373-B-190 4135 Greensburg Pike - } 43' WIDE

107 373-B-188 4131 Greensburg Pike - }

108 373-B-186 4129 Greensburg Pike

109 373-B-184 4127 Greensburg Pike } 43' WIDE

110 373-B-182 4123 Greensburg Pike }

111 373-B-180 4121 Greensburg Pike - 41' WIDE

(From Lions Park to Alpine Blvd)

114 373-B-174 4109 Greensburg Pike - 18,241 SQ FT

115 373-B-172 Vacant Land - Greensburg Pike - 11,660 SQ FT

116 373-B-170 4079 Greensburg Pike - 12,003 SQ FT

117 373-B-168 4077 Greensburg Pike - 10,890 SQ FT

118 373-B-166 4075 Greensburg Pike

119 373-B-160 4071 Greensburg Pike

120 373-B-158 4067 Greensburg Pike (SHIELDS - RC-1)

121 373-B-156 4065 Greensburg Pike (YOCCA - RC-1)

122 373-B-150 4063 Greensburg Pike (YOCCA - RC-1)

ADD:
(373-B-159)
GB PLLC.
4067 GBR
ADD:
4240 GBR * ?

(From Alpine Blvd to Elizabeth Street)

125 372-P-102 4053 Greensburg Pike 5520 SQ FT.

126 372-P-100 4051 Greensburg Pike 6000 SQ FT.

127 372-P-96 Vacant Land - Greensburg Pike 10,200 SQ FT

128 372-P-90 Vacant Land – Greensburg Pike

129
130 Section 2. Chapter 173 of the Wilkins Township Codified Book of Ordinances, Article II,
131 Section 173-7, Definitions and Word Usage is hereby amended to add the following definitions:

132 **BUSINESS, MEDICAL OFFICES** – one or more offices of individual physicians ,
133 dentists, chiropractors or other medical practitioners and their supporting staffs where
134 human patients receive diagnosis, treatment and counseling and who are not kept
135 overnight, including a methadone clinic.

136
137 **SPECIALTY RETAIL** – An establishment devoted exclusively to the sale of distinctive,
138 high quality merchandise, including one or more of the following: art and photography
139 galleries or studios; antiques; books; boutique items; candles; confectionaries; cards and
140 stationary; cut and dried flowers; gifts; handicraft; handmade or gourmet food and baked
141 goods, including ice cream parlors; interior decorator items; leather goods; men’s ladies’
142 and children’s apparel and shops of a similar nature.

143
144 Section 3. Chapter 173 of the Wilkins Township Codified Book of Ordinances, Article III,
145 Section 173-8 is hereby amended to add GP-TOZ as a zoning district, as follows:

146 GP-TOZ Greensburg Pike Transitional Overlay Zone.

147 Section 4. Chapter 173 of the Wilkins Township Codified Book of Ordinances, Article III,
148 Section 173-11 is hereby amended to add GP-TOZ as a Conditional use as Paragraph J, as follows:

- 149 J. GP-TOZ Greensburg Pike Transitional Overlay Zone
150 (1) All those conditional uses as identified in the R-3 Residential District
151 (2) Business, Medical / Professional
152 (3) Specialty Retail

153 Section 5. Chapter 173 of the Wilkins Township Codified Book of Ordinances, Article III,
154 Section 173-13, Paragraph A, Table of Lot, Area and Bulk Requirements is hereby amended to
155 add GP-TOZ as follows:

156 GP-TOZ See 173-49Q
157
158

159 Section 6. Chapter 173 of the Wilkins Township Codified Book of Ordinances, Article V,
160 Signs, Section 173-35, Table 1, Signs Permitted in Individual Zoning Districts is hereby amended
161 to add the GPTOZ Overlay Zone as a Zoning District, with the following signage requirements:
162

163
164

		Table 1
165	Type of Sign	Type of Zoning
166		GPTOZ
167		
168	Attention Getting Device	
169	Permitted	No
170	Billboard	
171	Permitted	No
172	Canopy or Awning Sign	
173	Permitted	No
174	Changeable Copy Sign	
175	Permitted	No
176	Electronic Message Center Sign	
177	Permitted	No
178	Festoon Lighting	
179	Permitted	No
180	Freestanding Sign	
181	Permitted	Yes
182	Maximum Number	1 per lot or parcel
183	Maximum Surface Area	15 Square Feet
184	Maximum Height	4 feet
185	Maximum Length	4 feet
186	Minimum setback from property line	5 feet
187	Historic Markers	Exempt
188	Illuminated	
189	External Permitted	Yes
190	Internal Permitted	No
191	Memorial Plaques	Exempt
192	Official Government Signs	Exempt
193	Portable Sign	
194	Permitted	No
195	Roof Sign	
196	Permitted	No
197	Street Number Sign	Exempt
198	Suspended/Projecting Sign	
199	Permitted	Yes
200	Maximum Surface Area	6'
201	Minimum clearance above ground	9'
202	Maximum height of sign surface	3'
203	Maximum Number	1 per lot
204	Setback	Building setback minus 4'
205	Temporary Signs	
206	Permitted	Yes
207	Maximum Number	2 per lot
208	Maximum surface area	Same as Wall sign in GPTOZ
209	Maximum height	Same as Wall sign in GPTOZ
210	Maximum length	Same as Wall sign in GPTOZ

211	Minimum spacing between signs	----
212	Illumination	No
213	Vehicle Signs	Exempt
214	Wall Signs	
215	Permitted	Yes
216	Maximum Number	1
217	Maximum surface area	6 square ft
218	Maximum height	3'
219	Maximum length	2'
220	Window Signs	
221	Permitted	Yes
222	Maximum surface area	See 173-42

223

224 Section 7. Chapter 173 of the Wilkins Township Codified Book of Ordinances, Article VI,

225 Conditional Uses, Section 173-49, Criteria for Approval, is hereby amended to add 173-49,

226 Paragraph Q as follows.

- 227 Q. Greensburg Pike Transitional Overlay Zone GP-TOZ. The following criteria shall
- 228 apply to all uses listed in 173-11(J), subparagraph (2) – (3).
- 229
- 230 (1) Minimum Lot Area. 7,500 square feet, with usable lot area of at least 7,200
- 231 square feet. Usable lot area is defined as contiguous lot area with a slope of
- 232 five percent or less.
- 233 (2) Setbacks. Set back requirements shall be the same as the underlying zoning
- 234 district as defined in the Table of Lot, Area and Bulk Requirements in Section
- 235 173-11, Paragraph A of the Codified Book of Ordinances.
- 236
- 237 (3) Lot Width. The Lot Width must comply with 173-13 of this chapter.
- 238
- 239 (4) Building size.
- 240 a. Existing Residential Structures: Existing residential structures shall not
- 241 be expanded by more than 25% or to an amount equal to 45% of the
- 242 usable lot area, whichever is the greatest.
- 243 b. New construction: Newly constructed buildings shall not exceed forty-
- 244 five percent (45%) of the usable lot area.
- 245
- 246 (5) Parking.
- 247 a. Parking is prohibited in the required front yard area.
- 248 b. The supplemental regulations of the Design Book are applicable,
- 249 although in the event of conflicting provisions, the stricter regulation
- 250 shall apply.
- 251 c. For appointment-based retail establishments, driveway parking is
- 252 permissible.
- 253 d. Driveways shall not be greater than 10' wide.
- 254 e. Establishments may have up to of five parking spaces per lot for
- 255 employees and guests.

256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301

(6) Driveways and access.

- a. Greensburg Pike is owned and maintained by the County of Allegheny. As such, the proper roadway occupancy permits shall be obtained from the County and proof of same will be required by the Township.
- b. Access driveways may be located in the required front yard area.
- c. A sidewalk of at least 4 feet in width or a sidewalk matching the existing adjacent sidewalk shall be provided along Greensburg Pike. Construction shall follow Pennsylvania Department of Transportation and Wilkins Township specifications.

(7) Landscaping.

- a. All off-street parking and loading areas shall be screened from any abutting property. Screening shall be accomplished by the placement of adequate earth berms or solid fences, constructed of wood, vinyl, composite material or masonry (untreated wood, plain concrete block or cinder block is prohibited), and plantings or the provision and maintenance of solid plantings in the form of contiguous trees and shrubs. Shrubs or hedges must be planted at an initial height of not less than two feet.
- b. A landscaped periphery shall be provided and maintained for a minimum depth of 5 feet along the side lot and the rear lot line, except where natural or physical barriers exist that are determined by the Township Commissioners to fulfill the landscaping requirement. All plantings and screenings shall comply with the requirements of 173-19, Fences.
- c. A landscaped area adjacent to the principal building shall also be provided for a minimum of 10 feet in width from the building. A mixture of grass or ground cover, quality shrubs and trees shall be located in the landscaped area.
- d. All areas not covered with impervious surface or buildings shall be landscaped.
- e. Artificial plants are prohibited.
- f. Adequate consideration shall be given to sight distance during review of both plant material and its location.
- g. The Township Commissioners may require additional landscaping and buffering to effectively screen parking areas from neighboring properties.

(8) Building Design.

- a. Development character. The transitional overlay includes existing residential neighborhoods. The architectural character of projects developed within this corridor for new buildings shall preserve this residential quality and respect the residential scale through the appropriate massing and scale of proposed buildings, materials use, landscaping and lighting. A residential character is the goal for

302 developments within this district that will blend with the existing
303 residential neighborhoods and preserve the qualities of them. This
304 character will be achieved by using basic guidelines defining height
305 restrictions, materials use, roof treatment, landscaping, site lighting and
306 signage requirements. Those basic guidelines will permit individual
307 flexibility in design and treatment of proposed projects by specifying
308 critical parameters.

309 b. Design guidelines. To ensure that office/commercial projects within the
310 overlay reflect a desirable image of this district of the Township, the
311 following architectural guidelines shall be incorporated into the overlay
312 standards.

313 i. Material use. All principal and accessory structures shall be
314 constructed primarily of a brick, stone, stucco, fireproof precast
315 stucco or clay tile material and architectural wood siding.
316 Colors and materials shall be compatible with the adjacent
317 residential areas in design and appearance and additions to
318 structure shall be architecturally compatible with the structure
319 itself.

320 ii. Glazing. Glazing areas shall not exceed 40% of the exterior skin
321 of the structure. Mirrored glazing is not permitted within the
322 district; solar absorption/reflective glazing is an acceptable
323 material.

324 iii. Screening. All mechanical equipment, including HVAC shall
325 be screened from public view and screening shall be constructed
326 using materials consistent with the primary building.
327

328 (9) Accessory structures.

329 a. All accessory structures shall be constructed using materials consistent
330 with the primary building.
331

332 b. Outside refuse areas shall be screened with solid fences constructed of
333 wood, vinyl, composite material or masonry (untreated wood, plain
334 concrete block or cinder block is prohibited) at a height sufficient to
335 obstruct sight but not to exceed 8 feet in height. Refuse areas may not
336 be located in the required yard.
337

338 (10) Height. The height of a nonresidential principal structure shall comply with
339 Section 173-12 of the Codified Book of Ordinances.
340

341 (11) Outdoor Seating.

342 a. Outdoor seating shall not encroach upon the public right-of-way.

343 b. Outdoor seating shall be portable and shall be removed at the close of
344 business daily and placed within a secured area where it is not usable by
345 the public after business hours.

346 c. The outdoor seating area shall not be open any later than the regular
347 operating hours of the existing establishment.

- 348 d. Music and any other form of entertainment are prohibited.
- 349 e. The operator shall comply with all the requirements of the Allegheny
- 350 County Health Department and any other applicable ordinances,
- 351 regulations or statutes.
- 352 f. The number of seats permitted in an outdoor seating area shall be
- 353 calculated based upon the actual front yard set back multiplied by the
- 354 actual width of the lot and then divided by 100, as follows:

$$\frac{\text{Existing Front Yard Setback} \times \text{Existing Lot Width}}{100}$$

- 358 (12) Signage.
- 359 a. Signs shall be permitted as provided for in 173-35 of this chapter as
- 360 designated by the GPTOZ zoning district.
- 361 b. Outdoor storage or display of materials or products is prohibited except
- 362 for display of ornamental flower beds and plants.

- 364 (13) Exterior Light Standards.
- 365 a. Purpose. To allow for the safety and security of a site without
- 366 disturbance to adjacent property owners or the motoring public, lighting
- 367 regulations are provided. A lighting plan with fixture type and
- 368 manufacturer's data shall be provided in the applicant's submission.
- 369 b. Standards.
- 370 i. All parking lots, sidewalks, entrances, signs and property lines
- 371 shall be provided with a light system that shall conform with the
- 372 regulations shown in the following table:

<u>Use</u>	<u>Maximum lighting levels at surface</u>
Parking lots	2 foot candles
Sidewalks and entrances	5 foot candles
Signs	2 foot candles
Property line	0.5 foot candles

- 381 ii. Mounting heights of lighting fixtures may not exceed 10 feet.
- 382 Where raised islands are used to separate parking stalls, the
- 383 poles may be placed on the island.
- 384 iii. At the time any exterior lighting is installed or substantially
- 385 modified and whenever a site plan approval is sought, an
- 386 exterior lighting plan shall be submitted to the Zoning Officer in
- 387 order to determine whether the requirements of this section have
- 388 been met.
- 389
- 390 (14) Performance standards. Notwithstanding any other provision of this
- 391 chapter, it shall be unlawful for any person to erect or construct any building or
- 392 improvement, or any part thereof, on a site located in the transitional overlay
- 393 zone unless all the following conditions are met.

- 394 a. No mirrored or reflective glass or material is used on the façade of the
- 395 building, structure or improvement which faces any residential use.
- 396 b. No loading dock shall face a residential use property (except for non-
- 397 corner lots and lots separated by a right-of-way). Loading docks shall
- 398 be subject to approval by the Board of Commissioners.
- 399 c. No shipping or deliveries and loading or unloading shall be permitted
- 400 prior to 7:00 a.m. or later than 8:00 p.m.
- 401 d. No refuse collection shall be permitted prior to 7:00 a.m. or later than
- 402 6:00 p.m. All exterior refuse bins shall remain closed at all times.
- 403 e. The employees, agents, associates, or contractors of a business shall not
- 404 engage in any conduct or activity which substantially or unreasonably
- 405 disturbs the peace and quiet of any neighborhood or which causes
- 406 discomfort or annoyance to any reasonable person of normal sensitivity
- 407 residing in the area during nonbusiness hours. The factors which shall
- 408 be considered in determining which activity described above violates
- 409 this requirement are:
 - 410 i. The volume of noise;
 - 411 ii. Whether the nature of the noise is usual or unusual;
 - 412 iii. Whether the nature of the noise is natural or unnatural;
 - 413 iv. The proximity of the noise to the residential sleeping area;
 - 414 v. The time of day or night the noise occurs;
 - 415 vi. The duration of the noise and
 - 416 vii. Whether the noise is recurrent, intermittent or constant.
 - 417 viii. Noises with a continuous or constant volume of 55 DB or more
 - 418 are not permitted.

420 (15) Processing. GP-TOZ Applications shall be processed in accordance with
 421 Section 173-46 through Section 173-49 of the Zoning Ordinance. The approval
 422 or denial of plans shall be based upon their conformance with the criteria set
 423 forth by this district and the Design Manual. The process for review and
 424 approval of development proposals shall be as follows:

- 426 a. Step 1 – Sketch Plan Meeting. Though not required, developers are
- 427 strongly encouraged to develop a sketch plan prior to submitting a
- 428 formal development proposal. This proposal can be presented at any
- 429 public meeting of the Township (Commissioners, Planning
- 430 Commission) for informal review and comment.
- 431
- 432 b. Step 2 – Formal Development Proposal. The developer shall present a
- 433 formal development proposal to the Township. The submission shall
- 434 consist of the following elements, at a minimum:
 - 435 i. A site plan showing proposed building layout, parking, road
 - 436 access, buffer strip and general landscaping;
 - 437 ii. An elevation or similar representation of the proposed
 - 438 structure(s);
 - 439 iii. Signage.

440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471

- c. Step 3 – Planning Commission Review. A copy of the Formal Development Proposal will be forwarded to the Planning Commission and a copy will be sent to the Township Engineer. The Planning Commission shall meet with the developer to discuss the proposal and shall report their findings and recommendations to the Board of Commissioners.
- d. Step 4 – Township Commissioners Public Hearing. The Township Commissioners shall schedule and hold a public hearing on the proposal pursuant to public notice. After the public hearing, the proposal shall be approved; conditionally approved; or denied. Any conditional approval or denial shall clearly set forth the reasons for such action.

Section 8. Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Commissioners of the Township of Wilkins that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 9. Repealer. Any Ordinance or part of an Ordinance in conflict with this Ordinance is hereby repealed in so far as the same affects this Ordinance.

Section 10. Effective Date. This Ordinance shall be effective on the date of adoption by the Board of Commissioners.

ORDAINED and **ENACTED** on this _____ day of _____, 2020

Rebecca Vargo, Manager

Sylvia Martinelli, President