

ORDINANCE NO. 2023-**TOWNSHIP OF CRANBERRY
BUTLER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE TOWNSHIP OF CRANBERRY, BUTLER COUNTY, PENNSYLVANIA FOR THE PURPOSE OF MAKING CHANGES, CLARIFICATIONS, AND AMENDMENTS TO CHAPTER 27 (“ZONING”) BY REVISING SECTION 325 (SOLAR-ENERGY FACILITY AS ACCESSORY USE) REMOVING THE REQUIREMENTS OF 50% COVERAGE OF EACH ROOF AREA AND PROVIDING FOR SEVERABILITY AND REPEAL OF ALL PRIOR INCONSISTENT ORDINANCES.

WHEREAS, the Township has determined that amendments to the Township’s Zoning Ordinance are necessary in order to promote the general health, welfare, and safety of the community as regards definitions and designation of certain conditional uses and other permitted uses of property within particular zoning within the Township; and

WHEREAS, the **CRANBERRY TOWNSHIP PLANNING ADVISORY COMMISSION** reviewed the Ordinance on March 27, 2023 and April 24, 2023 and made a recommendation to adopt the proposed amendments to the **BOARD OF SUPERVISORS** on April 24, 2023; and

WHEREAS, the Board of Supervisors held a public hearing on April 24, 2023 as provided by the Cranberry Township Code of Ordinances and the Pennsylvania Municipalities Planning Code, at which time testimony was received concerning the amendment; and

WHEREAS, the Board of Supervisors advertised the Public Hearing and the intention of adoption on April 10, 2023 and April 17, 2023 as provided by the Cranberry Township Code of Ordinances and the Pennsylvania 2nd Class Township Code; and

WHEREAS, in the judgment of the **BOARD OF SUPERVISORS**, such an amendment to the Zoning Ordinance of the Township of Cranberry, Butler County, Pennsylvania is consistent with the overall Comprehensive Plan adopted by the Township.

WHEREAS, revisions in this document will appear as follows: ~~struck-out~~ for items removed and underlined for items added.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Cranberry, Butler County, Pennsylvania that Chapter 27 - Zoning of the Cranberry Township Code of Ordinances is amended as follows:

SECTION 1. Section 27-325 of the Cranberry Township Zoning Ordinance is hereby amended by revising the following:

§ 27-325 Solar-Energy Facility as Accessory Use.

[Added by Ord. 2010-397, 6/24/2010, § 2]

1. Township zoning approval is required for the construction of any solar-energy facility that is an accessory use on any site or lot.
- A. The zoning permit application shall indicate the location of the proposed facility; ~~including the percentage of roof coverage, if the facility is mounted on a building.~~ and shall identify where on the site or building that the solar equipment is to be placed.
2. The applicant shall demonstrate through project planning and proposed mitigation that a proposed facility's impacts will be minimized for surrounding properties and the community. This may include, but not be limited to, information regarding site selection, facility design or appearance, buffering, and screening of ground-mounted electrical and control equipment.
3. Where the installation of the facility constitutes a land development, all provisions of applicable ordinances shall be met.
4. Noise from any solar-energy facility shall not exceed 15 decibels at the lot line, unless all affected adjacent property owners shall have executed a nondisturbance easement, covenant, or consent which has been recorded in the office of the Recorder of Deeds of Butler County. Methods for measuring and reporting acoustic emissions from the facility shall be equal to or exceed the minimum standards for precision described in AWEA Standard 2.1 – 1989, titled "Procedures for the Measurement and Reporting of Acoustic Emissions from Wind Turbine Generation Systems Volume I: First Tier."
5. Construction of any solar-energy facility shall comply with all applicable rules, laws and regulations of the United States Federal Aviation Administration. Documentation of compliance shall be provided to the Township.
6. To the extent applicable, all solar-energy facilities shall comply with the Pennsylvania Uniform Construction Code and the regulations adopted by the Pennsylvania Department of Labor and Industry.
7. All electrical components of solar-energy facilities shall conform to relevant and applicable local, state and national codes, and relevant and applicable international standards.
8. Solar-energy facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.
9. Solar-energy facilities shall not display advertising, except for reasonable identification of the facility manufacturer.
10. Transmission and power lines shall be placed underground or out of sight.
11. Where installed on the roof of a building or structure, ~~no~~ solar-energy facilityies shall be installed ~~such that more than 50% of each roof area is covered by the facility.~~ in accordance with the applicable adopted building code(s).
12. No solar-energy facility or facilities may exceed ~~in total~~ 30% of ~~the any~~ total lot or site area. not including installations for roof/building-mounted single-family residential uses.

13. Solar-energy facilities shall meet the accessory structure setbacks that may apply in the zoning district within which the facility is constructed, and where no such setback is specified, the facility shall be no closer than 10 feet to any property line.

14. No facility shall be attached to a tree or any other natural object or structure not intended to support such a facility, except that facilities may be appropriately attached to buildings capable of accommodating them.

~~15. No facility shall be installed immediately adjacent to a swimming pool or other open body of water.~~

SECTION 2. Severability.

If any chapter, section, subsection, paragraph, sentence, or phrase of this Ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole or any section or part thereof other than the section or part thereof so declared to be invalid.

SECTION 3. Repealer.

Any ordinance, chapter, section, subsection, paragraph, sentence, or phrase of any ordinance conflicting with the provisions of this Ordinance shall and the same is hereby repealed to the extent of such conflict.

Ordained and enacted this ____ day of _____, 2023, BY THE BOARD OF SUPERVISORS of the Township of Cranberry.

ATTEST:

Board of Supervisors of the
Township of Cranberry

Daniel D. Santoro,
Township Manager/Secretary

Michael D. Manipole, Chairman

I:\COMMUNITY PLANNING AND CODES\ORDINANCE\AMENDMENTS\2023 AMENDMENTS\BILL NO. 2023-02 (SOLAR PANELS)\SOLAR PANELS_DRAFT.DOCX