

BOROUGH OF CASTLE SHANNON

ORDINANCE NUMBER 872

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE BOROUGH OF CASTLE SHANNON, PENNSYLVANIA, PERMITTING OFF-PREMISES SIGNS, INCLUDING BILLBOARDS, AS A CONDITIONAL USE IN CERTAIN ZONING DISTRICTS AND PROVIDING FOR REGULATIONS APPLICABLE TO OFF-PREMISES SIGNS INCLUDING LOCATIONS, SIZE, HEIGHT, MAINTENANCE, PERMITS AND FEES THEREFOR

WHEREAS, the Borough Council of the Borough of Castle Shannon, after conducting public hearings, has determined that it is in the best interests of the Borough of Castle Shannon that the Borough's Zoning Ordinance be amended to provide regulations for off-premises signs, including billboards, to be permitted as a conditional use within the Borough, and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Castle Shannon, in lawful session duly assembled, and it is hereby ORDAINED AND ENACTED as follows:

Section 1 After receiving input from the public at a public hearing and from the Borough's Planning Commission, the Borough Council determines that off-premises signs, including billboards, shall be permitted as a conditional use within the borough of Castle Shannon in certain zoning districts and subject to certain regulations including, but not limited to, locations, size, height, maintenance, permits and fees therefor.

Section 2 The Zoning Ordinance of the Borough of Castle Shannon, as adopted by Ordinance Number 841, as amended, is hereby amended as follows:

A. Section 302. 2. C. of the Zoning Ordinance (related to conditional uses in the C-1 General Commercial zoning district) is amended to add off-premises signs as a Conditional Use as follows:

(7) Off-premises signs, including Billboards, subject to §505.24

B. Section 402. 2. of the Zoning Ordinance (related to use regulations in the in the I Industrial zoning district) is amended to add off-premises signs as a Conditional Use by adding a subsection D. as follows:

D. Conditional Uses.

The following use(s) shall be permitted as a Conditional Use in the Industrial District:

(I) Off-premises signs, including Billboards, subject to §505.24

D. Section 501. 4. **H.** (related to off-premises signs) is deleted.

E. Section 501 of the Zoning Ordinance is amended to add a subsection to read as follows:

22. Substitution Clause. Anything herein to the contrary notwithstanding, noncommercial copy may be substituted for commercial copy on any lawful sign structure.

F. Part 5 of the Zoning Ordinance (Supplemental Regulations) is amended to add section 505.24 to read as follows:

§505.24 Off-premises Signs

Off-premises signs, including Billboards, may be permitted as a conditional use provided that all of the following requirements are met:

A. Location. Off-premises signs shall not be erected within the Residential R-1, R-2, R-3, R-P, C-2 or TOD zoning districts or within five hundred (500) feet of the line of any public or parochial school property. Required spacing shall be measured from a point perpendicular to the structure along the front lot line parallel to the centerline of the roadway to which the billboard is oriented.

- (1) Off-premises signs shall be located only in areas which can be viewed from roads which are classified as Other Principal Arterial roads or higher in the Allegheny County Comprehensive Plan.
- (2) The minimum front, side and rear yard requirements applicable to other advertising signs within the zoning district in which the off-premises sign is located shall apply to each off-premises sign structure.
- (3) An off-premises sign shall be considered a structure and shall be included in the calculation of maximum building coverage. The maximum lot coverage calculation shall be cumulative, including the billboard and any other structures and buildings on the same lot therewith.
- (4) No off-premises sign shall be erected in such a manner as to block the view from the road or street of any existing business identification sign or residential or non-residential structure or to limit or reduce any required light and ventilation requirements.
- (5) No off-premises sign shall be constructed that obstructs visibility within the clear sight triangle to a height of twenty-five (25) feet from the average ground

elevation of the public street or road on which it is situated and shall not in any case obstruct or impede traffic safety. Average ground elevation shall be measured as the median between the high point and low point found within the clear sight triangle area.

- (6) Off-premises signs shall maintain a lateral minimum spacing of one thousand (1,000) feet between sign structures. Required spacing shall be measured from a point perpendicular to the centermost point of the sign structure along the front lot line parallel to the center line of the roadway to which the sign is oriented.
- (7) Off-premises sign may not be mounted on the roof, wall or other part of a building or any other structure.
- (8) A detailed plan shall be submitted which indicates size, height, number of faces, landscaping, construction types and site plan illustrating compliance with applicable setbacks and right-of-way locations. The plan shall include sufficient detail to indicate compliance with all of the requirements of this Ordinance.

B. Size and Height. Except as otherwise specifically set forth in this section, an off-premises sign shall comply with the requirements of §501(12) (related to signs permitted in the Commercial and Industrial zones.)

- (1) An off-premises sign may have a maximum of two (2) sign faces per sign structure. The structure may have sign faces placed back to back or in a V-shaped configuration on a single structure.
- (2) Off-premises sign faces in the Industrial District shall not exceed one hundred fifty (150) square feet. Off-premises sign faces in the General Commercial District shall not exceed one hundred (100) square feet.
- (3) An off-premises sign face shall be independently supported and have vertical supports of metal which are galvanized or otherwise treated to prevent rust and corrosion.
- (4) The entire base of the sign structure shall be permanently landscaped with suitable shrubbery and/or bushes of minimum height of three (3) feet placed in such manner as to screen the foundation of the structure.
- (5) Landscaping shall be maintained by the sign owner in an attractive and healthy manner in accordance with accepted conservation practices.
- (6) Permanent landscaping shall form a base and/or backdrop to the sign when practical.
- (7) All curbs and grading shall be in accordance with applicable Borough, County and Pennsylvania regulations.
- (8) No bare earth cuts are permitted on a hillside.

- (9) All earth cuts or fills are to be permanently seeded or planted.
- (10) An off-premises sign with display lighting shall be constructed so that it does not glare upon adjoining property and shall not exceed a maximum footcandle of one and one half (1.5) upon the adjoining property.
- (11) Display lighting shall not operate between 12:00 midnight and 5:00 a.m., prevailing local time.
- (12) No sign structure, sign face or display lighting shall move, flash or emit noise. No display lighting shall cause distractions, confusion, nuisance or hazard to traffic, aircraft or other properties.
- (13) The use of colored lighting for exterior spot lighting or uplighting is not permitted.

C. Maintenance

- (1) An off-premises sign structure shall be entirely painted every three (3) years.
- (2) Every ten (10) years, the owner of the off-premises sign structure shall have a structural inspection made of the sign structure by an engineer or an architect and shall provide to the Borough a certificate from the engineer or architect certifying that the sign is structurally sound.
- (3) Annual inspections of the sign structure shall be conducted by the Borough to determine compliance with the provisions of this Ordinance.
- (4) Sign structures found to be in violation of this Chapter shall be brought into compliance or shall be removed within thirty (30) days upon proper notification by the Borough. Failure to comply shall be a violation of this Ordinance.
- (5) Signs using removable paper or other materials shall be maintained in such condition as to eliminate loose or frayed material protruding or hanging from the structure.
- (6) Off-premises signs and structures shall be located so that all maintenance and repair, including replacement of the sign face, shall occur without blocking or impeding a street right-of-way or other traffic flow areas.

D. Permits. Prior to submission of an application for a building permit, the applicant shall obtain and submit with the application all required approvals from the County of Allegheny, the Pennsylvania Department of Transportation (PennDOT) and, when applicable, the United States Federal Aviation Administration.

E. Application Fees. Said application shall be accompanied by an application fee in an amount set by resolution of the Borough Council.

Section 3 Any ordinance or part of ordinance conflicting with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4 Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

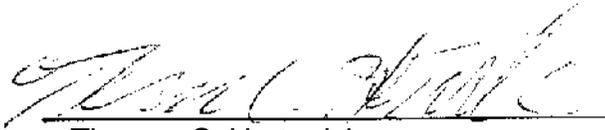
Section 5 If any provision of this ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions which shall continue in full force and effect.

Section 6 This ordinance shall be in full force and effect immediately upon and after its final passage.

ORDAINED AND ENACTED into law this 10th day of May, 2010.

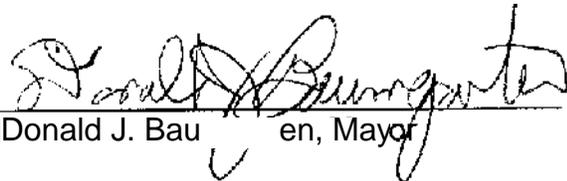
ATTEST

BOROUGH OF CASTLE SHANNON

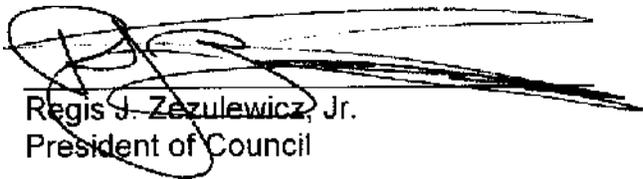


Thomas C. Hartwick
Borough Manager/Secretary

Examined and approved
this 10th day of May, 2010.



Donald J. Bauer, Mayor



Regis J. Zezulewicz, Jr.
President of Council

Approved as to Form



Dennis R. Biondo, Solicitor