

**ORDINANCE NO. 2010-408**

**TOWNSHIP OF CRANBERRY  
BUTLER COUNTY, PENNSYLVANIA**

**TND- FREEDOM A**

**AN ORDINANCE OF CRANBERRY TOWNSHIP, A SECOND CLASS TOWNSHIP OF THE COUNTY OF BUTLER, COMMONWEALTH OF PENNSYLVANIA FOR THE PURPOSE OF AMENDING CHAPTER 27 ("ZONING") OF THE TOWNSHIP CODE OF ORDINANCES TO CREATE THE TND FREEDOM A OVERLAY DISTRICT AND AMEND THE ZONING MAP TO APPLY THE TND FREEDOM A OVERLAY TO PORTIONS OF THE R-2 (RESIDENTIAL) DISTRICT ALONG FREEDOM ROAD, IN ORDER TO CREATE A MORE FUNCTIONAL CORRIDOR CONSISTENT WITH THE SURROUNDING AREAS, AND TO PROVIDE FOR SEVERABILITY AND REPEAL OF PRIOR INCONSISTENT ORDINANCES.**

**WHEREAS,** the Cranberry Township Planning Advisory Commission reviewed the proposed ordinance on August 2, 2010 and made a recommendation of adoption to the Board of Supervisors on August 2, 2010;

**WHEREAS,** the Board of Supervisors held a public hearing on August 26, 2010 as provided by the Cranberry Township Code and the Pennsylvania Municipalities Planning Code, at which time testimony was received concerning the zoning amendment;

**WHEREAS,** the Board of Supervisors advertised the Public Hearing and the notice of intent to adopt the proposed amendment on August 13, 2010 and August 16, 2010 as provided by the Cranberry Township Code and the Pennsylvania 2<sup>nd</sup> Class Township Code; and

**WHEREAS,** in the judgment of the Board of Supervisors, such an amendment to the Zoning Ordinance is consistent with the overall Comprehensive Plan as adopted by the Township on April 2, 2009 and amended on September 2, 2010 pursuant to Resolution 2010-56;

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

**NOW, THEREFORE,** in consideration of the foregoing, it is hereby Ordained and enacted by the authority of the Board of Supervisors of the Township of Cranberry that Chapter 27, Zoning, of the Township Code of Ordinances is amended as follows:

**SECTION 1:** Part V, Section 506 "TND – Traditional Neighborhood Development (TND) Overlay Districts 1, 2, 3, and the TND Corridor Overlay District" is hereby amended by adding the following:

**§27-506. TND – Traditional Neighborhood Development (TND) Overlay  
Districts 1, 2, 3, Freedom A and the TND Corridor Overlay District**

**Profile of TND Districts**

	TND-1 Primarily Residential TND	TND-2 Mixed- Use TND	TND-3 Town Center TND	TND Corridor	<u>TND Freedom A</u>
Dwelling Units Per Gross Acre (maximum)	5.5	15 (A)	20 (A)	17 (A)	<u>5.5</u>
Min. and Max. Commercial Area <sup>(B)</sup>	2 to 10%	5 to 50%	60 to 75%	up to 100 %	<u>0 to 10%</u>
Minimum TND Open Space	30%	15%	10%	10%	<u>30%</u>
Maximum Impervious Surface	70%	85%	90%	10% more than under- lying Dist. (E)	<u>70%</u>
Max. Bldg. Ht. (Stories)	3	4 6 <sup>(C)</sup>	6	5	<u>2</u>
Max. Bldg. Ht. (Feet)	45	65 95 <sup>(D)</sup>	95	75	<u>30</u>
Min. Bldg. Ht. (Feet/Stories)	20' or 2 stories	20' or 2 stories	20' or 2 stories	20' or 2 stories	<u>None</u>
<u>Min. Acreage (F)</u>	<u>40 acres</u>	<u>40 acres</u>	<u>40 acres</u>	<u>N/A</u>	<u>40 acres</u>

Notes:

- (A) Higher Density Permitted Under Bonus Provisions.
- (B) The percentage of tract area shall include the acreage for buildings, off-street parking areas, and stormwater management areas, after subtracting the minimum required Common TND Open Space.
- (C) Hotels in the TND-2 Overlay District may be permitted up to six (6) stories.
- (D) See Section 27-506 for complete details.

(E) The 10% increase in Impervious Surface Coverage, relative to an underlying District shall be to a maximum of 90% for a lot.

(F) Also see Context Sensitive Infill Development provisions of the TND Ordinance.

**SECTION 2:** Article V, Section 506. Traditional Neighborhood Development (TND) – Corridor Overlay District is hereby amended by adding the following:

27-506.8.1 Regulations for TND Freedom-A Overlay District

A. Residential Uses.

- (1) Attached Dwellings/Townhomes
- (2) Single Family Detached Dwelling
- (3) Single Family Semi-Detached Dwelling
- (4) Two-Family Dwelling
- (5) Multiple Family Dwelling
- (6) Multiple Story, Multiple Family Dwelling

B. Non-Residential Uses

- (1) Personal Care Home
- (2) Bed and Breakfast
- (3) Continuing Care / Intermediate Care Facilities
- (4) Community Center
- (5) Small Retail
- (6) Professional Office
- (7) Commercial and Private Recreation and Entertainment Facilities
- (8) Daycare Center
- (9) Parking Facility
- (10) Financial Institution without drive-thru facilities

- (11) Pharmacy
- (12) Restaurant
- (13) Veterinary
- (14) Public Educational Institution
- (15) Religious Establishment

C. Accessory Uses.

- (1) Uses and structures which are customarily associated with the permitted principal uses.
- (2) No-impact home-based business.
- (3) An Accessory Dwelling Unit, (Granny Flat or Mother-in-Law Suite), provided that no more than ten percent (10%) of the total number of single-family detached dwellings shall have such accessory dwelling units.

D. The maximum gross density shall not exceed five and one half (5.5) dwelling units per acre, including all dwelling unit types.

E. At least two (2) housing types shall be provided in each TND.

F. Use Composition.

- (1) No more than ten percent (10%) of the gross tract area shall be devoted to commercial use after subtracting the minimum required Common TND Open Space. This area shall include the acreage of buildings, off-street parking and stormwater management.
- (2) A minimum of thirty percent (30%) of the gross tract area shall be designated and maintained as Common TND Open Space as follows:
  - a. A minimum of five percent (5%) of the gross tract area shall be for Greens. Such areas shall not be sloping greater than five percent (5%).
  - b. A minimum of ten percent (10%) of the gross tract area shall be for active recreation facilities, such as playfields, play courts, playgrounds, and tot lots, in a neighborhood park.
  - c. The balance of the open space areas shall be passive open space areas, and/or natural resource conservation areas and/or Greens.

- (3) Active Recreational Areas and Greens shall count as part of the required useable recreation space, as per the Cranberry Township Subdivision and Land Development Ordinance.

G. Setbacks.

- (1) All non-residential uses shall be set back a minimum of 400' from any property line adjacent to property in a Planned Residential Development zoning district.
- (2) All residential uses shall be set back 50' from any property line adjacent to the development.

**SECTION 3:** The Zoning District Map contained in Chapter 27 Zoning of the Cranberry Township Code at Section 27-303 is hereby amended to rezone a part of certain property described as Tax Parcels identified below and shown on Exhibit "A" located along Freedom Road by adding the TND-Freedom A Overlay zoning district. The overlay zoning district does not change the existing base zoning district of R-2 (Single Family Residential). Exhibit "A" is attached hereto and incorporated herein.

130.4F110.32C

130.4F110.32A

130.4F110.32B

**SECTION 4. 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.

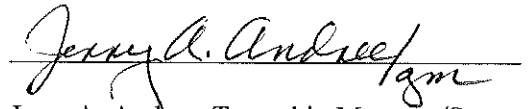
**SECTION 5. Repealer.**

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, except that it is the intent of the Board of Supervisors that any amendments to Chapter 27 approved concurrently with the this ordinance shall remain effective and the order of adoption of the ordinance concurrently adopted shall not effect a repealer of any part of such ordinances expect as specifically provided.

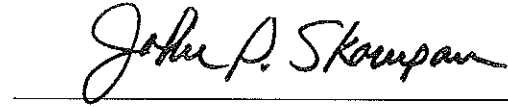
**ORDAINED AND ENACTED** this 7<sup>th</sup> day of October, 2010, by the Board of Supervisors of the Township of Cranberry.

ATTEST:

Board of Supervisors of the  
Township of Cranberry

Handwritten signature of Jerry A. Andree in cursive script, written over a horizontal line.

Jerry A. Andree, Township Manager/Secretary

Handwritten signature of John P. Skorupan in cursive script, written over a horizontal line.

John P. Skorupan, Chairman



CRANBERRY TOWNSHIP built for you.

1 inch = 350 feet

350 Feet

N

Parcels

Street Centerlines

TND Freedom A

TND Corridor Overlay