

**§ 130.21. FLOODPLAIN DISTRICTS. [Added 4-7-86 by Ord. No. 1194]**

130.21.1. Purpose: To encourage the utilization of appropriate CONSTRUCTION and DEVELOPMENT practices in order to prevent or minimize FLOOD damage in the future; to minimize danger to public health by protecting water supply and natural drainage; and to reduce financial burdens imposed on the community, its governmental units and its residents, by preventing excessive DEVELOPMENT in areas subject to flooding.

130.21.2. General requirements.

130.21.2.1. No encroachment, alteration or improvement of any kind may be made to any watercourse until all adjacent municipalities which may be affected by the action have been notified by the municipality and until all required permits, or approvals have been first obtained from the Department of Environmental Protection, Bureau of Dams, Waterways and Wetlands. In addition, the Federal Emergency Management Agency and the Pennsylvania Department of Community Affairs, Bureau of Community Planning, shall be notified prior to relocation of any watercourse. **[Amended 10-2-95 by Ord. No. 1684]**

130.21.2.2. Any new CONSTRUCTION, DEVELOPMENT, USES or activities allowed within any IDENTIFIED FLOOD-PLAIN AREA must be undertaken in strict compliance with the provisions contained in this chapter and any other applicable codes, ordinances, and regulations.

130.21.3. Design requirements.

130.21.3.1. Within any FW (Floodway ZONING DISTRICT) the following provisions apply:

130.21.3.1.1. Any new CONSTRUCTION, DEVELOPMENT, USE, activity or encroachment that would cause any increase in FLOOD heights is prohibited.

130.21.3.1.2. No new CONSTRUCTION or DEVELOPMENT will be allowed, unless a permit is obtained from the Department of Environmental Resources, Bureau of Dams and Waterway Management.

130.21.3.2. Within any floodway area of any FA (General FLOODPLAIN ZONING DISTRICT), any new CONSTRUCTION and/or DEVELOPMENT that would cause any increase in FLOOD heights is prohibited. Only those uses and activities provided for in the Floodway ZONING DISTRICT (FW) shall be permitted in any floodway area.

130.21.3.3 Within any FW (Floodway ZONING DISTRICT), FF (Flood-Fringe ZONING DISTRICT) or FA (General FLOODPLAIN ZONING DISTRICT), all BUILDINGS and STRUCTURES must be located so as to offer the minimum OBSTRUCTION to the flow of water and must be designed to have a minimum effect upon the flow and height of floodwater.

130.21.3.4. Storage. Within any FLOODPLAIN ZONING DISTRICT, all materials that are buoyant, flammable, explosive or, in times of flooding, could be injurious to human, animal or plant life, and not listed in §130.21.4., entitled “DEVELOPMENT which may endanger human life prohibited,” must be stored at or above the REGULATORY FLOOD ELEVATION or floodproofed to the maximum extent possible. **[Added 6-2-86 by Ord. No. 1211]**

130.21.4. DEVELOPMENT which may endanger human life prohibited. In accordance with the Pennsylvania Floodplain Management Act<sup>1</sup>, and the regulations adopted by the Department of Community Affairs as required by the Act, any new or substantially improved STRUCTURE which will be used for the production or storage of any of the following dangerous materials or substances or which will be used for any activity requiring the maintenance of a supply [more than five hundred fifty (550) gallons or other comparable volume or any amount of radioactive substances] of any of the following dangerous materials or substances on the premises is prohibited within any FW (Floodway ZONING DISTRICT), FF (Flood-Fringe ZONING DISTRICT) or FA (General FLOODPLAIN ZONING DISTRICT):

130.21.4.1 Oxidizing materials.

130.21.4.2. Flammable and combustible liquids.

130.21.4.3. Radioactive materials.

130.21.4.4. Explosive materials.

130.21.4.5. Toxic materials, as defined by Chapters 51 and 61 of the Upper St. Clair Township Code.

130.21.4.6. Pyrophoric materials.

130.21.5. Activities prohibited within any FLOODPLAIN. The following activities are prohibited if located entirely or partially within any FW (Floodway ZONING DISTRICT), FF (Flood-Fringe ZONING DISTRICT) or FA (General FLOODPLAIN ZONING DISTRICT):

130.21.5.1. HOSPITALS (public or private).

---

<sup>1</sup> Editor’s Note: See 58 P.S. § 601.101 et seq.

130.21.5.2. LONG-TERM CARE NURSING FACILITIES (PUBLIC or private). **[Amended 10-1-90 by Ord. No. 1453]**

130.21.5.3. Jails or prisons.

130.21.5.4. New MOBILE HOMES and PLANNED MOBILE HOME PARK DEVELOPMENTS.

130.21.6. Application requirements. In addition to the APPLICATION FOR DEVELOPMENT required under the regulations of the underlying district, any APPLICATION FOR DEVELOPMENT within any IDENTIFIED FLOODPLAIN AREA must include the following minimum information, plus any other pertinent information as may be required by the TOWNSHIP to make the determinations required by this Section:

130.21.6.1. A plan of the entire site, including the location of any existing bodies of water or watercourses, IDENTIFIED FLOODPLAIN AREAS and, if available, information pertaining to the floodway and the flow of water, including direction and velocities.

130.21.6.2. Plans of all proposed BUILDINGS, STRUCTURES and other improvements, which must show:

130.21.6.2.1. The proposed lowest floor, including basement elevation of any proposed BUILDING, based upon National Geodetic Vertical Datum of 1929.

130.21.6.2.2. The elevation of the ONE-HUNDRED-YEAR FLOOD.

130.21.6.2.3. If available, information concerning FLOOD depths, pressures, velocities, impact and uplift forces and other factors associated with a ONE-HUNDRED YEAR FLOOD.

130.21.6.2.4. Detailed information concerning any proposed floodproofing measures. **[Added 10-2-95 by Ord. No. 1684]**

130.21.6.3. Detailed information needed to determine compliance with § 130.21.4., entitled “DEVELOPMENT which may endanger human life prohibited,” including:

130.21.6.3.1. The amount, location, and purpose of any materials or substances referred to in § 130.21.4. which are intended to be used, produced, stored, or otherwise maintained on site.

130.21.6.3.2. A description of the safeguards incorporated into the design of the proposed STRUCTURE to prevent leaks or spills of the dangerous materials or substances listed in §130.21.4. during a ONE-HUNDRED-YEAR FLOOD.

130.21.6.4. The appropriate component of the Department of Environmental Resources' Planning Module for Land Development.

130.21.6.5. Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Resources to implement and maintain erosion and sedimentation control.

**§ 130.22. GREENWAY DISTRICT [Added 10-1-90 by Ord. No. 1453]**

130.22.1. Purpose. For the purpose of preserving the character of the TOWNSHIP as a visually attractive, semi-rural setting and to enhance the appearance of the TOWNSHIP as it develops.

130.22.2. Authorized USES. CONSTRUCTION within the GREENWAY is limited to DRIVEWAYS, SIGNS, FENCES, retaining walls, lighting fixtures and grading as authorized by the CODE.

130.22.3. Requirements. A GREENWAY must be maintained as defined in Article II. The TOWNSHIP may specify maximum height of vegetation or place other restrictions on the planting or maintenance of vegetation within the GREENWAY to provide clear sight distance from drivers entering the GREENWAY road from intersecting STREETS or DRIVEWAYS.

**§ 130.23. COMMUNICATIONS ANTENNA OVERLAY DISTRICT [Added 8-3-98 by Ord. No. 1774]**

130.23.1. Purpose. To provide opportunities for desirable placement of COMMUNICATIONS ANTENNAS necessary to meet the communications needs within the TOWNSHIP.

130.23.2. Authorized USE. As an ACCESSORY USE by CONDITIONAL USE, the USE, the USE of COMMUNICATIONS ANTENNA accessory to a PUBLIC UTILITY TRANSMISSION POLE, ACCESSORY STRUCTURE or a PRINCIPAL BUILDING is authorized. **[Amended 4-5-99 by Ord. No. 1795]**

130.23.3 Requirements.

130.23.3.1. Application requirements. An APPLICATION shall include:

130.23.3.1.1. A certification from a registered engineer that the proposed installation will not exceed the structural capacity of the pole or BUILDING upon which the COMMUNICATIONS ANTENNA is proposed to be located.

130.23.3.1.2. Detailed construction and elevation drawings indicating how the COMMUNICATIONS ANTENNA will be mounted on the PUBLIC UTILITY TRANSMISSION POLE or BUILDING.

130.23.3.1.3. Documents necessary to ensure access for the purpose of installation and maintenance, and a description of the methods of access.

130.23.3.1.4. Authorization of the LANDOWNER of the LOT to install the COMMUNICATIONS ANTENNA and any STRUCTURE accessory to the COMMUNICATIONS ANTENNA.

130.23.3.1.5. A LANDSCAPE PLAN.

130.23.3.2. General requirements.

130.23.3.2.1. The addition of the proposed COMMUNICATIONS ANTENNA and related equipment shall not exceed the structural capacity of existing TELECOMMUNICATIONS TOWERS.

130.23.3.2.2. The proposed COMMUNICATIONS ANTENNA shall not cause radio frequency interference with other existing equipment on existing TELECOMMUNICATIONS TOWERS.

130.23.3.2.3. Existing TELECOMMUNICATIONS TOWERS must not have adequate location, space, access, or height to accommodate the proposed equipment or to allow it to perform its function, such that co-location elsewhere is necessary.

130.23.3.2.4. Addition of the proposed COMMUNICATIONS ANTENNA and related equipment would result in electromagnetic radiation from such TELECOMMUNICATIONS TOWERS exceeding standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation, such that co-location elsewhere is necessary.

130.23.3.2.5. The COMMUNICATIONS ANTENNA shall be installed only pursuant to the issuance of a license by the Federal Communications Commission.

130.23.3.2.6. The COMMUNICATIONS ANTENNA shall comply with the requirements of the Federal Communications Commission governing human exposure to electromagnetic radiation.

130.23.3.2.7. The COMMUNICATIONS ANTENNA shall not cause radio frequency interference with other communications facilities located in the Township.

130.23.4. Express standards and criteria for granting CONDITIONAL USE. The CONDITIONAL USE authorized within this ZONING DISTRICT is subject to the general requirements of the district and to the following express standards and criteria.

130.23.4.1. No outside storage of equipment or material is permitted.

130.23.4.2. The COMMUNICATIONS ANTENNA shall be installed in compliance with State and Federal laws, including, without limitation, a license from the FCC.

130.23.4.3. Landscaping shall be installed in accordance with a LANDSCAPE PLAN so as to completely screen the access to underground STRUCTURES or equipment completely from view from any DWELLING or STREET.

130.23.4.4. A COMMUNICATIONS ANTENNA mounted on a PRINCIPAL BUILDING shall be of such type and scale as to match and blend in with the BUILDING, and shall not protrude horizontally from a wall more than three (3) feet.

130.23.4.5. Wire shall be installed within the public utility transmission pole unless to do so is impracticable.

130.23.4.6. For those COMMUNICATIONS ANTENNAS that are mounted on PUBLIC UTILITY TRANSMISSION POLES, any attendant STRUCTURE or equipment other than wiring, necessary to the operation of the COMMUNICATIONS ANTENNA, shall be located underground and within a PUBLIC UTILITY easement or right-of-way. For those COMMUNICATION ANTENNAS that are mounted on a PRINCIPAL BUILDING, the attendant STRUCTURE or equipment may be located either underground or inside a PRINCIPAL BUILDING. When such STRUCTURE or equipment is located underground, the yard requirements of the base ZONING DISTRICT shall not apply.

130.23.4.7. The COMMUNICATIONS ANTENNA shall not exceed five (5) feet in height, two (2) feet in width, and two (2) feet in depth, except that a whip antenna may be up to twenty (20) feet in height.

**§§ 130.24-130.25      Reserved for future use.**

PAGES 408-410 RESERVED FOR FUTURE USE.