

ORDINANCE No. 114 of 2018

**NOTTINGHAM TOWNSHIP
WASHINGTON COUNTY, PA**

SPECIAL EVENT BARNs AND VENUES

AN ORDINANCE AMENDING THE NOTTINGHAM TOWNSHIP ORDINANCE NO. 110, ZONING, TO ESTABLISH THE DEFINITION OF SPECIAL EVENT VENUES, SPECIAL EVENT BARNs, CONFERENCE CENTERS, AND BANQUET HALLS AND TO SET FORTH RULES AND REGULATIONS FOR SUCH LAND USES AND PROVIDE FOR SEVERABILITY AND REPEAL OF PRIOR INCONSISTENT ORDINANCES.

- WHEREAS,** the Township Supervisors desire to encourage agri-tourism, while maintaining the rural and residential character of the Township;
- WHEREAS,** the Nottingham Township Supervisors desire to amend the Township zoning ordinance to permit the special event barn land use in the A-1 Agricultural Zoning District and to also permit special event venues, banquet halls, and conference centers in the Township;
- WHEREAS,** on March 19th, the Nottingham Township Board of Supervisors directed the preparation of a zoning ordinance amendment pertaining to special event land uses and the like;
- WHEREAS,** on April 20, 2018 the amendment was submitted to the Nottingham Township Planning Commission for review and comment;
- WHEREAS,** on May 7, 2018, the Township Supervisors authorized advertisement of a public hearing at which the proposed ordinance amendment would be considered and the hearing was properly advertised on June 15th and June 22, 2018 pursuant to the requirements of the Municipalities Planning Code;
- WHEREAS,** the Township Supervisors held a public hearing on July 2, 2018, pursuant to the MPC, at which time testimony was received concerning the proposed ordinance amendment;
- WHEREAS,** in the judgment of the Township Supervisors, the proposed amendment is consistent with the Township's overall comprehensive plan and advances the Township's community development objectives; and

NOW, THEREFORE, BE IT ENACTED by the Township of Nottingham, County of Washington, Commonwealth of Pennsylvania, that the Township Zoning Ordinance, Ordinance #110, is amended as follows:

SECTION 1. Section 201, Specific Meanings, of the Township Zoning Ordinance is amended to add the following definitions:

BARN - A building, accessory to a farm, that is used for storing agricultural equipment, hay, grain, and other crops, and often for housing livestock.

BANQUET HALL - A permanent structure specifically designed and constructed for an assemblage of persons and including catering facilities, for the purpose of hosting weddings, receptions, and other gatherings.

CONFERENCE CENTER - A facility with overnight lodging to accommodate all participants in an event, at which meetings, seminars and conferences are conducted.

SPECIAL EVENT BARN, ACCESSORY USE - A permanent structure that is currently being used as a barn on a farm and which is sometimes used for the commercial purpose as a venue for weddings, receptions, and other gatherings, to include, but not limited to, birthday parties, retirement parties, anniversary parties, graduation parties, formal dinners, business engagements, where such commercial use of the barn is secondary to the farming activity on the property.

SPECIAL EVENT BARN, PRINCIPAL USE - A permanent existing structure that was previously used as a barn and is fully or partially repurposed as a venue for the commercial purpose of hosting weddings, receptions, and other gatherings to include, but not limited to, birthday parties, retirement parties, anniversary parties, graduation parties, formal dinners, business engagements.

SPECIAL EVENT VENUE - A permanent structure that used as a venue for the commercial purpose of hosting weddings, receptions, and other gatherings, or a permanent structure which is sometimes used for the commercial purpose as a venue for weddings, receptions, and other gatherings, to include, but not limited to, birthday parties, retirement parties, anniversary parties, graduation parties, formal dinners, business engagements.

SECTION 2. Section 500, Primary Land Uses, is amended to add the following land uses to the permitted land uses chart, in the zoning districts and in the manner as indicated below:

LAND USE	A-1	R-1	R-2	R-3	B-1	B-2	M-1	Rt. 136
Non-Residential Land Uses								
Banquet Hall	--	--	--	--	C	C	C	--
Conference Center	--	--	--	--	C	C	C	--
Special Event Barn	C	--	--	--	C	C	C	--
Special Event Venue	--	--	--	--	C	C	C	--

SECTION 3. Section 501, Accessory Land Uses and Structures, is amended to add the following land uses to the permitted accessory land uses chart, in the zoning district as indicated below:

	A-1	R-1	R-2	R-3	B-1	B-2	M-1	Rt. 136
Special Event Barn	P	--	--	--	--	--	--	--

SECTION 4. Article IX, Conditional Uses, is amended by adding the following Section 933, Special Event Barns.

Section 933. Special Event Barns

- A. The parcel on which the Special Event Barn is located shall be at least ten (10) acres in size and able to accommodate all facets of the event within the boundaries of the property.
- B. Special Event Barns, fixtures, tents and parking, shall be set back at least fifty (50) feet from all property lines.
- C. Any Special Event Barn shall be subject to the following setback requirements:
 - Residential Zoning District boundaries: 750 feet
 - Existing Occupied Residential Structures: 1000 feet
- D. Any additions or changes to the Barn to accommodate the use as a Special Event Barn shall be secondary and shall not drastically alter the visual or material character of the Barn except as necessary to provide for safe use by patrons, and all additions or changes shall comply with applicable building codes.

- E. Attendance at a single event at a Special Event Barn shall be limited to no more than two hundred (200) persons. Staff for the event (e.g., security, caterers, etc.) shall not be included in the attendance count. The maximum attendance limit at an event may be reduced below two hundred (200) persons by the Board of Supervisors as a part of the Conditional Use approval.
- F. The conduct of the event including fixtures, tents and parking may extend to the grounds but may not extend into the building setback areas.
- G. No more than twenty-four (24) events per calendar year and no more than two (2) per month shall be permitted at a Special Event Barn, excluding any rehearsal for the same event.
- H. A schedule of event dates shall be provided to the Township on an annual basis and shall be updated periodically such that the information provided shall be accurate as to any upcoming special event to be held at the Special Event Barn.
- I. The applicant shall notify Pennsylvania State Police of each special event 24 hours prior to the start of that event.
- J. A Special Zoning Permit for Special Event Barns shall be required. No special event shall take place without a valid special zoning permit issued to the owner of the Special Event Barn and such permit is invalid upon any single violation of any requirement of this ordinance, including, but not limited to, exceeding the permitted number of events annually and the permitted number of attendees, or violation of any condition attached to any conditional use approval granted by the Board of Supervisors. The Permit Application shall include the following information, at a minimum, and shall be of a form and substance as determined by the Township necessary to determine compliance with the requirements of this ordinance:
 - 1. Proof of conditional use approval.
 - 2. Documentation of any conditions attached to a conditional use approval.
 - 3. Proof of Insurance.
 - 4. Written acknowledgement by the Applicant and Operator of the conditional use requirements for Special Event Barns.
 - 5. The dates of the validity of the Permit.
 - 6. Proof of any applicable Township inspections and approvals.
 - 7. Documentation of the date and time of each special event to be held and actually held at the Special Event Barn.

- K. Parking shall be on the property on which the Special Event Barn is located. Under no circumstances may parking be on State or Township roads, on other public property, or on private property other than that on which the Special Event Barn is located.
 - 1. The parking area shall be accessible by means of a driveway that shall be covered by gravel or paved surface and is at least forty (40) feet in length. The driveway accessing the parking area shall be wide enough to accommodate two-way traffic or there shall be separate entrances and exits to the parking area(s).
 - 2. Parking shall be in areas covered by gravel. Grass, dirt or mud parking is prohibited. The size of the parking area shall be adequate to accommodate all vehicles at the event.
 - 3. The required building setback areas may not be used for parking.
- L. No event may begin before 11:00 a.m. or extend past 11:00 p.m., with all attendees to exit the premises by midnight.
- M. All entertainment must end at 10p.m.
- N. All entertainment, including but not limited to DJs, music, bands, a dance floor or a stage shall be limited to the interior of the Special Event Barn. Outdoor recreation activities conducted by the attendees shall not be considered entertainment for the purposes of interpreting this section.
- O. If the barn does not include sufficient restroom facilities to meet building code requirements then portable restroom trailers, approved by the Washington County Sewage Enforcement Officer, are required. The restroom trailer(s) must be placed in a location to reduce visibility from public roads and nearby adjacent residential structures.
- P. The owner of the Special Event Barn shall provide bonded, insured on-site independent security guards for each event, and a certificate showing that the Special Event Barn is covered by special event liability insurance shall be displayed at all times.
- Q. No sale of food or beverages, including but not limited to, cash bars, concession stands, or other similar sales, is allowed at any event associated with the use of the Special Event Barn.

- R. Alcoholic beverages may be served only as allowed by local and state laws. There shall be no sale of alcoholic beverages.
- S. Signs shall be erected only in accordance with the sign provisions of the Township sign ordinance.
- T. Any structure being used as a Special Event Barn shall be inspected and approved by a certified engineer approved by the Township, and a copy of the engineer's report shall be submitted to the Township prior to the issuance of the Special Zoning Permit. The structure must also be inspected and approved by the Township Building Code Official prior to the issuance of the Special Zoning Permit.
- U. Any changes necessary to accomplish the use as a Special Event Barn (e.g., modifications to the building, driveways, parking areas, etc.) are subject to the Township's Land Development and Stormwater Ordinances, Zoning Ordinance, and the Uniform Construction Code, where applicable.
- V. No pyrotechnics may be used in conjunction with activities associated with the Special Event Barn.
- W. Special events may be held only on Fridays, Saturdays, and Sundays.
- X. Trash shall be removed within 48 hours following the end of every special event.
- Y. All trash must be stored within a commercial dumpster and dumpster area must be fenced on all sides with wood or vinyl fencing six feet tall.
- Z. As part of the conditional use process the Township Supervisors may impose other reasonable conditions and/or restrictions on each Special Event Barn.
- AA. Any Special Event Barn that has been damaged or destroyed by fire or other means may be reconstructed and used as before if the restructuring is performed within twelve (12) months of discontinuance of use and if the restored building covers no greater area and contains no greater cubic content than did the building that was destroyed.

SECTION 5. Article IX, Conditional Uses, is amended by adding the following Section 934, Special Event Venue.

Section 934. Special Event Venue.

- A. The parcel on which the Special Event Venue is located shall be at least five (5) acres in size and able to accommodate all facets of the event within the boundaries of the property.
- B. Special Event Venues, including all fixtures, tents and parking, shall be set back at least fifty (50) feet from all property lines.
- C. Any Special Event Venue as a principal use shall be subject to the following setback requirements:

<u>Residential Zoning District boundaries:</u>	<u>750 feet</u>
<u>Existing Residential Structures:</u>	<u>1000 feet</u>

- D. Attendance at a single event at a Special Event Venue shall be limited to no more than two hundred (300) persons. Staff for the event (e.g., security, caterers, etc.) shall not be included in the attendance count.
- E. The conduct of the event including fixtures, tents and parking may extend to the grounds but may not extend into the building setback areas.
- F. Parking shall be on the property on which the Special Event Venue is located. Under no circumstances may parking be on State or Township roads, on other public property, or on private property other than that on which the Special Event Venue is located.
 - 1. The parking area shall be accessible by means of a paved driveway and parking area must be paved with asphalt or concrete. No gravel parking is permitted.
 - 2. The driveway accessing the parking area shall be wide enough to accommodate two-way traffic or there shall be separate entrances and exits to the parking area(s).
 - 3. The size of the parking area shall be adequate to accommodate all vehicles at any event such that every vehicle is parked within a parking stall and necessary accessible parking stalls are provided.
 - 4. The required building setback areas may not be used for parking.

- G. No event may begin before 11:00 a.m. or extend past 11:00 p.m., with all attendees to exit the premises by midnight.
- H. All entertainment must end by 10:00p.m.
- I. All entertainment, including but not limited to DJs, music, bands, a dance floor or a stage shall be limited to the interior of the Special Event Venue. Outdoor recreation activities conducted by the attendees shall not be considered entertainment for the purposes of interpreting this section.
- J. No pyrotechnics may be used.
- K. As part of the conditional use process the Township Supervisors may impose other reasonable conditions and/or restrictions.

SECTION 6. Article VII, Accessory Use Regulations, is amended by adding the following:

Section 704. Special Event Barn

- A. The Special Event Barn must be an accessory use to a farm, as defined by this ordinance.
- B. The parcel on which the Special Event Barn is located must be able to accommodate all facets of the event within the boundaries of the property.
- C. Special Event Barns shall be located in their original location.
- D. Special Event Barns, including all fixtures, tents and parking, shall be set back at least fifty (50) feet from all property lines.
- E. Any Special Event Barn shall be subject to the following setback requirements:
 - Residential Zoning District boundaries: 750 feet
 - Existing Occupied Residential Structures: 1000 feet
- F. Any additions or changes to the Barn to accommodate the use as a Special Event Barn shall be secondary and shall not drastically alter the visual or material character of the Barn except as necessary to provide for safe use by patrons.

- G. Attendance at a single event at a Special Event Barn shall be limited to no more than two hundred (200) persons. Staff for the event (e.g., security, caterers, etc.) shall not be included in the attendance count.
- H. The conduct of the event including fixtures, tents and parking may extend to the grounds but may not extend into the building setback areas.
- I. No more than twelve (12) events per calendar year and two events per month shall be permitted at a Special Event Barn, excluding any rehearsal for the same event.
- J. Parking shall be on the property on which the Special Event Barn is located. Under no circumstances may parking be on State or Township roads, on other public property, or on private property other than that on which the Special Event Barn is located.
 - 1. The parking area shall be accessible by means of a driveway that shall be covered by gravel or paved surface and is at least forty (40) feet in length. The driveway accessing the parking area shall be wide enough to accommodate two-way traffic or there shall be separate entrances and exits to the parking area(s).
 - 2. The required building setback areas may not be used for parking.
- K. No event may begin before 11:00 a.m. or extend past 11:00 p.m., with all attendees to exit the premises by midnight.
- L. All entertainment must end by 10:00p.m.
- M. All entertainment, including but not limited to DJs, music, bands, a dance floor or a stage shall be limited to the interior of the Special Event Barn. Outdoor recreation activities conducted by the attendees shall not be considered entertainment for the purposes of interpreting this section.
- N. Portable restroom facilities, approved by the Washington County Sewage Enforcement Officer, are required.
- O. The owner of the Special Event Barn shall provide bonded, insured on-site independent security guards for each event, and a certificate showing that the Special Event Barn is covered by special event liability insurance shall be displayed at all times.

- P. No food may be grilled, cooked, or otherwise prepared on site or by the owners of the Special Event Barn. This shall not include incidental preparation done by catering staff, such as setting up chafing dishes, preparing platters and other such preparation. Insurance certificate for the caterer shall be required.
 - 1. No sale of food or beverages, including but not limited to, cash bars, concession stands, or other similar sales, is allowed at any event associated with the use of the Special Event Barn.
 - 2. Alcoholic beverages may be served only as allowed by local and state laws. There shall be no sale of alcoholic beverages.
- Q. Signs for the Special Event Barn shall be erected only in accordance with provisions applicable to home occupations.
- R. No pyrotechnics may be used in conjunction with activities associated with the Special Event Barn.
- S. Special events may be held only on Fridays and Saturdays.
- T. Trash shall be removed within 48 hours following the end of every special event.
- U. Any Special Event Barn that has been damaged or destroyed by fire or other means may be reconstructed and used as before if the restructuring is performed within twelve (12) months of discontinuance of use and if the restored building covers no greater area and contains no greater cubic content than did the building that was destroyed.

SECTION 7. Article IX, Conditional Uses, is amended by adding the following Section 935, Banquet Hall.

Section 935. Banquet Hall.

- A. The parcel on which the Banquet is located shall be at least five (5) acres in size and able to accommodate all facets of the event within the boundaries of the property.
- B. Banquet Halls, including all fixtures, tents and parking, shall be set back at least fifty (50) feet from all property lines.

C. Any Banquet Hall shall be subject to the following setback requirements:

Residential Zoning District boundaries: 750 feet
Existing Residential Structures: 1000 feet

- D. Attendance at a single event at a Banquet Hall shall be limited to no more than three hundred (300) persons. Staff for the event (e.g., security, caterers, etc.) shall not be included in the attendance count.
- E. The conduct of the event including fixtures, tents and parking may extend to the grounds but may not extend into the building setback areas.
- F. Parking shall be on the property on which the Banquet Hall is located. Under no circumstances may parking be on State or Township roads, on other public property, or on private property other than that on which the Banquet Hall is located.
1. The parking area shall be accessible by means of a paved driveway and parking area must be paved with asphalt or concrete. No gravel parking is permitted.
 2. The driveway accessing the parking area shall be wide enough to accommodate two-way traffic or there shall be separate entrances and exits to the parking area(s).
 3. The size of the parking area shall be adequate to accommodate all vehicles at any event such that every vehicle is parked within a parking stall and necessary accessible parking stalls are provided.
 4. The required building setback areas may not be used for parking.
- G. No event may begin before 11:00 a.m. or extend past 11:00 p.m., with all attendees to exit the premises by midnight.
- H. All entertainment must end by 10:00p.m.
- I. All entertainment, including but not limited to DJs, music, bands, a dance floor or a stage shall be limited to the interior of the Special Event Venue.
- J. No pyrotechnics or open fires may be used.

K. As part of the conditional use process the Township Supervisors may impose other reasonable conditions and/or restrictions.

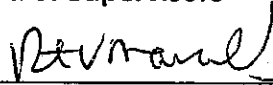
SECTION 8. Repealer: All ordinances, code sections or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 9. Severability: Should any sentence, section, clause, part or provisions of this Ordinance amendment be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

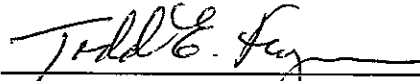
Duly presented at a regular meeting of the Township of Nottingham Board of Supervisors, Washington County, Pennsylvania, the proposed ordinance amendment is hereby

ORDAINED AND ENACTED THIS 2nd DAY of JULY, 2018.

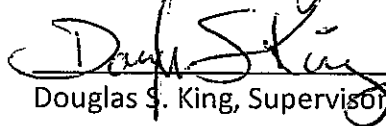
Township of Nottingham
Board of Supervisors



Peter V. Marcoline, Jr. Chairman

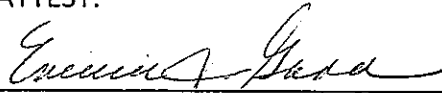


Todd E. Flynn, Vice-Chairman



Douglas S. King, Supervisor

ATTEST:



Emilie J. Gadd, Secretary