



TOWNSHIP OF SOUTH FAYETTE
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2 OF 2025

AN ORDINANCE OF THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 240 ZONING, OF THE SOUTH FAYETTE TOWNSHIP CODE OF ORDINANCES, AMENDING THE FOLLOWING ARTICLES;

- ARTICLE II “DEFINITIONS”, ADDING OR REVISING THE DEFINITIONS RELATED TO RENEWABLE ENERGY SYSTEMS, OUTLINED HEREIN;
- ARTICLE IV, “R-1 RURAL RESIDENTIAL DISTRICT”, SECTION 240-15(A)(2) – PERMITTED USES-ACCESSORY USES ADDING SMALL SOLAR, SMALL WIND AND OUTDOOR HYDRONIC RENEWABLE ENERGY SYSTEMS AS A PERMITTED, ACCESSORY USE, SUBJECT TO SPECIFIC CRITERIA AND STANDARDS;
- ARTICLE V, “R-2 SUBURBAN RESIDENTIAL DISTRICT”, SECTION 240-22(A)(2) - PERMITTED USES-ACCESSORY USES ADDING SMALL SOLAR, SMALL WIND AND OUTDOOR HYDRONIC RENEWABLE ENERGY SYSTEMS AS A PERMITTED, ACCESSORY USE, SUBJECT TO SPECIFIC CRITERIA AND STANDARDS;
- ARTICLE VI, “R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT”, SECTION 240-29 (A)(2) PERMITTED USES-ACCESSORY USES ADDING SMALL SOLAR, SMALL WIND AND OUTDOOR HYDRONIC RENEWABLE ENERGY SYSTEMS AS A PERMITTED, ACCESSORY USE, SUBJECT TO SPECIFIC CRITERIA AND STANDARDS;
- ARTICLE VII, “R-4 NEIGHBORHOOD RESIDENTIAL DISTRICT”, SECTION 240-36(A)(2) PERMITTED USES-ACCESSORY USES ADDING SMALL SOLAR, SMALL WIND AND OUTDOOR HYDRONIC RENEWABLE ENERGY SYSTEMS AS A PERMITTED, ACCESSORY USE, SUBJECT TO SPECIFIC CRITERIA AND STANDARDS;
- ARTICLE VIII, “C-1 LIMITED COMMERCIAL DISTRICT”, SECTION 240-43(A)(2) PERMITTED USES-ACCESSORY USES ADDING SMALL

SOLAR, SMALL WIND AND OUTDOOR HYDRONIC RENEWABLE ENERGY SYSTEMS AS A PERMITTED, ACCESSORY USE, SUBJECT TO SPECIFIC CRITERIA AND STANDARDS;

- ARTICLE IX, "C-2 HIGHWAY COMMERCIAL DISTRICT", SECTION 240-50(A)(2)

PERMITTED USES-ACCESSORY USES ADDING SMALL SOLAR, SMALL WIND AND OUTDOOR HYDRONIC RENEWABLE ENERGY SYSTEMS AS A PERMITTED, ACCESSORY USE, SUBJECT TO SPECIFIC CRITERIA AND STANDARDS;

- ARTICLE IX, "C-2 HIGHWAY COMMERCIAL DISTRICT", SECTION 240-50(B)(2)

CONDITIONAL USES-ACCESSORY USES ADDING LARGE SOLAR, LARGE WIND RENEWABLE ENERGY SYSTEMS AS A CONDITIONAL USE, SUBJECT TO SPECIFIC CRITERIA AND STANDARDS;

- ARTICLE X, "PED PLANNED ECONOMIC DEVELOPMENT DISTRICT", SECTION 240-57(A)(2) PERMITTED USES-ACCESSORY USES ADDING SMALL SOLAR, SMALL WIND AND OUTDOOR HYDRONIC RENEWABLE ENERGY SYSTEMS AS A PERMITTED, ACCESSORY USE, SUBJECT TO SPECIFIC CRITERIA AND STANDARDS;

- ARTICLE XI, "I-P INDUSTRIAL PARK DEVELOPMENT DISTRICT", SECTION 240-64(A)(2) PERMITTED USES-ACCESSORY USES ADDING SMALL SOLAR, SMALL WIND AND OUTDOOR HYDRONIC RENEWABLE ENERGY SYSTEMS AS A PERMITTED, ACCESSORY USE, SUBJECT TO SPECIFIC CRITERIA AND STANDARDS;

- ARTICLE XII, "I-1 GENERAL INDUSTRIAL DISTRICT", SECTION 240-71(A)(2) PERMITTED USES-ACCESSORY USES ADDING SMALL SOLAR, SMALL WIND AND OUTDOOR HYDRONIC RENEWABLE ENERGY SYSTEMS AS A PERMITTED, ACCESSORY USE, SUBJECT TO SPECIFIC CRITERIA AND STANDARDS;

- ARTICLE XII, "I-1 GENERAL INDUSTRIAL DISTRICT", SECTION 240-71(B)(1) CONDITIONAL USES-PRINCIPAL USES ADDING LARGE SOLAR, LARGE WIND RENEWABLE ENERGY SYSTEMS AS A CONDITIONAL USE, SUBJECT TO SPECIFIC CRITERIA AND STANDARDS;

- ARTICLE XIII A, "B-1 BUSINESS DISTRICT", SECTION 240-76.2(A)(2) PERMITTED USES - ADDING SMALL SOLAR, SMALL WIND AND OUTDOOR HYDRONIC RENEWABLE ENERGY SYSTEMS AS A PERMITTED, ACCESSORY USE, SUBJECT TO SPECIFIC CRITERIA AND STANDARDS;

- ARTICLE XIII B, "CD-1 CONSERVATION DISTRICT", SECTION 240-76.10(A)(2) PERMITTED USES - ADDING SMALL SOLAR, SMALL WIND AND OUTDOOR HYDRONIC RENEWABLE ENERGY SYSTEMS

AS A PERMITTED, ACCESSORY USE, SUBJECT TO SPECIFIC CRITERIA AND STANDARDS;

- ARTICLE XV, “EXPRESS STANDARDS AND CRITERIA FOR GRANTING CONDITIONAL USES AND USES BY SPECIAL EXCEPTION”, ADDING SECTION 95, A, 63 STANDARDS AND CRITERIA FOR GRANTING CONDITIONAL USE FOR RENEWABLE ENERGY SYSTEMS AS AN ACCESSORY USE;

AS SPECIFIC CRITERIA AND STANDARDS ARE NECESSARY FOR THE EVALUATION AND ORDERLY DEVELOPMENT OF RENEWABLE ENERGY SYSTEMS IN THE TOWNSHIP OF SOUTH FAYETTE.

WHEREAS, the Board of Commissioners of the Township of South Fayette, after consultation with the Solicitor, has determined that the health, safety and welfare of the general public and residents of the Township of South Fayette will be promoted and protected by setting forth requirements and limitations for renewable energy systems within the Township; and

WHEREAS, the Commissioners of the Township of South Fayette, after consultation with and review by the Township Planning Commission and the Township’s Code Officials and Solicitor’s office and under the authority of the MPC, at 53 P.S. §10603(c)(2) have determined that the health, safety and welfare of the public will be promoted and protected by allowing renewable energy systems subject to certain requirements and limitations; and

WHEREAS, the MPC, at 53 P.S. §10603(c)(3) states that the zoning ordinances may contain provisions for the administration and enforcement of such ordinances to protect the health, safety and welfare of the public.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of the Township of South Fayette and it is hereby ordained as follows:

SECTION I: Amendments & Changes

1. Chapter 240, Zoning, Article II “Definitions, Section 9 “Particular Meanings” is hereby amended and revised by the addition of the following definitions:

RENEWABLE ENERGY SYSTEM - An energy system that makes use of recurring natural resources or by-products to produce energy without consuming nonrenewable resources or causing significant disturbance to natural systems. Renewable energy systems include, but are not limited to: solar and wind energy systems, as well as outdoor hydronic heaters. Such systems are usually independent of the primary utility-supplied energy system but may be connected thereto.

SOLAR ACCESS - The access of a solar energy system to direct sunlight.

SOLAR EASEMENT - A legal agreement that protects access to sunlight on a property.

SOLAR ENERGY SYSTEM - An energy conversion system, including appurtenances, which converts solar energy to a usable form of energy to meet all or part of the energy or heating requirements of the on-site user, or which is to be sold to a utility company to be used by others, or sold directly to other users. A solar energy system may be ground-mounted (i.e., placed on top of the ground surface) or roof-mounted (i.e., placed on or as an integral part of a building).

A. **SMALL SOLAR ENERGY SYSTEM** - Solar energy systems installed for personal use in residences, commercial properties and institutions.

B. **LARGE SOLAR ENERGY SYSTEM** -Solar energy systems installed on large parcels of land for the purpose of generating revenue or utility-scale systems installed to benefit the community or an entire institution.

WIND ENERGY SYSTEM - Any electric generation facility whose main purpose is to convert and store wind energy into usable forms of energy and that includes the wind turbine(s), structural supports, electrical infrastructure, and other appurtenant structures and facilities.

2. Chapter 240, Zoning, Article IV, “R-1Rural Residential District”, Section 240 15(A)(2) is hereby amended, and the following use(s) are added:

A. Permitted uses.

(2) Accessory uses.

- Small Solar, Small Wind and Outdoor Hydronic Renewable Energy Systems, subject to Section 240-95A (63)

3. Chapter 240, Zoning, Article V, “R-2 Suburban Residential District”, Section 240-22(A)(2) is hereby amended, and the following use(s) are added:

A. Permitted uses.

(2) Accessory uses.

- Small Solar, Small Wind and Outdoor Hydronic Renewable Energy Systems, subject to Section 240-95A (63)

4. Chapter 240, Zoning, Article VI, “R-3 Medium Density Residential District”, Section 240-29 (A)(2) is hereby amended, and the following use(s) are added:

A. Permitted uses.

(2) Accessory uses.

- Small Solar, Small Wind and Outdoor Hydronic Renewable Energy Systems, subject to Section 240-95A (63)

5. Chapter 240, Zoning, Article VII, “R-4 Neighborhood Residential District”, Section 240-36(A)(2) is hereby amended, and the following use(s) are added:

A. Permitted uses.

(2) Accessory uses.

- Small Solar, Small Wind and Outdoor Hydronic Renewable Energy Systems, subject to Section 240-95A (63)

6. Chapter 240, Zoning, Article VIII, “C-1 Limited Commercial District”, Section 240-43(A)(2) is hereby amended and the following use(s) are added:

A. Permitted uses.

(2) Accessory uses.

- Small Solar, Small Wind and Outdoor Hydronic Renewable Energy Systems, subject to Section 240-95A (63)

7. Chapter 240, Zoning, Article IX, “C-2 Highway Commercial District”, Section 240-50(A)(2) is hereby amended, and the following use(s) are added:

A. Permitted uses.

(2) Accessory uses.

- Small Solar, Small Wind and Outdoor Hydronic Renewable Energy Systems, subject to Section 240-95A (63)

8. Chapter 240, Zoning, Article IX, “C-2 Highway Commercial District”, Section 240-50(B)(2) is hereby amended, and the following use(s) are added:

B. Conditional uses.

(2) Accessory uses.

- Large Solar and Large Wind Renewable Energy Systems, subject to Section 240-95A (63)

9. Chapter 240, Zoning, Article X, “PED Planned Economic Development District”, Section 240-57(A)(2) is hereby amended, and the following use(s) are added:

A. Permitted uses.

(2) Accessory uses.

- Small Solar, Small Wind and Outdoor Hydronic Renewable Energy Systems, subject to Section 240-95A (63)

10. Chapter 240, Zoning, Article XI, “I-P Industrial Park Development District”, Section 240-64(A)(2) is hereby amended, and the following use(s) are added:

A. Permitted uses.

(2) Accessory uses.

- Small Solar, Small Wind and Outdoor Hydronic Renewable Energy Systems, subject to Section 240-95A (63)

11. Chapter 240, Zoning, Article XII, “I-1 General Industrial District”, Section 240-70(A)(2) is hereby amended and the following use(s) are added:

A. Permitted uses.

(2) Accessory uses.

- Small Solar, Small Wind and Outdoor Hydronic Renewable Energy Systems, subject to Section 240-95A (63)

12. Chapter 240, Zoning, Article XII, “I-1 General Industrial District”, Section 240-70(B)(1) is hereby amended and the following use(s) are added:

B. Conditional uses.

(1) Principal uses.

- Large Solar and Large Wind Renewable Energy Systems, subject to Section 240-95A (63)

13. Chapter 240, Zoning, Article XII, Article XIIA, “B-1 Business District”, Section 240-76.2(A)(2) is hereby amended and the following use(s) are added:

A. Permitted uses.

(2) Accessory uses.

- Small Solar, Small Wind and Outdoor Hydronic Renewable Energy Systems, subject to Section 240-95A (63)

14. Chapter 240, Zoning, Article XII, Article XIIB, “CD-1 Conservation District”, Section 240-76.10(A)(2) is hereby amended and the following use(s) are added:

A. Permitted uses.

(2) Accessory uses.

- Small Solar, Small Wind and Outdoor Hydronic Renewable Energy Systems, subject to Section 240-95A (63)

15. Chapter 240, Zoning, Article XV, “Express Standards and Criteria for Granting Conditional Uses and Uses by Special Exception”, adding Section 95, A, 63 Standards and Criteria for Granting Conditional Use for Renewable Energy Systems as an Accessory Use:

§ 240-95. Standards for specific uses.

(63) Renewable Energy Systems, subject to:

A. Solar Energy Systems (Small).

- (1) A small solar energy system shall be permitted as an accessory use to an existing principal use in all Zoning Districts by right, subject to the regulations set forth in this section. It shall be the responsibility of the landowner and/or applicant to prove compliance with this section at the time of application for a building/zoning permit.
- (2) All solar energy equipment shall be located on the parcel or plot of land of record in which the principal use is located, with the exception that power lines or any related equipment to the solar energy system may be located on an adjoining parcel or plot of land of record, provided: (1) it will comply with all applicable virtual net metering laws of the public utility provider; and (2) the property owner of the adjacent parcel or plot of land permits the use of same.
- (3) Power generated by the solar energy system shall provide power only for the principal use that it serves; any excess power generated by the solar energy system shall only be sold or acquired by a public utility in accordance with law or other governmental regulations.
- (4) All mechanical equipment associated with and necessary for the operation of the solar energy system, which is ground-mounted, including any structure for batteries or storage cells, shall be enclosed within a six-foot-high fence or evergreen plantings of equal height. Evergreen plantings shall be of a type that is to be approved by the municipality. No noxious trees, plants or weeds shall be permitted to fulfill the landscaping requirements. The fence shall be made of wood, masonry, durable plastic or other decorative material approved by the municipality. Chain-link fences shall not be permitted unless they are fully screened from view by evergreen plantings.
- (5) Historic Structures. If an accessory solar energy system is proposed to be mounted on or located within 100 feet of any historic structure as may be designated by the Township or determined to be eligible for listing on the National Register of Historic Places by the Pennsylvania Historical and Museum Commission or the National Park Service, such system shall be subject to conditional use approval at the sole discretion of the Township as provided herein and upon a finding that the proposed system will not adversely impact the historical significance or landscape context of the subject historic structure.
- (6) Solar Access Easements. A solar energy system shall be located to ensure solar access without reliance on adjacent properties. Where any applicant desires to ensure that solar access to a solar energy system shall not be obstructed over time by permissible uses or activities on any adjacent property (i.e., by planting or growth of vegetation, new construction, etc.), it shall be the responsibility of the owner of the solar energy system to obtain appropriate solar access easement(s) from neighboring property owner(s). All solar access easements shall be recorded in the office of the Allegheny County Recorder of Deeds, and proof of same will be provided to the Township of South Fayette.
- (7) Ground-Mounted Solar Energy Systems.
 - (a) No part of a ground-mounted solar energy system shall be located any closer than 15 feet from any side or rear property lines. No part of a ground-mounted solar energy system shall be located between the principal structure on the property and the public street right-of-way, notwithstanding the aforesaid requirement.
 - (b) Ground-mounted solar energy systems shall not be placed within any legal easement or right-of-way location, or be placed within any stormwater conveyance system or in any

other manner that would alter or impede stormwater runoff from collecting in a constructed stormwater conveyance system.

- (c) Ground-mounted solar energy systems shall not be placed in a manner that would cause a violation of any other section of this chapter, including minimum parking requirements, required buffer yards or other landscaping requirements, maximum impervious or lot coverage limitations or any other applicable standards of this chapter, as determined by the Municipal Zoning Officer.
 - (d) Ground-mounted panels of a solar energy system shall be counted towards a given property's maximum impervious coverage requirements, unless the applicant can demonstrate that stormwater will infiltrate into the ground beneath the solar panels at a rate equal to that of the infiltration rate prior to placement of the panels.
 - (e) Ground-mounted solar energy systems shall not exceed a height of 10 feet.
- (8) Roof-Mounted Solar Energy Systems.
- (a) Roof-mounted solar energy systems shall not extend beyond the peak elevation of the top of the roof on which the panels are to be constructed.
 - (b) If the solar panels are to be constructed on a flat roof, no part of the solar energy system shall exceed beyond the maximum height requirements for the zoning district in which the building is located.
 - (c) Roof-mounted solar energy systems shall not be counted as adding to any impervious or lot coverage calculation.
- (9) All electric and utility lines associated with the solar energy system shall be buried underground.
- (10) Any installation of a solar energy system shall comply with all applicable standards of the Uniform Construction Code.
- (11) Solar collectors shall be installed so as to prevent glare or concentrated solar radiation as may otherwise be directed onto other properties or onto roadways, such that a nuisance situation is created. Antireflective surface materials or coatings shall be used to preclude glare to the extent feasible. The applicant, the installer or manufacturer of the solar energy system shall submit with the application for a permit, as applicable, a signed statement including the following:
- (a) Certification that the proposed system shall not produce glare or reflect concentrated solar radiation visible beyond the property lines of the property upon which the solar energy system shall be located, such that a nuisance situation is created;
 - (b) Acknowledgement that, should any glare or concentrated solar radiation produced prove to be visible beyond the property lines of the property upon which the solar energy system shall be located, at any time subsequent to the installation of the system, such that, in the opinion of the Zoning Officer, a nuisance situation or safety hazard arises for another property owner or the traveling public, the Township may, at its discretion, require mitigated action or may require the removal of the system or portion thereof generating the glare or reflected solar radiation;

- (c) Acknowledgement that, should any mitigation or system removal deemed necessary by the Township fail to be dealt with in accordance with the Township's determination within six months of notification of the landowner and/or system owner, or immediately in any case determined to be a safety hazard, the Township may implement such mitigation or remove such systems as it deems necessary, costs therefor to be reimbursed within 90 days and, if not, a commensurate lien shall be placed upon the property with property owner responsible for all legal and filing fees;
 - (d) Acknowledgement that the obligations set forth herein shall continue so long as the subject solar energy system remains in operation and that any subsequent property owner shall be so notified and proof of notification provided to the Township of South Fayette.
- (12) The solar energy system shall be kept in good repair and sound condition. Upon abandonment of the use, the solar panels, electrical wires, support structures and any and all other related structures and equipment shall be dismantled and removed from the lot within 60 days.
- (13) No signage or advertising of any kind shall be utilized or attached to the solar energy system. This requirement shall not include the make and model description of the solar energy system, manufacturers' required hangtags or warning signs or other signage that is required by law.
- (14) Small ground-mounted energy systems shall be limited to a maximum coverage area of 1,000 square feet.

B. Solar Energy Systems (Large).

- (1) Large solar energy systems shall only be permitted as a conditional principal use in the General Industrial District (I-1) and the Highway Commercial District (C-2) by conditional use as an accessory use to any nonresidential principal use in the municipality.
- (2) Large solar energy systems as principal uses on a lot, the sole purpose of which is to generate electricity to be sold to a public utility provider under the laws and regulations of the Public Utility Commission and/or public utility provider, shall be permitted by principal conditional use, within the General Industrial District (I-1) and a conditional accessory use within the Highway Commercial District (C-2) subject to compliance with the performance and design standards for all nonresidential uses stated in this chapter.
- (3) The landowner and/or applicant shall present the following evidence to the Board of Commissioners at the hearing for a large solar energy system:
 - (a) A narrative describing the proposed large solar energy system, including an overview of the project, the project location, the approximate generating capacity of the solar energy system, the approximate number, representative types and height or range of heights of the panels or other solar energy equipment to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of all ancillary facilities.
 - (b) Identification of the properties or portions thereof on which the proposed large solar energy system will be located, and also the properties adjacent to where the large solar energy system will be located.

- (c) A site plan, drawn to scale, showing all of the following information, as applicable: the planned location of each solar panel, related structures, setback lines, access roads and turnout locations, substations, electrical wiring, ancillary equipment, buildings and structures, including associated distribution and/or transmission lines, floodplains, easements, wetlands and limits of earth disturbance associated with construction of the large solar energy system.
 - (d) Documents indicating the type and specifications of fencing to be used around the perimeter of the large solar energy system.
 - (e) Documents specifically detailing decommissioning of the large solar energy system, including a schedule for decommissioning of the solar panels and related equipment.
 - (f) Documents certifying compliance with any other applicable federal, state and local laws regulating large solar energy systems and/or land development, including, but not limited to, any applicable laws of the Public Utility Commission, any public utility provider, the Allegheny County Conservation District, and the Pennsylvania Department of Environmental Protection.
- (4) The minimum lot size for any large solar energy system shall be five acres.
 - (5) Large solar energy systems shall be set back a minimum of 100 feet from any public right-of-way, any lot line, and any historic structure as may be designated by the Township or determined to be eligible for listing on the National Register of Historic Places by the Pennsylvania Historical and Museum Commission or the National Park Service.
 - (6) Notwithstanding lot coverage limitations set forth in the base zoning district(s), the maximum impervious coverage for a large solar energy system and any accessory or appurtenant structures shall be 20% of the lot area.
 - (7) All mechanical equipment associated with and necessary for the operation of the large solar energy system that is not mounted on a building wall, including any structure for batteries or storage cells, shall be enclosed within a six-foot-high fence or evergreen plantings of equal height. Evergreen plantings shall be of a type that is to be approved by the Township. No noxious trees, plants or weeds shall be permitted to fulfill the landscaping requirements. The fence shall be made of wood, masonry, durable plastic or other decorative material approved by the municipality. Chain-link fences shall not be permitted unless they are fully screened from view by evergreen plantings.
 - (8) Solar energy systems shall not be artificially lighted except to the extent required for safety or by any applicable federal, state or local authority.
 - (9) Solar energy systems and appurtenant or accessory structures shall not display any advertising, except for reasonable identification of the panel or other equipment manufacturer and the facility owner.
 - (10) Solar energy systems shall be located where there is a means of vehicular access from a public or private street.
 - (11) A solar energy system shall be located to ensure solar access without reliance on adjacent properties. Where any applicant desires to ensure that solar access to a solar energy system shall not be obstructed over time by permissible uses or activities on any adjacent property (i.e., by planting or growth of vegetation, new construction, etc.), it shall be the

responsibility of the owner of the solar energy system to obtain appropriate solar access easement(s) from neighboring property owner(s) and to notify the Township upon the recording of any such easement(s). All solar access easements shall be recorded in the office of the Allegheny County Recorder of Deeds and proof of filing shall be provided to the Township.

- (12) Solar collectors shall be installed so as to prevent glare or concentrated solar radiation as may otherwise be directed onto other properties or onto roadways, such that a nuisance situation is created. Antireflective surface materials or coatings shall be used to preclude glare to the extent feasible. The applicant, the installer or manufacturer of the solar energy system shall submit with the application for a permit, as applicable, a signed statement including the following:
 - (a) Certification that the proposed system shall not produce glare or reflect concentrated solar radiation visible beyond the property lines of the property upon which the solar energy system shall be located, such that a nuisance situation is created;
 - (b) Acknowledgement that, should any glare or concentrated solar radiation produced prove to be visible beyond the property lines of the property upon which the solar energy system shall be located, at any time subsequent to the installation of the system, such that, in the opinion of the Zoning Officer, a nuisance situation or safety hazard arises for another property owner or the traveling public, the Township may, at its discretion, require mitigated action or may require the removal of the system or portion thereof generating the glare or reflected solar radiation;
 - (c) Acknowledgement that, should any mitigation or system removal deemed necessary by the Township fail to be dealt with in accordance with the Township's determination within six months of notification of the landowner and/or system owner, or immediately in any case determined to be a safety hazard, the Township may implement such mitigation or remove such systems as it deems necessary, costs therefor to be reimbursed within 90 days and, if not, a commensurate lien shall be placed upon the property;
 - (d) Acknowledgement that the obligations set forth herein shall continue so long as the subject solar energy system remains in operation and that any subsequent property owner shall be so notified.
- (13) A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
- (14) If the solar energy system is ever abandoned or enters into a state of disrepair, it shall be the responsibility of the property owner to remove or properly maintain the solar energy system within six months from the date the system enters such a state or immediately in any case determined to be a safety hazard.
- (15) If a ground-mounted solar energy system is ever removed, any earth disturbance as a result of the removal of the ground-mounted solar energy system shall be graded and reseeded to the satisfaction of the Township.
- (16) Any large solar energy system shall comply with all applicable standards for land development in Chapter 215, Subdivision and Land Development.

C. Wind Energy System (Small).

- (1) A small wind energy system shall be permitted as an accessory use to an existing principal use within all Zoning Districts, subject to the regulations set forth in this section. It shall be the responsibility of the landowner and/or applicant to prove compliance with this section at the time of application for a building/zoning permit.
- (2) The turbine shall be located on the same parcel or plot of land of record on which the principal use is located, with the exception that power lines or related equipment may be located on a neighboring parcel or plot of land of record, provided: (1) it will comply with all applicable virtual net metering laws of the public utility provider; and (2) the property owner of the adjacent parcel or plot of land permits the use of same.
- (3) The height of the turbine shall include the tower and the rotor at its point where a blade is directly perpendicular to the ground. The maximum height of the turbine shall be 45 feet from the finished grade.
- (4) Turbines must meet the setback requirements for accessory structures for the underlying zoning district. In addition, turbines shall be set back a horizontal distance equal to their height from any property line or residential dwelling, excluding any dwelling on the lot on which the turbine is located. No turbine shall be located between the principal structure on the property and the public street right-of-way. Additionally, all turbines must be set back sufficiently from any aboveground utility lines, radio, television, or telecommunications towers so as to present no danger to those lines or structures, as certified by the applicant's engineer. No portion of any accessory turbine shall extend over parking areas, access drives, driveways or sidewalks.
- (5) The minimum clearance between the lowest arc of the turbine blades and the ground shall be 15 feet. If the turbine model that is proposed is a vertical-axis wind turbine (also referred to as a "helix-type windmill" or "VAT"), the height between the lowest point of the turbine and the ground may be reduced to eight feet.
- (6) If guy wire anchors are required, they shall be set back a minimum of 10 feet from any side and rear property lines.
- (7) All electric and utility lines associated with the turbine shall be buried underground.
- (8) All mechanical equipment associated with and necessary for the operation of the turbine, including any structure for batteries or storage cells, shall be screened from view with an enclosed six-foot-high fence or evergreen plantings of equal height. The evergreen plantings shall be of a type approved by the municipality and shall be planted to provide a full screen of the mechanical equipment. No noxious trees, plants or weeds shall be permitted to fulfill the screening requirements. The turbine tower shall also be enclosed within a six-foot-high fence unless the base of the turbine tower is not climbable for a distance of 12 feet. Any required fencing shall be made of wood, masonry, durable plastic or other decorative material approved by the Township. Chain-link fences shall not be permitted unless they are fully screened from view by evergreen plantings of equal or greater height than the fence.
- (9) The turbine shall not generate noise that exceeds 60 decibels at any property line.

- (10) The turbine shall be kept in good repair and sound condition. Upon abandonment of use, the turbine and any and all related structures shall be dismantled and removed from the lot within 60 days.
- (11) The co-location of wireless communication antennas on a turbine tower shall not be permitted.
- (12) Power generated by the turbine shall provide power only for the principal use which it services; any excess power generated by the turbine shall only be sold or acquired by a public utility in accordance with law or other governmental regulations.
- (13) The installation of the turbine shall meet all applicable requirements of the Uniform Construction Code.
- (14) No signage or advertising of any kind shall be utilized or attached to the turbine. This requirement shall not include the make and model description of the turbine, manufacturers' required hangtags or warning signs or other signage that is required by law.
- (15) No lighting, unless required by any FAA requirements, shall be utilized or attached to the turbine.
- (16) Turbines shall be a neutral, nonobtrusive color, such as white, off-white, gray, brown, black or other approved earth-tone shade, unless a specific color or color pattern is required by the FAA or other regulatory agency.

D. Wind Energy System (Large).

- (1) Large wind energy systems shall only be permitted as a conditional principal use in the General Industrial District (I-1) and the Highway Commercial District (C-2) by conditional use as an accessory use to any nonresidential principal use in the municipality.
- (2) The height of the turbine shall include the turbine tower and the turbine rotor at its point where a blade is directly perpendicular to the ground. The maximum height of the turbine shall be 199 feet.
- (3) A turbine shall be set back from all property lines and ultimate street right-of-way at a distance that is equal to the turbine's height (in feet) plus an additional 25 feet.
- (4) The turbine shall not generate noise that exceeds 60 decibels at any property line.
- (5) All on-site utility and transmission lines extending to and from the large wind energy system shall be placed underground.
- (6) All large wind energy systems shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Staff regulations shall not be considered a sufficient braking system for overspeed protection.
- (7) No lighting, unless required by any FAA requirements, shall be utilized or attached to the turbine.
- (8) Turbines shall be a neutral, nonobtrusive color, such as white, off-white, gray, brown, black or other approved earth-tone shade, unless a specific color or color pattern is required by the FAA or other regulatory agency.

- (9) No signage or advertising of any kind shall be utilized or attached to the turbine. This requirement shall not include the make and model description of the turbine, manufacturers' required hangtags or warning signs or other signage that is required by law.
- (10) All large wind energy systems shall, to the greatest extent feasible, be sited to prevent shadow flicker on any occupied building on an adjacent lot.
- (11) A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations or fences.
- (12) All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by unauthorized persons.
- (13) No portion of any large wind energy system shall extend over parking areas, access drives, driveways or sidewalks.
- (14) The minimum height between the lowest portions of the wind turbine shall be 30 feet above ground.
- (15) All mechanical equipment associated with and necessary for the operation of the turbine, including any structure for batteries or storage cells, shall be screened from view with an enclosed six-foot-high fence or evergreen plantings of equal height. The evergreen plantings shall be of a type approved by the Township and shall be planted to provide a full screen of the mechanical equipment. No noxious trees, plants or weeds shall be permitted to fulfill the screening requirements. The perimeter of the large wind energy system shall also be enclosed within a six-foot-high fence unless the base of the turbine towers is not climbable for a distance of 12 feet. Any required fencing shall be made of wood, masonry, durable plastic or other decorative material approved by the Township. Chain-link fences shall not be permitted unless they are fully screened from view by evergreen plantings of equal or greater height than the fence.
- (16) If a large wind energy system is proposed to be mounted on or located within 100 feet of any historic structure as may be designated by the Township or determined to be eligible for listing on the National Register of Historic Places by the Pennsylvania Historical and Museum Commission or the National Park Service, such system shall be subject to conditional use approval, at the sole discretion of the Township, upon a finding that the proposed system will not adversely impact the historical significance or landscape context of the subject historic structure or historic resource.
- (17) The landowner and/or applicant shall present the following evidence to the Board of Commissioners at the hearing for a large wind energy system:
 - (a) A narrative describing the proposed large wind energy system, including an overview of the project, the project location, the approximate generating capacity of the large wind energy system, the approximate number, representative types and height or range of heights of the turbines or other equipment to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of all ancillary facilities.
 - (b) Identification of the properties or portions thereof on which the proposed large wind energy system will be located, and also the properties adjacent to where the large wind energy system will be located.

- (c) A site plan, drawn to scale, showing all of the following information, as applicable: the planned location of each turbine, related structures, setback lines, access roads and turnout locations, substations, electrical wiring, ancillary equipment, buildings and structures, including associated distribution and/or transmission lines, floodplains, easements, wetlands and limits of earth disturbance associated with construction of the large wind energy system.
- (d) Documents indicating the type and specifications of fencing to be used around the perimeter of the large wind energy system.
- (e) Documents specifically detailing the decommissioning of the large wind energy system, including a schedule for decommissioning of the solar panels and related equipment.
- (f) Documents certifying compliance with any other applicable federal, state and local laws regulating large wind energy systems and/or land development, including, but not limited to, any applicable laws of the Public Utility Commission, any public utility provider, the Allegheny County Conservation District, and the Pennsylvania Department of Environmental Protection.

E. Outdoor Hydronic Heaters as Accessory Uses.

- (1) Outdoor hydronic heaters, also known as "outdoor wood-fired boilers," shall be permitted as an accessory use on lots that are one acre or larger in all Zoning Districts. All outdoor hydronic heaters shall comply with the regulations of this section. It shall be the landowner and/or applicant's responsibility to prove compliance with this section; this shall include the requirements of submitting manufacturer's specifications and maintenance documents, certification testing results, and any other required documents at the time of application for a building/zoning permit.
- (2) The regulations listed below shall not apply to the following:
 - (a) Grilling or cooking using charcoal, wood, propane or natural gas in cooking or grilling appliances.
 - (b) Approved outdoor recreational fires.
 - (c) Burning in a stove, furnace, fireplace, or other heating device within a building used for human or animal habitation.
 - (d) The legal use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.
- (3) The following items shall not be burned in an outdoor hydronic heater:
 - (a) Treated or painted wood, furniture, trash, rubbish or garbage, tires, lawn clippings, woody yard wastes, plastic materials, rubber materials, waste petroleum products, paints and paint thinners, chemicals, hazardous wastes, coal, paper wastes, construction or demolition debris, plywood, particleboard, manure, and animal carcasses.
- (4) Fuel Requirements for Outdoor Hydronic Heaters. The materials listed below shall be the only materials allowed to be used for fuel:
 - (a) Clean wood, corn, wood pellets made from a clean wood, home heating oil, natural gas, or propane that complies with all applicable sulfur limits and is used as a starter or

supplemental fuel for dual-fired outdoor hydronic heaters or any other materials located in a manufacturer's list of specifications so long as the material is not prohibited by the previous section.

- (5) Any outdoor hydronic heater shall be located on the same parcel or plot of land of record in which the principal use is located, with the exception that power lines or any related equipment to the outdoor hydronic heater may be located on an adjoining parcel or plot of land of record, provided: (1) it will comply with all applicable virtual net metering laws of the public utility provider; and (2) the property owner of the adjacent parcel or plot of land permits the use of same.
- (6) No more than one outdoor hydronic heater shall be permitted per lot.
- (7) Outdoor hydronic heaters shall meet the certification standards of the voluntary program of the Environmental Protection Agency (EPA) for Phase 2 air emission levels of no more than 0.32 pounds of fine particulates per million British thermal units (BTUs) heat input and any amendments or modifications made hereafter.
- (8) Setback Requirements.
 - (a) Outdoor hydronic heaters shall be located a minimum of 150 feet from any side or rear property line.
 - (b) No outdoor hydronic heater shall be located between the principal structure on the property and the public street right-of-way; notwithstanding the aforesaid requirement, the minimum setback from the ultimate public street right-of-way shall be no less than 150 feet.
 - (c) If an outdoor hydronic heater is proposed to be located within 100 feet of any historic structure as may be designated by the Township or determined to be eligible for listing on the National Register of Historic Places by the Pennsylvania Historical and Museum Commission or the National Park Service, such outdoor hydronic heater shall be subject to conditional use approval, at the sole discretion of the Township, upon a finding that the proposed system will not adversely impact the historical significance or landscape context of the subject historic structure or historic resource.
- (9) No person shall install an outdoor hydronic heater unless it has a permanently attached stack with a minimum stack height of 10 feet above the ground that also extends at least two feet above the highest peak of any residence located less than 150 feet from the outdoor hydronic heater.
- (10) No signage or any form of advertising shall be utilized or attached to an outdoor solid-fuel-fired boiler. This requirement shall not include the make and model description of the outdoor hydronic heater, manufacturers' required hangtags or warning signs, the hangtags indicating EPA air quality specifications, or other signage that is required by law.
- (11) No person shall use or operate a new or existing outdoor wood-fired boiler between the dates of May 1 and September 30.
- (12) All outdoor hydronic heaters shall be installed, operated and maintained in strict compliance with all emissions of air quality standards promulgated by the EPA, the DEP, or other relevant state or federal agency, including emissions of dust and particulates.

- (13) In the event that an outdoor hydronic heater is damaged or it is physically deteriorated or decayed to the point where it no longer is compliant with this section, said heater must be removed and/or replaced with a new unit within 60 days of the date that notice is received from the Municipal Zoning Officer. In the event of replacement, all provisions of this chapter in effect at the time of replacement shall be complied with.
- (14) In the event the outdoor hydronic heater is abandoned, the boiler, electrical wires, and any related equipment and structures shall be dismantled and removed from the property within 60 days of the date it was abandoned.
- (15) Outdoor hydronic heaters shall comply with all applicable regulations of the Uniform Construction Code.

SECTION II: Repealer.

All ordinances and parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeals shall be only to the extent of such inconsistency, and in all other aspects, this ordinance shall be cumulative of the other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION III: Severability.

If any section or provision or parts hereof in this ordinance shall be adjudged invalid, illegal, or unconstitutional, such invalidity, illegality, or unconstitutionality shall not affect the validity of the ordinance as a whole or any other section or provision or part thereof.

SECTION IV: Effective Date.

This ordinance shall be in full force and effect from and after its passage.

ADOPTED AND APPROVED this 8 day of October, 2025.


ATTEST:



John Barrett

Township Manager/Secretary

TOWNSHIP OF SOUTH FAYETTE



Chuck Lazzini

Chairman, Board of Commissioners