

CITY OF SHARON, PENNSYLVANIA

BILL NO. 11-22

ORDINANCE NO. 11-22

Introduced by Mr. James,

Passed finally September 21, 2022,

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SHARON, COUNTY OF MERCER, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE SHARON ZONING ORDINANCE OF THE CITY, ARTICLE 3, SECTION 306 AND 309 TO PROVIDE AS AN ADDITIONAL USE AS A SPECIAL EXCEPTION: HOTEL, BUT ONLY IN COMPLIANCE WITH THE STATED CONDITIONS:

BE IT ORDAINED AND ENACTED by the Council of the City of Sharon and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1. AMENDMENT: The zoning ordinance of the City, Article 3, Section 306 & 309 is amended to provide as an additional use as a special exception:

HOTEL FACILITY, but only in compliance with the following conditions:

A) The Hotel must obtain a liquor license and operate a full-service bar and restaurant.

B) Within twelve (12) months of the commencement of this special exception use, the Hotel Facility (which shall be defined as the hotel, restaurants, bars and internal retail shops) shall obtain not less than a Four (4) Star/Diamond or the penultimately high rating that could be issued, whichever is the higher, as determined and issued by AAA and/or Forbes Travel Guide (hereinafter the "Organization"). The ratings received by the Hotel Facility shall be communicated to the Sharon City Manager within 15 days of issuance by the Organization to the Hotel Facility.

The maintaining of this rating is a condition of the continued use of the special exception and failure to so maintain for any period in excess of twelve (12) consecutive months shall void the special exception and return the property to its pre issuance permissible uses.

The Organization is recognized as a national hotel and travel rating agency, but should the Organization cease to provide rating services to the hotel or travel industry, then in said event, the owner of any Hotel Facility or property operating under this particular special exception (or seeking a special exception) and the Sharon City Council shall mutually agree on the selection of a successor to the Organization for purposes of this Ordinance.

In the event that the Organization, or its successor, amends its requirements for the

issuance of the rating required herein, the special exception use of the property shall be conditioned on continuing compliance with those amended rating requirements.

Hotel amenities will include:

- a) Concierge Service
- b) Fine Dining
- c) Swimming Pool
- d) Fitness Center
- e) Full Room Service
- f) Valet Parking
- g) Day Spa

C) Residential occupancy shall be prohibited

D) Hotel amenity noise will be controlled from 10:00 PM to 7:00 AM as not to be a nuisance to the neighborhood

E) Off street parking space shall be provided in accordance with Section 407.2 of this Zoning Ordinance for Hotel rooms and additional off-street parking space shall be available for each one of two people that can be accommodated at Hotel Facility events.

F) All deliveries by truck to the Hotel Facility shall be made during daylight hours.

G) Hotel guests will be monitored for loud and disruptive behavior

H) The provisions of this special exception shall be covenants running with the land and shall be binding on the land and be deemed to inure to the benefit of the City of Sharon and all properties within 300 feet of any portion of the property benefitted by the issuance of this special exception.

SECTION 2.

DIRECTIONS TO CITY CLERK: Immediately following first reading of this Ordinance the City Clerk shall:

- A) Set a date for a public hearing on this Ordinance; and
- B) post Notice at least 7 days prior to the hearing at conspicuous points deemed sufficient along the Tracts being changed to notify potential interested citizens; and
- C) publish Notice once a week for two successive weeks in a newspaper of general circulation, the first publication being not more than 30 days prior to the hearing and the second being not less than 7 days prior to the hearing.

SECTION 3.

PLANNING COMMISSIONS: Copies of this Ordinance shall be sent to the Sharon Planning Commission and to the Mercer County Regional Planning Commission by the City Clerk at least 30 days prior to the public hearing soliciting their comments and recommendations.

- SECTION 4. SEVERABILITY: The provisions of this Ordinance shall be severable and, if any of the provisions hereof shall be held unconstitutional, void or otherwise unenforceable, such shall not affect the validity of any of the remaining provisions of said Ordinance.
- SECTION 5. REPEALER: All ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.
- SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective ten (10) days after final passage by City Council.

ORDAINED AND ENACTED finally into law by the Council of the City of Sharon, this 21st day of September, 2022.

THE CITY OF SHARON

By Molly Sundrant
President of Council

ATTEST:

Daphne Ferris
City Clerk