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PART 1

PURPOSE; SHORT TITLE; DEFINITIONS

§27-101. Purpose.

For the purpose of promoting the public health, safety, morals and general welfare of the Borough of Ambridge, the following regulations or restrictions shall be in full force and effect.

(Ord. 648, 9/12/1955, §1)

§27-102. Short Title.

This Chapter shall be known as the "Ambridge Zoning Ordinance of 1955."

(Ord. 648, 9/12/1955, §2)

§27-103. Definitions.

Unless otherwise expressly stated, the following words shall, for the purpose of this Chapter, have the meaning herein indicated:

ACCESSORY BUILDING - a building subordinate to the main building on a lot and used for purposes customarily incidental to those of the main building.

ACCESSORY USE - a use customarily incidental and subordinate to the principal use of building and located on the same lot with such principal use or building.

ALLEY- a public way which affords only a secondary means of access to abutting property.

APARTMENT HOUSE -a building designed for and occupied exclusively as a residence for two or more families living independently of one another, the height of which shall not exceed seven stories nor 75 feet.

BASEMENT - a story, partly underground, the greater part of which is above grade. For the purposes of this Chapter, a basement shall be counted as a story.

BOARDER - any person who is supplied with sleeping or living accommodations with or without meals. A roomer shall be deemed to be a boarder.

BOARDING HOUSE - any dwelling, in which more than three persons either

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individually or as families are housed or lodged for hire with or without meals, rooming house or furnished room house shall be deemed a boarding house.

BUILDING AREA - the aggregate of the maximum horizontal cross-section areas of the buildings on a lot, excluding cornices, eaves, gutters, or chimneys projecting not more than 18 inches, bay windows not extending through more than one story and not projecting more than 5 feet, one story open porches projecting not more than 10 feet, steps and balconies.

BUILDING LINE - a line parallel to the street line or street lines at a distance therefrom equal to the depth of the front or side yard required for the district in which the lot is located.

CELLAR - a story of which $\frac{1}{2}$ or more is below grade. For the purposes of this Chapter, a cellar shall not be counted as a story.

CHEMOTHERAPEUTIC WASTE - all waste generated by or resulting from the production or use of antineoplastic agents used for the purpose of stopping or reversing the growth of malignant cells. Chemotherapeutic waste shall not include any waste containing antineoplastic agents that are listed as hazardous waste under 25 Pa.Code §75.261 (relating to criteria, identification and listing of hazardous waste).

COMMUNITY GARAGE - building or group of buildings, one story in height used exclusively for the storage of automobiles and not used for public parking or for making repairs thereto.

CONVERSION APARTMENT - a multi-family dwelling constructed by converting an existing dwelling into apartments for more than one family without substantially altering the exterior of the building.

COURT - an open, unoccupied space, other than a yard, on the same lot with a building.

COURT, INNER - a court enclosed on all sides by exterior walls of a building or by exterior walls and lot lines on which walls are allowable.

COURT, OUTER - a court enclosed on not more than three sides by exterior walls of a building, or by exterior walls on lot lines on which walls are allowable.

DANGEROUS WASTE - infectious wastes, or chemotherapeutic wastes, or hazardous wastes or any combination thereof.

DWELLING - a building designed or used exclusively as the living quarters for one or more families.

DWELLING UNIT - a dwelling or portion thereof providing complete living facilities for one family.

ELECTRIC SUBSTATION - an assemblage of equipment for purposes other than generation or utilization through which electric energy in bulk is passed for the purpose of switching or modifying its characteristics to meet the needs of the general public; provided, that in residential districts:

- A. An electric substation shall not include rotating equipment, storage of materials, trucks or repair facilities or housing or repair crews.
- B. The external design of the installation shall be subject to the approval of the ~~Board of Adjustment~~ Zoning Hearing Board. [A.O.]

FAMILY - any number of individuals living and living together as a single housekeeping unit.

FRONT YARD - the required open space from the front of a main building to the front property line extending along the street line of any street on which the lot abuts.

GRADE - grade with reference to a building, means when the curb level has been established and the front of the building is 15 feet or less from the street line, the main elevation of the curb opposite such building; when the curb level has not been established or all the walls of the building are more than 15 feet from the street line, grade is the mean elevation of the ground adjoining the building on all sides.

HAZARDOUS WASTE - the same as hazardous waste under the Federal regulations promulgated by the United States Environmental Protection Agency and codified at 40 C.F.R. §261.3 is incorporated by reference. All lists in 40 C.F.R., Part 61, Subpart D, and the Appendices to Part 261 are also expressly incorporated by reference. The term "hazardous waste" as used herein also includes any substance or mixture containing polychlorinated biphenyl ("PCBs") at greater than 1/10 of 1% concentrations when such substance or mixture is not intended for beneficial use or reuse. Radioactive waste and by-products, as defined by the Code of Pennsylvania 1975, are expressly excluded from this definition.

HEIGHT- the height of a building means the vertical distance from grade to a point midway between the highest and the lowest points of the roof, provided that chimneys, spires, towers, elevator penthouses, tanks and similar projections shall not be included in calculating the height.

HOME OCCUPATION - an occupation for gain or support conducted only by members of a family residing on the premises, and conducted entirely within the dwelling or in an accessory building, provided that no article is sold or offered for sale except such as may be provided by members of the immediate family residing on the premises.

HOSPITAL WASTE - waste of any sort generated by nursing homes, hospitals or clinics for the treatment of disease, like institutions of businesses. The term shall also include paper products, bedding, towels, containers or cleaning implements that have been exposed to infectious chemotherapeutic, pathological wastes, solid wastes, and/or

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hazardous wastes generated by nursing homes, hospitals or clinics for the treatment of disease, or like institutions or businesses.

INFECTIOUS WASTE - waste that contains or may contain any disease producing microorganism or material. Infectious wastes include, but are not limited to, the following:

- A. Those wastes that are generated by hospitalized patients who are isolated in separate rooms in order to protect others from their severe and communicable disease.
- B. All cultures and stocks of etiologic agents.
- C. All waste blood and blood products.
- D. Tissues, organs, body parts, blood and body fluids that are removed during surgery or autopsy of septic cases or patients with infectious disease.
- E. Wastes that were in contact with pathogens in any type of laboratory work, including collection containers, culture dishes, slides, plates and assemblies for diagnostic tests; and devices used to transfer, inoculate and mix cultures.
- F. Sharps, including hypodermic needles, suture needles, disposable razors, syringes, pasteur pipettes, broken glass and scalpel blades.
- G. Wastes that were in contact with the blood of patients undergoing hemodialysis at hospitals or independent treatment centers.
- H. Carcasses and body parts of all animals which were exposed to zoonotic pathogens.
- I. Animal bedding and other wastes that were in contact with diseased or laboratory research animals or their excretions, secretions, carcasses or body parts.
- J. Waste biologicals (e.g., vaccines) produced by pharmaceutical companies for human or veterinary use.
- K. Food and their products that are discarded because of contaminated with etiologic agents.
- L. Discarded equipment and equipment parts that are contaminated with etiologic agents and are to be discarded.

LOT - the parcel of land on which a main building and any accessory buildings are placed, together with the required open spaces. The area of a lot shall be measured to the street line only.

MULTIFAMILY DWELLING - a building designed for and occupied exclusively as a

residence for more than two families living independently of one another.

NEIGHBORHOOD STORE - a building, lot or premises performing a local neighborhood retail purpose to include drug store, grocery store or neighborhood meat market and personal service shop.

PREMISES - any lot, parcel or tract of land, any building constructed thereon.

PRIVATE GARAGE - a building accessory to a single-family dwelling for storage of motor vehicles owned and used by the owner or tenant of the lot for a purpose accessory to the use of the lot, and for not more than one additional motor vehicle (not truck) owned and used by another.

PUBLIC GARAGE - a building, not a private or a community garage, where vehicles are stored, repaired, equipped for operation, or kept for hire, or sale.

REAR YARD - the required open space extending along the rear lot line (not a street line) throughout the whole width of the lot.

ROOMER - see "boarder."

ROOMING HOUSE - see "boarding house."

SIDE YARD - the required open space extending along the side lot line throughout the whole depth of the lot.

SIGN - a structure or surface that is arranged, intended, designed, or used to carry an advertisement, announcement or direction, except that if it is to be a part of the architectural design of a building.

SINGLE AND SEPARATE OWNERSHIP- the ownership of a lot by one or more persons, partnerships, or corporations, which ownership is separate and distinct from that of any abutting or adjoining lot.

SINGLE-FAMILY ATTACHED DWELLING - a building designed for and occupied exclusively as a residence for only one family and having a party wall on each side in common with an adjacent building.

SINGLE-FAMILY DETACHED DWELLING - a building designed for and occupied exclusively as a residence for only one family and having no party wall in common with an adjacent building.

SINGLE-FAMILY SEMI-DETACHED DWELLING - a building designed for and occupied exclusively as a residence for only one family and having one party wall in common with an adjacent building.

SPECIAL EXCEPTION - a special exception shall be taken to mean the permission or approval granted by the ~~Board of Adjustment~~ Zoning Hearing Board in situations

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where provision therefor is made by the terms of this Chapter. [A.O.]

STORAGE - the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, moved, or stored elsewhere.

STORY- that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then space between any floor and the ceiling next above it.

STORY, HALF -a story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than 2 feet above the floor of such story.

STREET - a public thoroughfare which affords the principle means of access to abutting property.

STREET LINE - the line defining the edge of the legal width of a public right-of-way such as a street or road.

TELEPHONE CENTRAL OFFICE - a building and its equipment erected and used for the purpose of facilitating transmission and exchange of telephone messages between subscribers, and other business of the telephone company, provided that in a residential district, a telephone central office shall not include public business facilities, storage of materials, trucks or repair facilities, or housing of repair crews.

TOURIST CABIN or AUTOMOBILE COURT -a group of two or more buildings used or intended to be used for the accommodation of tourists or transient guests, or a premises used or intended to be used for the accommodation of tourists or transient guests in tents or movable or temporary sleeping or living quarters of any kind.

TOURIST HOME -a dwelling in which overnight accommodations are provided or offered for transient guests for compensation.

TRAILER - any licensed or unlicensed piece of mobile equipment designed or constructed to be towed or pulled by a motor vehicle, regardless of whether or not a permanent or semi-permanent foundation is constructed underneath or any structure of a permanent or semi-permanent nature is attached thereto.

TRAILER CAMP - a lot or premises occupied or designed for occupancy by one or more vehicles used for living or sleeping purposes.

WASTE - the same as solid waste under Federal regulations promulgated by the United States Environmental Protection Agency and codified at 40 C.F.R. §261.2; 40 C.F.R. §261.2 is incorporated by reference herein.

WORDS - words used in the singular number include the plural, words in the plural number include the singular; the word "building" includes the word "structure."

(*Ord. 648, 9/12/1955, §Art. 1, §100; as amended by Ord. 1049, 8/15/1987, §1; and by A.O.*

PART 2

DESIGNATION OF DISTRICTS

§27-201. Designation of Districts.

For the purposes of this Chapter, the Borough of Ambridge is hereby divided into five districts which shall be designated as follows:

- A. S - Slope Districts.
- B. R - Residential Districts
- C. C - Commercial Districts.
- D. C2 - Highway Commercial District. [*Ord. 1102*]
- E. P - Public/Civic Districts. [*Ord. 1113*]
- F. M - Manufacturing and Industrial Districts.
- G. H - Historic Districts.

(*Ord. 648*, 9/12/1955, Art. 2, §200; as amended by *Ord. 901*, 12/20/1971; by *Ord. 1102*, 11/9/1993, §1; and by *Ord. 1113*, 12/18/1995, §1)

§27-202. Zoning Map.

The boundaries of said districts shall be as shown upon the map attached to and made a part of this Chapter which shall be designated "Zoning Map." The said map and all of the notations, references, and other data shown thereon are hereby incorporated by reference into this Chapter, and shall be as much a part of this Chapter as if all were fully described herein.

(*Ord. 648*, 9/12/1955, Art. 2, §201)

§27-203. Boundaries.

1. The boundaries between districts, are, unless otherwise indicated, either the center lines of streets, alley, or railroad right-of-ways, or such lines extended, or lines parallel thereto. Where figures are shown on the Zoning Map between a street and a district boundary line, they indicate that the district boundary line runs parallel to the street line at a distance therefrom equivalent to the number of feet so indicate.
2. When a district boundary line divides a lot held in single and separate ownership at

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the effective date of this Chapter, the regulations as to the use in a less restricted district shall extend over the portion of the lot in the more restricted district, a distance of not more than 50 feet beyond the district boundary line.

(Ord. 648, 9/12/1955, Art. 2, §§202, 203)

PART 3

“S” SLOPE DISTRICTS

§27-301. Applicability of Regulations.

In the "S" Slope Districts, the following regulations shall apply.

(Ord. 648, 9/12/1955, Art. 3, §300)

§27-302. Use.

1. No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered or enlarged, except for the following uses:
 - A. Reservation.
 - B. Forestation.
 - C. Recreation.
 - D. Accessory use and building, customarily incident to any of the above uses, on the same lot and not involving the conduct of a business.
2. The following uses are permitted only as a conditional use requiring approval of the ~~Board of Adjustment~~ Zoning Hearing Board: [A.O.]
 - A. Water tank, flag pole or open structure necessary to the proper functioning of and appurtenant to the above uses.
 - B. Radio-television transmission or receiving tower and facilities.

(Ord. 648, 9/12/1955, Art. 3, §301; as amended by A.O.)

§27-303. Lot Area Per Dwelling Unit.

On each lot not occupied by a building or structure and on each lot upon which a building is hereafter erected, enlarged or repaired, there shall be provided and maintained a lot area, yards, and other open spaces which shall be not less than prescribed as follows:

- A. **Front Yard Depth.** Not less than 20 feet.
- B. **Side Yard Widths.**
 - (1) Interior Lot. Not less than 3 feet on each side of the main building.

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- (2) Corner Lot. Not less than 20 feet on all yards abutting on a street or alley.
- (3) Rear Yard Depth. Not less than 20 feet. (Exclusive of any portion of depth to be used for permitted accessory uses or buildings.)

(Ord. 648, 9/12/1955, Art. 3, §301)

PART 4

“R” RESIDENTIAL DISTRICTS

§27-401. Applicability of Regulations.

In "R" Residential Districts, the following regulations shall apply.

(Ord. 648, 9/12/1955, Art. 4, §400)

§402. Use.

A building may be erected, altered or used; and a lot or premise may be used for any of the following purposes, and for no other:

- A. Single-family detached dwelling; single-family semi-detached dwelling, provided that the adjoining single-family semi-detached dwelling, with which it has a party wall in common, is erected at the same time.
- B. Single-family attached dwelling; multiple-family dwelling; apartments, conversion apartments or garden apartment.
- C. Education, religious, philanthropic use, hospitals, sanitariums, funeral homes and mortuaries.
- D. Fraternities, clubs, lodges and tourist homes.
- E. Municipal, recreational telephone central office, utility lines, electric substation and railway or bus passenger station.
- F. Tilling of the soil, nursery or greenhouses; provided, however, that no livestock or poultry shall be kept or grazed upon the premises.
- G. The production and sale of farm or nursery products produced on the property where offered for sale, provided that no building or structure other than a portable stand shall be constructed for such sale and provided that any such stand shall be removed during seasons when products are not being offered for sale.
- H. Community garage.
- I. Accessory use on the same lot with and customarily incidental to any of the above permitted uses. The term "accessory use" shall not include a business but shall include a professional office or studio and rooms for home occupation, or in a building accessory thereto, if no goods are publicly displayed on the premises and no sign or advertisement is shown other than a sign not larger than 200

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square inches bearing the name and occupation (words only) of the practitioner.

- J. Signs when erected and maintained in accordance with the provisions of Part 8 hereof.

(Ord. 648, 9/12/1955, Art. 4, §401)

§27-403. Lot Area.

A lot area of not less than 3,000 square feet per family shall be provided for every building hereafter erected, altered or used in whole or in part as a single-family detached and/or semi-detached dwelling.

(Ord. 648, 9/12/1955, Art. 4, §402)

§27-404. Single-Family Dwelling Height.

In the case of a single-family detached and semi-detached dwellings or a building accessory thereto, the height shall not exceed 3 ½ stories nor 40 feet.

(Ord. 648, 9/12/1955, Art. 4, §403)

§27-405. Lot Area for Multiple Dwellings.

In the case of apartment houses, conversion apartments and other multiple dwelling including three dwelling units or more, a lot area of not less than 3,000 square feet shall be provided for every building hereafter erected, altered or used in whole or in part for such purposes and a minimum lot area of 1,000 square feet shall be provided for each dwelling unit.

(Ord. 648, 9/12/1955, Art. 4, §404)

§27-406. Height for Multiple Dwellings.

In the case of building other than the single-family detached and semi-detached dwellings or a building accessory thereto, the height shall not exceed eight stories nor 85 feet.

(Ord. 648, 9/12/1955, Art. 4, §405)

§27-407. Building Area Restrictions.

The building area shall not exceed 50% of the lot area.

(Ord. 648, 9/12/1955, Art. 4, §406)

§27-408. Front Yard.

There shall be a front yard the depth of which shall be at least 20 feet. In the case of a corner lot, the front yard on the long side of the lot may be reduced to a depth of not less than 10% of lot width.

(Ord. 648, 9/12/1955, Art. 4, §407)

§27-409. Side Yards.

In the case of single-family detached dwelling, there shall be two side yards, one on each side of the main building; neither of which shall be less than 3 feet wide; in the case of a single-family semi-detached dwelling, there shall be one side yard which shall be at least 6 feet wide; and, in the case of a building other than a single-family dwelling or single-family dwelling or single-family semi-detached dwelling or a building accessory thereto, there shall be two side yards, one on each side of the main building, neither of which shall be less than 12 feet wide provided that if such building is over 40 feet high, the width of each side yard shall be increased 4 feet for each 10 feet or portion thereof by which the building exceeds 40 feet in height.

(Ord. 648, 9/12/1955, Art. 4, §407)

§27-410. Rear Yard.

There shall be a rear yard, the depth of which shall be at least 15 feet.

(Ord. 648, 9/12/1955, Art. 4, §409)

§27-411. Off-Street Parking.

1. In the case of dwellings, apartment, garden apartment or conversion apartment, off-street parking space shall be provided on the premises at the rate of one vehicle per family unit.

2. In the case of a tourist home or rooming house, off-street parking shall be provided on the premises at the rate of one vehicle for each sleeping accommodations.

(Ord. 648, 9/12/1955, Art. 4, §§410, 411)

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PART 5

“C” COMMERCIAL DISTRICTS

§27-501. Applicability of Regulations.

In "C" Commercial Districts, the following regulations shall apply.

(*Ord. 648, 9/12/1955, Art. 5, §500*)

§27-502. Use.

A building may be erected, altered or used, and a lot or premises may be used for any of the following purposes, and for no other:

- A. A use permitted in "R" Residential Districts, and in which case regulations and restrictions as set forth in Part 4 hereof shall apply.
- B. Sale and storage of goods at retail and wholesale including personal service shops.
- C. Business and professional offices, banks and financial institutions.
- D. Telephone, telegraph, radio and electric offices and stations.
- E. Hotels, restaurants, cafes, tearooms and night clubs.
- F. Theaters and places of amusement.
- G. Public garage, motor vehicle sales, service or repair shops, gasoline service stations and motor vehicle parking lots, except that from the adoption of this Chapter, no more gasoline service stations shall be permitted to be erected or established along Merchant Street and Duss Avenue, public highways in said Borough. [*Ord. 814*]
- H. Bakery, confectionery or custom shop.
- I. Hand laundry, machine laundry, dry cleaning or dyeing plant.
- J. Carpenter, cabinet making, furniture or upholstery shop.
- K. Newspaper, job printing and bookbinding.
- L. Creamery, ice cream manufacturing, butter, cheese making, milk bottling.
- M. Signs and billboards.

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- N. A use of the same general character as any of the above permitted uses.
- O. Accessory use on the same lot with and customarily incidental to any of the above permitted uses.

(Ord. 648, 9/12/1955, Art. 5, §501)

§27-503. Offensive Use Prohibited.

No building may be erected, altered or used and no lot or premises may be used for any trade, industry or business that is noxious or offensive by reason of odor, dust, smoke, gas, vibration or noise. No internal combustion engine or other machine shall be used unless objectionable noise and vibration are eliminated.

(Ord. 648, 9/12/1955, Art. 5, §502)

§27-504. Height.

The height of a building shall not exceed eight stories nor 85 feet.

(Ord. 648, 9/12/1955, Art. 5, §503)

§27-505. Building Area.

The building area of any building hereafter erected, altered or used in whole or in part of a dwelling shall not exceed 70% of the lot area, provided that in the case of a building, the first story of which is used principally for business purposes and in which no portion of the first story is used for sleeping purposes, the building area shall be figured on the level of the window sills on the second story.

(Ord. 648, 9/12/1955, Art. 5, §504)

§27-506. Yard.

Yard space shall be required in cases where an alley abuts the premises, the depth of which shall be not less than 20 feet from the center line of the alley.

(Ord. 648, 9/12/1955, Art. 5, §505)

§27-507. Dimensional and Design Requirements, Minimum Front Yard Depth.

Notwithstanding other provisions of this Section or other Sections relating to the area in question, the following provision shall apply:

A. Minimum Front Yard Depth.

- (1) Buildings erected on lots that border on Merchant Street from Third Street to Twelfth Street shall be sited with the front of the structure at the inside boundary of the pedestrian sidewalk at the right-of-way line.
- (2) Front yards may be permitted in other sectors of the C Commercial District or otherwise designated district subject to site plan review approval as specified in §27-513 of this Part.
- (3) Pedestrian sidewalk shall be the area which abuts the designated district between Third Street and Merchant Street to Twelfth Street and Merchant Street and the property line of the property owner.

(Ord. 648, 9/12/1955; as added by Ord. 1161, 8/28/2001, §1)

§27-508. Dimensional and Design Requirements, Minimum Side Yard Depth.

Notwithstanding other provisions of this Section or other Sections relating to the area in question, the following provision shall apply:

A. Minimum Side Yard Depth.

- (1) Buildings erected on corner lots that border on Merchant Street from Third Street to Twelfth Street shall extend to the inside boundary of the pedestrian sidewalk at the right-of-way line.
- (2) Buildings erected on lots that border on Merchant Street from Third Street to Twelfth Street that are not corner lots shall extend to the inside boundary of the side yard property line.
- (3) Side yards may be permitted in other sectors of the C Commercial District; provided, that a minimum 3 foot side yard setback is maintained between the buildings and the property line.

(Ord. 648, 9/12/1955; as added by Ord. 1161, 8/28/2001, §1)

§27-509. Maximum Building Height.

Notwithstanding other provisions of this Section or other Sections relating to the area in

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question, the following provision shall apply:

A. **Building Height.**

- (1) Buildings erect on lots that border on Merchant Street from Third Street to Twelfth Street shall not exceed 3 stories or 35 feet, whichever is less.
- (2) In other sectors of the C Commercial District, buildings shall not exceed 8 stories or 85 feet, whichever is less.
- (3) See also §27-504 of this Part.

(*Ord. 648, 9/12/1955; as added by Ord. 1161, 8/28/2001, §1*)

§27-510. Maximum Building Floor Area.

Notwithstanding other provisions of this Section or other Sections relating to the area in question, the following provision shall apply:

A. **Building Floor Area.**

- (1) Buildings erected on lots that border on Merchant Street from Third Street to Twelfth Street shall not exceed a gross ground floor area of 6,000 square feet.
- (2) In other sections of the C Commercial District, there shall be no maximum floor are building restrictions, except as necessary to meet the conditions and criteria of §27-505 of this Part.

(*Ord. 648, 9/12/1955; as added by Ord. 1161, 8/28/2001, §1*)

§27-511. Dimensional Requirements, Off-Street Parking.

Notwithstanding other provisions of this Section or other Sections relating to the area in question, the following provision shall apply:

A. **Off-Street Parking.**

- (1) With regard to buildings erected on lots that border on Merchant Street from Third Street to Twelfth Street:
 - (a) Off-street parking shall not be permitted on the front or side of structures or on vacant lots that border on Merchant Street from Third Street to Twelfth Street.

(*Ord. 648, 9/12/1955; as added by Ord. 1161, 8/28/2001, §1*)

§27-512. Curb Cuts.

Buildings erected on lots that border on Merchant Street from Third Street to Twelfth Street shall not be permitted to have curb cuts fronting Merchant Street. The only exceptions would involve compliance requirements with local, State or Federal laws, such as compliance with the Americans with Disabilities Act.

(*Ord. 648, 9/12/1955; as added by Ord. 1161, 8/28/2001, §1*)

§27-513. Submission.

For all building to be erected, extended, remodeled or otherwise improved on lots that border on Merchant Street from Third Street to Twelfth Street, the site plan shall include the following information:

- A. Drawing, elevations, perspective and related design criteria pertaining to structures, landscaping and facade treatments.
- B. A statement and supporting documentation that addresses compatibility with the character of the Central Business District, consistency with National Main Street Program criteria and coordination with applicable ongoing facade and related business enhancement endeavors.

(*Ord. 648, 9/12/1955; as added by Ord. 1161, 8/28/2001, §1*)

§27-514. Penalties.

Any and all rights and remedies included in this Chapter known as the “Ambridge Borough Zoning Ordinance” and related provision of said Chapter are allowable with regard to enforcement.

(*Ord. 648, 9/12/1955; as added by Ord. 1161, 8/28/2001, §1*)

PART 6

“M” MANUFACTURING AND INDUSTRIAL DISTRICTS

§27-601. Purpose.

It is the intent and purpose of this district to provide suitable locations for industrial, light industrial and manufacturing uses, non-retail commercial uses and business and related uses which do not create a nuisance and which are not noxious or offensive or create a hazard to the safety and welfare of the citizens of the Borough of Ambridge by reason of dust, odor, smoke noise and/or vibrations generated by such use.

(Ord. 648, 9/12/1955, Art. 6; as amended by Ord. 1072, 11/13/1990)

§27-602. Permitted Uses.

Permitted uses shall be as follows:

- A. Research and development facilities.
- B. Wholesale packaging, storage, warehousing and/or distribution facilities, excluding self-storage.
- C. Wholesale manufacturing, compounding, processing, and/or assembly facilities entirely within an enclosed building.
- D. Printing and publishing facilities.
- E. Wholesale supply yards.
- F. General contractor and construction industries, such as general electric, plumbing, heating, ventilating and air conditioning.
- G. Professional office.
- H. Business offices.
- I. Public use buildings.
- J. Public parks and recreational areas.
- K. Waterfront marina and restaurant.
- M. Hotel or motel.
- N. Cafeteria.

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(*Ord. 648* , 9/12/1955, Art. 6; as amended by *Ord. 1072*, 11/13/1990)

§27-603. Conditional Uses.

A use not expressly listed as permitted in any zoning district may be permitted as a conditional use in the “M” Manufacturing and Industrial District in accordance with the following procedures and standards. In granting a conditional use, the Borough Council may attach such reasonable conditions and safeguards, in addition to those expressed in this Part, as it may deem necessary to implement the purposes of this Part and the Pennsylvania Municipalities Planning Code:

EXHIBIT “A”

1. **Submission of Application.** The granting of a conditional use by the Borough Council shall be predicated upon the developer’s demonstrating that the development for which the conditional use is sought:
 - A. Will not endanger the public health and safety if located where proposed and that the use will not deteriorate the environment or generate nuisance conditions such as traffic congestion, noise, dust, smoke, glare or vibration.
 - B. Meets all other requirements of this Part for the “M” Manufacturing and Industrial District.
 - C. Is in general conformity with the Comprehensive Plan for the Borough of Ambridge and in harmony with the area in which it is proposed.
 - D. Is an appropriate use on the proposed site.
 - E. Is in compliance with all other standards of this Part.
2. The applicant/developer shall submit a deed and drawings to scale. The drawings shall indicate the boundaries of the property, location of adjacent streets, the location and height of proposed buildings on the property, proposed grading and storm drainage and location and number of proposed parking spaces and proposed curb cuts.
3. **Action by the Planning Commission.** Upon the filing of an application for a conditional use, the Borough Council shall submit each such conditional use application to the Planning Commission at least 30 days prior to the hearing on such conditional use to provide the Planning Commission an opportunity to submit recommendations. Such recommendations shall be in writing with copies transmitted to the applicant and to Borough Council.
4. **Public Hearing.** The Borough Council shall call and hold a public hearing, with proper notice, within 60 days of the filing of the application for conditional use.

5. **Action by Borough Council.** Borough Council shall render a decision and inform the applicant of said decision within 45 days of the close of the hearing, unless upon mutual consent of the Borough Council and the applicant it is agreed to continue the proceedings. If the Borough Council denies the conditional use, the developer may reapply for the same use no sooner than 1 year after the latter of 30 days after notice of the decision is entered or 30 days after entry of a final decision by the court of competent jurisdiction without further appeal.

(*Ord. 648, 9/12/1955, Art. 6; as amended by Ord. 1072, 11/13/1990; and by Ord. 1167, 2/26/2002, §2*)

§27-604. Yard.

Yard space shall be required in cases where an alley abuts the premises, the depth of which shall be not less than 20 feet from the center line of the alley.

(*Ord. 648, 9/12/1955, Art. 6; as amended by Ord. 1072, 11/13/1990*)

§27-605. Off-Street Parking.

Off-street parking shall be provided on the premises at the rate of the greater of one parking space for each employee or one parking space for each 1,500 square feet of gross floor area. Additionally, there shall be one visitor's parking space for each 25 parking spaces.

(*Ord. 648, 9/12/1955, Art. 6; as amended by Ord. 1072, 11/13/1990*)

§27-606. Loading and Unloading Space.

Loading and unloading space shall be provided on the premises in the following schedule:

- A. Under 40,000 square feet of gross floor area shall require one berth.
- B. Forty thousand square feet of gross floor area to 100,000 square feet shall require two berths.
- C. Over 100,000 square feet of gross floods area shall require one additional berth for each 100,000 square feet.

(*Ord. 648, 9/12/1955, Art. 6; as amended by Ord.1072, 11/13/1990*)

§27-607. Buffer Zone.

A buffer zone shall be required in this district in order to minimize the effects of glare from headlights of vehicles, lights from structures, noise and to shield activities from adjacent

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residential and commercial properties. A buffer zone shall comply with the following requirements:

- A. A buffer area shall provide a year-round visual screen and be at least 10 feet in depth where any property in the Manufacturing and Industrial District is adjacent to a property in the Commercial District; and shall be at least 15 feet in depth where any property in the Manufacturing and Industrial District is adjacent to property in the Residential or Historic District. The buffer area may consist of one or a combination of the following:
 - (1) Evergreen and deciduous plant material of varying species.
 - (2) An existing natural land form or wooded area.
 - (3) A fence between 5 and 8 feet in height with at least 60% of the surface being opaque.
- B. When a planted buffer is utilized, it shall consist of a mix of evergreen and deciduous plant materials. At the time of planting, the evergreen material shall be sufficient to screen the property visually and shall be a minimum of 5 feet in height (after planting). The remainder of the plantings may be of varying lesser heights.
- C. The property owner shall be responsible for the continuing maintenance of all buffer areas, including the replacement of any dead plant material. Buffer areas shall be kept clean of all debris, rubbish, weeds and tall grass.
- D. No structure shall be permitted within a required buffer area, except an authorized fence or wall, nor shall a buffer area be used for repairing, loading, vehicular circulation, storage or any other purpose.
- E. The buffer area shall be continuous along property lines where they are required, except for points of vehicular or pedestrian access.
- F. Plans for any buffer area shall be received by the Planning Commission prior to the issuance of the building permit. The Borough Council may authorize a modification in the otherwise applicable buffer area requirements where it determines that the changes in elevation between abutting properties are such that they would eliminate the need for the buffer area, at the points where the buffer area is required by this Part.

(*Ord. 648, 9/2/1955, Art. 6; as amended by Ord. 1072, 11/13/1990*)

PART 7

“H” HISTORIC DISTRICT

§27-701. Purpose.

To protect a portion of the Borough of Ambridge which recalls the rich architectural and cultural heritage of the Borough and the State, to awaken in our people an interest in our historic past and to promote the general welfare, education and culture of the Borough, there is hereby created in the Borough of bridge an historic district to be known as "Ambridge Historic District" located in the Old Economy Area, Borough of Ambridge, Beaver County, Pennsylvania.

(*Ord. 648* , 9/12/1955; as added by *Ord. 900*, 12/20/1971, §1; and amended by *Ord. 901*, 12/20/1971, §2)

§27-702. Boundaries.

1. The limits of the Ambridge Historic District are defined as follows:

Beginning at a point, said point being the intersection of the westerly line of the Economy Belt Line and the southerly right-of-way line of Wagner Street, being located on the easterly line of block twelve, Ambridge Borough; thence along the southerly right-of-way of Wagner Street south of 89° 11' west, 390.50 feet to a point on the easterly line of Merchant Street; thence by the easterly right-of-way line of Merchant Street; south 0° 19' east, 200.00 feet to the southerly line of the Village Plan of Lots as laid out by the Fort Pitt Improvement Company (P.B.1, p. 241 - May, 1904); thence along the southerly line of said plan south 89° 11' 16" west. 856.66 feet to a point on the easterly right-of-way line of Pennsylvania T.R. 65, L.R. 641; thence by easterly right-of-way line the following courses and distances; north 3° 55' 59" west 216.5± feet; thence by a curve to the right of radius 7579.49 feet and an arc of 261.84 feet; thence south 88° 02' 46" west, 10.00 feet; thence by a curve to the right of radius 7,589.49 feet and an arc of 18.0 feet; thence south 88° 10' 46" west, 10.00 feet; thence by a curve to the right of radius 7599.49 feet and an arc of 227.14 feet; thence north 0° 06' 29" west, 63.91 feet; thence north 89° 54' 16" east, 10.0 feet; thence north 0° 06' 29" west, 16.0 feet; thence south 89° 54' 16" west 10.0 feet; thence north 0° 06' 29" west 230.0 feet; thence north 89° 54' 16" east 20.0 feet; thence north 0° 06' 29" west 179.0 feet; thence south 89° 54' 16" west 5.0 feet; thence north 0° 06' 29" west 70.0 feet; thence north 89° 03' 31" east 5.0 feet; thence north 0° 06' 29" west 382.15 feet to a point, said point being 9.5± feet north of the southerly line of lot no. 29 in block sixteen of the Economy Plan of French Point and Village Lots as laid out by the Fort Pitt Improvement Company (P.B. 1, p. 235, October 1903); thence through said lot no. 29, north 88° 59' 31" east 50± feet to the easterly line of said lot no. 29; thence south 1° 00' 29" east 9.5 feet to a point to a point at the northwest corner of the lot no. 24 in said plan; thence by the northerly line of lot nos. 1 through 24, north 88° 59' 31" east 752.52 feet to a

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point on the easterly right-of-way south 26° 24' 37" east 145± feet; thence by same south 46° 24' 37" east, 133.65 feet to the northwesterly corner of block fifteen in said Economy Plan; thence by the northerly line of block fifteen, north 89° 03' 31" east, 94.37 feet to the northeasterly corner of lot no. 4; thence by the easterly line of lot 4 and crossing Laughlin Street, south 0°06' 29" east 120.00" to a point on the southerly right-of-way line of Laughlin Street; thence by said right-of-way line, south 89° 03' 31" west, 8.30 feet to the northeasterly corner of lot no. 17; thence by the easterly line of lot 17 and crossing Fifteenth Street, south 0° 24' 16" east, 130.00 feet to a point on the southerly right-of-way line of Fifteenth Street; thence by said right-of-way line south 89° 54' 16" west, 2.42 feet to the northeast corner of lot no. 3 in block fourteen in said Economy Plan; thence by the easterly line of lot no. 3 south 0° 24' 16" east, 70.00 feet to the northerly line of lot no. 21; thence by the northerly line of lot 21, north 89° 54' 16" east, 6.16 feet to the northeast corner of lot no. 21; thence by the easterly line of lot no. 21 and crossing Boyleston Street, south 0° 24' 16" east, 120.96 feet to a point on the northerly right-of-way line of Boyleston Street; thence by said right-of-way line north 89° 54' 16" east 108.60 feet to a point; thence south 0° 24' 16" east, 110 feet crossing Boyleston Street to a point on the northerly side of Fourteenth Street said point being the southeast corner of lot no. 32; thence by said right-of-way line north 89° 54' 16" east, 189.20 feet to a point on the westerly right-of-way line of the Economy Belt Line; thence by the westerly right-of-way line of the Economy Belt Line south 01° 20' 45" east, 653.68 feet to the place of beginning for the parcel herein described.

2. The above is a description of the Ambridge Historical Zone and the information was obtained from plat books, Pennsylvania Department of Highways construction drawings, County tax maps and Borough maps. No field survey work was performed for the purpose of this Ambridge Historical Zone description.
3. The above description is intended to correspond to a map entitled Ambridge Historical Zone Map, which map accompanies this Chapter and is hereby made a part thereto.

(*Ord. 648* , 9/12/1955; as added by *Ord. 900*, 12/20/1971, §2; and amended by *Ord. 901*, 12/20/1971, §2)

§27-703. Prerequisite for Effectiveness.

Immediately upon the adoption of this Part, the Borough Secretary shall forward a copy thereof to the Pennsylvania Historical and Museum Commission. This Part shall not take effect until:

- A. The said Commission has certified, by resolution, to the historical significance of Ambridge Historic District.
- B. It has been duly advertised, as required by existing law.

(*Ord. 648* , 9/12/1955; as added by *Ord. 900*, 12/20/1971, §3; and amended by *Ord. 901*, 12/20/1971, §2)

§27-704. Limited Commercial Uses.

1. The following limited commercial uses shall be permitted in this District provided such use is confined within the walls of the existing structure or such alteration, erection or reconstruction as permitted in this Section:
 - A. Craft shops.
 - B. Antique shops.
 - C. Family oriented speciality gift shops.
 - D. Family oriented book stores.
 - E. Real estate offices.
 - F. Professional offices such as physicians, attorney, engineer or architect.
 - G. Artist studios and retail outlet for art work.
 - H. Historic crafts similar to those practiced by the Harmony Society, such as metal work, potter, hatter or weaver.
 - I. Inn or bed and breakfast.
 - J. Restaurant, coffee shop or ice cream shop.
2. A certificate of appropriateness shall be required for such use as hereinafter provided.

(*Ord. 648* , 9/12/1955; as added by *Ord. 900*, 12/20/1971; and amended by *Ord. 901*, 12/20/1971, §2; and added by *Ord. 1135*, 10/19/1998, §1A)

§27-705. Building Codes.

Any erection, reconstruction or alteration of a structure in this District for a limited commercial use as herein permitted shall comply with all applicable Federal, State and Borough regulations, codes and ordinances.

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(*Ord. 648* , 9/12/1955; as added by *Ord. 900*, 12/20/1971; and by *Ord. 901*, 12/20/1971, §2; and added by *Ord. 1135*, 10/19/1998, §1B)

§27-706. Accessory Structures and Signs.

Sheds and enclosed areas for trash service and storage and signs shall be permitted as an accessory use; provided, they are compatible with the architecture of this District and approved by the Review Board and Borough Council and a certificate of appropriateness is issued as herein provided.

(*Ord. 648* , 9/12/1955; as added by *Ord. 900*, 12/20/1971; and amended by *Ord. 901*, 12/20/1971, §2; and added by *Ord. 1135*, 10/19/1998, §1C)

§27-707. Board of Historical Review Established.

A Board of Historical Architectural Review is hereby established to be composed of seven members appointed by the Ambridge Borough Council, one of whom shall be a registered architect, one a licensed real estate broker, one the ~~Building Inspector~~ Code Enforcement or Zoning Officer of the Borough and four additional persons with a knowledge of and an interest in the preservation of the District. At least four of the above members shall be residents of the Historic District or be owners of real property therein. The initial terms of the first seven members of the Board shall be as follows: One shall serve until the first Monday of January, 1972, two until the first Monday of January, 1973, two until the first Monday of January, 1974, and two until the first Monday of January, 1975. Their successors shall serve for a term of 5 years. The position of any member of the Board appointed in his capacity as a registered architect, a licensed real estate broker or as the ~~Building Inspector~~ Code Enforcement/Zoning Officer of the Borough who ceases to be so engaged shall be automatically considered vacant. An appointment to fill a vacancy shall be only for the unexpired portion of the term.

(*Ord. 648* , 9/12/1955; as added by *Ord. 900*, 12/20/1971, §4; and amended by *Ord. 901*, 12/20/1971, §2; and by A.O.

§27-708. Counsel to Borough Council.

The Board shall give counsel to the Borough Council regarding the advisability of issuing any certificates required to, be issued pursuant to the said Act of June 13, 1961, and this Part. For the purpose, the Board may make and alter rules and regulations for its own organization and procedure, consistent with this Chapter and the laws of the Commonwealth. A majority of the Board shall constitute a quorum and action taken at any

meeting shall required the affirmative vote of a majority of the Board. The members of the Board shall serve without compensation, and shall make an annual report of their transactions to the Borough Council.

(Ord. 648 , 9/12/1955; as added by Ord. 900, 12/20/1971, §5; and amended by Ord. 901, 12/20/1971, §2)

§27-709. Permit Issued by Code Enforcement/Zoning Officer.

The Code Enforcement/Zoning Officer shall not issue a permit for any erection, reconstruction, alteration, restoration, demolition or razing of a building or issue an occupancy permit for the limited commercial use permitted in §27-704 in this District until the Borough Council has issued a certificate of appropriateness.

(Ord. 648 , 9/12/1955; as added by Ord. 900, 12/20/1971, §6; and amended by Ord. 901, 12/20/1971, §2; and by Ord. 1135, 10/19/1998, §2)

§27-710. Procedure by Code Enforcement/Zoning Officer Upon Receipt of Permit Application.

Upon receipt of an application for a building permit for any erection, reconstruction, alteration, restoration, demolition or razing of a building in this District, or for an occupancy permit for a limited commercial use of a building in this District, the Code Enforcement/Zoning Officer shall: [*Ord. 1135*]

- A. Forward to the office of the Board of Historical Architectural Review a copy of the application for a building permit or occupancy permit, together with a copy of any plot plan or building plans and specifications filed by the applicant. [*Ord. 1135*]
- B. He shall maintain in his office a record of all such applications and of his handling and final disposition of the same, which shall be in addition to an appropriately cross referenced to his other records.
- C. Require applications to submit a sufficient number of additional copies of material required to be attached to an application for a building permit or occupancy permit to permit compliance with the foregoing. [*Ord. 1135*]

(Ord. 648 , 9/12/1955; as added by Ord. 900, 12/20/1971, §7; and amended by Ord. 901, 12/20/1971, §2; and by Ord. 1135, 10/19/1998, §3)

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§27-711. Review of Application by Board for Certificate of Appropriateness.

Upon receipt by the Board of a notice that an application for a building permit for the erection, reconstruction, alteration, restoration, demolition or razing of a building or buildings in this District, or an application for an occupancy permit for a limited commercial use as provided in §27-704 has been filed in the office, the Board will give notice to the Borough Council of a meeting to review said application. The person applying for the permit shall be advised of the time and place of the said meeting and invited to appear to explain his reasons therefor. The Board may invite such other person or persons as it desires to attend the meeting.

(*Ord. 648* , 9/12/1955; as added by *Ord. 900*, 12/20/1971, §8; and amended by *Ord. 901*, 12/20/1971, §2; and by *Ord. 1135*, 10/19/1998, §4)

§27-712. Factors in Board Review.

In determining the counsel to be presented to the Borough Council concerning the issuing of a certificate of appropriateness of authorizing a permit for the erection, reconstruction, alteration, restoration, demolition or razing of all or any part of any building within this District or an application for a limited commercial use as provided in §27-704, the Board shall consider the following matters:

- A. The effect of the proposed changes upon the general historic and architectural nature of this District.
- B. The appropriateness of exterior architectural features which can be seen from a public street or way only.
- C. The general design, arrangement, texture, material and color of the building or structure and the relation of such factors to similar feature of buildings or structures in this District. The Review Board shall establish and prepare a manual setting forth the details of such design, arrangement, texture and structure. This manual shall be available to the general public at the Borough building during regular business hours.
- D. In an application for limited commercial use it shall consider the adequacy of parking and the compatibility of the use to the historic nature of the District.

(*Ord. 648* , 9/12/1955; as added by *Ord. 900*, 12/20/1971, §9; and amended by *Ord. 901*, 12/20/1971, §2; and by *Ord. 1135*, 10/19/1998, §5)

§27-713. Refusal by Board to Grant Certificate of Appropriateness.

If the Board, on the basis of the information received at a meeting and from its general background and knowledge, decides to counsel against the granting of a certification of appropriateness, it shall indicate to the applicant for a building permit or occupancy permit the changes in plans and specifications, if any, in the opinion of the Board, would protect the distinctive historical character of this District. The Board shall withhold its report to the Borough Council for a period of 10 days following its decision to allow the applicant to decide whether or not to make the suggested changes in his plans and specifications. If the applicant determines that he will make the suggested changes, he shall so advise the Board, which shall counsel the Borough Council accordingly.

(*Ord. 648*, 9/12/1955; as added by *Ord. 900*, 12/20/1971, §10; and amended by *Ord. 901*, 12/20/1971, §2; and by *Ord. 1135*, 10/19/1998, §6)

§27-714. Board's Report After Changes Made in Refused Plans.

The Board, after the meeting provided for in §27-711, shall submit to the Borough Council at a regular or special meeting, and in writing, its counsel concerning the issuance of a certificate of appropriateness for authorizing a permit for the erection, reconstruction, alteration, restoration, demolition or razing of all or part of any building with this District, or a permit for limited commercial use. The written report shall set out the following matters:

- A. The exact location of the area in which the work is to be done.
- B. The exterior changes to be made or the exterior character of the structure to be created.
- C. A list of the surrounding structures with their general exterior characteristics.
- D. The effect of the proposed change upon the general historic and architectural nature of this District.
- E. The appropriateness of exterior architectural features which can be seen from a public street or way only.
- F. The general design, arrangement, texture, material and color of the building or structure and the relation of such factors to similar features of buildings or structures in this District.
- G. The opinion of the Board (including any dissent) as to the appropriateness of the work proposed or the use proposed as it will preserve or destroy the historic aspect and nature of this District.
- H. The specific counsel of the Board as to the issuance by the Borough Council or its refusal to issue a certificate of appropriateness.

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(*Ord. 648* , 9/12/1955; as added by *Ord. 900*, 12/20/1971, §11; and amended by *Ord. 901*, 12/20/1971, §2; and by *Ord. 1135*, 10/19/1998, §7)

§27-715. Review of Revised Permit Application by Board for Certificate of Appropriateness.

1. Upon receipt of the written counsel of the Board as provided in §27-714, the Borough Council shall consider at a regular or special meeting the question of issuing to the Code Enforcement or Zoning Officer a certificate of appropriateness authorizing a permit for the work or use covered by the application. The applicant shall be advised by the Borough Secretary of the time and place of the meeting at which his application will be considered and shall have the right to attend and be heard as to his reasons for filing same.
2. In determining whether or not to certify as to the appropriateness of the proposed erection, reconstruction, alteration, restoration, demolition or razing of all or a part of any building within this District or the limited commercial use provided in §27-704, the Borough Council shall consider the same factors as the Board of Historical Architectural Review set forth in §27-712, and the report of the Board. If the Borough Council approves the application, it shall issue a certificate of appropriateness authorizing the Code Enforcement or Zoning Officer to issue a permit for the work or use covered. If the Borough Council disapproves, it shall do so in writing and copies shall be given to the applicant, the Code Enforcement/Zoning Officer, and to the Pennsylvania Historical and Museum Commission. The disapproval shall indicate what changes in the plans and specifications would meet the conditions for protecting the distinctive historical character of this District.

(*Ord. 648* , 9/12/1955; as added by *Ord. 900*, 12/20/1971, §12; and amended by *Ord. 901*, 12/20/1971, §2; and by *Ord. 1135*, 10/19/1998, §8)

§27-716. Appeals.

Upon receipt of the written disapproval of the Borough Council, the ~~Building Inspector~~ Code Enforcement/Zoning Officer shall disapprove the application for a building permit and so advise the applicant. The applicant may appeal from the disapproval as provided by law and the building codes of the Borough.

(*Ord. 648* , 9/12/1955; as added by *Ord. 900*, 12/20/1971, §13; and amended by *Ord. 901*, 12/20/1971, §2; and by A.O.

§27-717. Enforcement.

The ~~Building Inspector~~ Code Enforcement or Zoning Officer shall have the power to institute any proceedings at law or in equity necessary for the enforcement of this Part, and the building codes of the Borough as presently enacted or as the same may from time to time be amended.

(*Ord. 648* , 9/12/1955; as added by *Ord. 900*, 12/20/1971, §14; and amended by *Ord. 901*, 12/20/1971, §2; and by A.O.

PART 8

RESIDENTIAL SIGNS

§27-801. Applicability of Regulations.

In "R" - Residential Districts, signs may be erected and maintained only when in compliance with the provisions of this Part and any and all other ordinances and regulations of the Borough relating to the erection, alteration or maintenance of signs and similar devices:

- A. Signs advertising the sale or rental of the premises upon which they are erected, when erected by the owner or broker of any other person interested in the sale or rental of such premises, may be erected and maintained, provided:
 - (1) The size of any such sign is not in excess of 6 square feet.
 - (2) Not more than two signs are placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which event two such signs may be erected on each frontage.

- B. Signs advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a building, contractor, developer, or other person interested in such sale or development, may be erected and maintained, provided:
 - (1) The size of any sign is not in excess of 20 square feet.
 - (2) Not more than two signs are placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which event two such signs may be erected on each frontage.

- C. Signs indicating the location and direction of premises available for or in process of development, but not erected upon such premises and having inscribed thereon the name of the owner, developer, builder, or agent may be erected and maintained, provided:
 - (1) The size of any such sign is not in excess of 6 square feet, and not in excess of 4 feet in length.
 - (2) Not more than one such sign is erected on each 500 feet of street frontage.

- D. Signs bearing the word "sold" or the word "rented" with the name of the person effecting the sale or rental may be erected and maintained, provided the conditions in §27-801(A) hereby are complied with.

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- E. Signs of mechanics, painters and other artisans may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected, provided:
 - (1) The size thereof is not in excess of 12 square feet.
 - (2) Such signs are removed promptly upon completion of the work.

- F. Signs of schools, colleges, churches, hospitals, sanitariums or other institutions of a similar nature may be erected and maintained, provided:
 - (1) The size of any such sign is not in excess of 20 square feet.
 - (2) Not more than two signs are placed on a property in single and separate ownership, unless such property fronts upon more than one street, in which event two such signs may be erected on each frontage.

- G. Signs advertising the sale of farm products when permitted by this Part provided:
 - (1) The size of any such sign is not in excess of 6 square feet.
 - (2) Not more than two signs are used.
 - (3) The signs shall only be displayed when such products are on sale.

- H. In addition to the other requirements of this Part, every sign referred to herein must be constructed by materials kept in good condition and repair, and not allowed to become dilapidated. Each such sign shall be removed when the circumstances leading to its erection no longer apply. Unless specifically authorized by other ordinances or regulations of the Borough, the construction or erection of any such signs within the street lines of public highways is hereby prohibited.

(Ord. 648, 9/12/1955, Art. 7, §700)

PART 9

AMENDMENTS

§27-901. Procedure to Amend.

The Borough Council, by the affirmative vote of not less than a majority of the members of Council, may from time to time amend, supplement, change, modify or repeal this Chapter, including the zoning map, by proceeding in the following manner:

- A. The Borough Council by resolution adopted at a stated meeting shall fix the time and place of a public hearing on 'the proposed amendment and cause notice thereof to be given by publishing a notice thereof once a week for 3 successive weeks in at least one newspaper of general circulation in the Borough. The notices all state the general nature of the proposed amendment.
- B. Whenever the owners of 50% or more of the frontage in any area wherein a change of zoning regulations is sought shall present to the Borough Council a petition duly signed and acknowledged requesting an amendment, supplement, change, modification, or repeal of the regulations prescribed for, or of the zoning map including such area, it shall be the duty of the Borough Council to hold a public hearing thereon, and cause notice thereof to be given in the manner prescribed in subsection (A).
- C. At the public hearing, full opportunity to be heard shall be given to any citizen and all parties in interest.
- D. In case of a protest against such change, signed by the owners of 20% or more, either of the lots immediately adjacent, or of the lots immediately adjacent in the rear thereof extending 100 therefrom, or of the lots directly opposite thereto extending 100 feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of 3/4 of all the members of the Council.

(Ord. 648, 9/12/1955, Art. §§800 to 804)

PART 10

BOARD OF ADJUSTMENT ZONING HEARING BOARD

§27-1001. Appointment.

The Borough Council shall appoint a ~~Board of Adjustment~~ Zoning Hearing Board consisting of three members, as provided by law.

(Ord. 648, 9/12/1955, Art. 9, §900; as amended by A.O.)

§27-1002. Powers.

The ~~Board of Adjustment~~ Zoning Hearing Board shall have the following powers: [A.O.]

- A. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determined made by an administrative official in the enforcement of this Chapter.
- B. To hear and decide special exceptions to the terms of this Chapter in such cases as are herein expressly provided for, in harmony with the general purpose and intent of this Chapter, with power to impose appropriate conditions and safeguards.
- C. To authorize upon appeal in specific cases such variance from the terms of this Chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Chapter will result in unnecessary hardship, so that the spirit of this Chapter shall be observed and substantial justice done.

(Ord. 648, 9/12/1955, Art 9, §901; as amended by A.O.)

§27-1003. Adoption of Rules.

The ~~Board of Adjustment~~ Zoning Hearing Board shall adopt rules as to the manner of filing appeals or applications for special exceptions or for variance from the terms of this Chapter.

(Ord. 648, 9/12/1955, Art. 9, §902; as amended by A.O.)

§27-1004. Procedure for Appeals.

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Upon the filing with the ~~Board of Adjustment~~ Zoning Hearing Board of an appeal or of an application for special exception or for variance from the terms of this Chapter, the ~~Board of Adjustment~~ Zoning Hearing Board shall fix a time and place for a public hearing thereon, and shall give notice thereof as follows: [A.O.]

- A. By publishing a notice thereof, at least 7 days in advance of such hearing, in a newspaper of general circulation in the Borough.
- B. By mailing a notice thereof to each member of the Borough Council.
- C. By mailing a notice thereof at least 6 days prior to the hearing to the parties in interest at the address filed with the appeal or application for special exception or variance.
- D. When the ~~Board of Adjustment~~ Zoning Hearing Board shall so order, by mailing or delivering a notice thereof to the owner, if his residence is known, and to the occupier of every lot on the same street within 300 feet of the lot or building in question, and of every lot not on the same street within 100 feet of said lot or building; provided, that failure to give notice required by this subsection shall not invalidate any action taken by the ~~Board of Adjustment~~ Zoning Hearing Board. [A.O.]

(Ord. 648, 9/12/1955, Art. 9, §903; as amended by A.O.)

§27-1005. Notice.

The notices required by §27-1004 shall state the location of the building or lot and the general nature of the question involved.

(Ord. 648, 9/12/1955, Art. 9, §904)

§27-1006. Expiration of Variance.

Unless otherwise specified by the ~~Board of Adjustment~~ Zoning Hearing Board, a special exception or variance shall expire if the applicant fails to obtain a building permit within 6 months from the date of authorization thereof.

(Ord. 648, 9/12/1955, Art. 9, §905; as amended by A.O.)

§27-1007. Fee.

Each application for an appeal, exception or variance as provided in this Chapter, shall be

accompanied by a fee payable to the Secretary of the ~~Board of Adjustment~~ Zoning Hearing Board in the amount of ~~\$50~~ as established from time to time by resolution of Borough Council to cover the cost, or a part thereof, of advertising and mailing of notices as required in §27-1004.

(*Ord. 648, 9/12/1955, Art. 9, §906; as amended by Ord. 969, 2/26/1979; and by A.O.*)

§27-1008. Board's Decision Upon Appeal: Disposition of Appeals and Exceptions.

The Board shall decide each appeal within a reasonable time, and notice thereof shall forthwith be given to all parties in interest. The Board's decision shall be immediately filed in its office and be a public record. In the exercise of its functions upon such appeals or upon exceptions, the Board may, in conformity with the provisions of this Chapter, reverse or affirm, wholly or partly or modify the order, requirement, decision or determination appealed from, or may make such order, requirement, decision or determination as in its opinion ought to be made.

(*Ord. 648, 9/12/1955, Art. 9, §907*)

§27-1009. Appeal from Board's Decision.

Any person aggrieved by any decision of the ~~Board of Adjustment~~ Zoning Hearing Board or any city affected thereby may appeal therefrom within 30 days, to the court of common pleas. Every such appeal shall specify the grounds thereof and the interest of appellant. So far as practicable and consistent with the provisions of this Part, the procedure for appeals from the ~~Board of Adjustment~~ Zoning Hearing Board shall be in conformity with the Rules of Civil Procedure of the Supreme Court regarding appeals from administrative agencies.

(*Ord. 648, 9/12/1955, Art. 9, §908; as amended by A.O*)

§27-1010. Testimony.

If, upon the hearing of the appeal, the court shall deem it necessary to have additional testimony, it may remand the appeal to the ~~Board of Adjustment~~ Zoning Hearing Board with instructions, or it may take testimony, or appoint a referee to do so, as it may direct, and to report the testimony to the court with his findings of fact and conclusions of law.

(*Ord. 648, 9/12/1955, Art. 9, §909; as amended by A.O.*)

§27-1011. Disposition of Appeal; Cost.

The court may reverse or affirm, in whole or in part, or may modify the decision appealed from it as may appear just and proper. Costs shall not be allowed against the Board unless it shall appear to the court that acted with gross negligence or in bad faith or with malice in

making the decision appealed from.

(*Ord. 648*, 19/12/1955, Art. 9, §910)

PART 11

GENERAL PROVISIONS

§27-1101. Nonapplicability of Ordinance to Necessary Uses.

This Chapter shall not apply to an existing or proposed building or extension thereof, used or to be used by a public utility corporation, if upon petition of such corporation, the Pennsylvania Public Utility Commission shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public; nor shall this Chapter apply to any building of the Borough or extension thereof, or to the use of any premises by the Borough if the Borough Council shall, after a public hearing, decide that such building or extension thereof, or such use of any premises, is reasonably necessary for the convenience or welfare of the public, provided that any municipal recreational building or use may be established by the Borough Council at any location in the Borough without holding such public hearing.

(Ord. 648, 9/12/1955, Art. 10, §1000)

§27-1102. Residential Yard Depth.

Where, in any Residential District, more than 50% of the residential frontage of any block has been improved at the effective date of this Chapter with buildings having front yards of less depth than that required for that particular Residential District, then, the required front yard depth for such district may be decreased in such block to a depth not less than that of the majority of the existing buildings.

(Ord. 648, 9/12/1955, Art. 10, §1001)

§27-1103. Projections into Front Yard.

No building and no part of a building shall be erected within or shall project into the front yard except cornices, eaves, gutters, or chimneys projecting not more than 18 inches, by windows not extending through more than one story and not projecting more than 5 feet, one story open porches projecting not more than 10 feet, steps and balconies.

(Ord. 648, 9/12/1955, Art. 10, §1002)

§27-1104. Projections into Side Yard.

No building and no part of a building shall be erected within or shall project into the side yard except cornices, eaves, gutters, or chimneys projecting not more than 18 inches, and steps; provided, that an accessory building may be built or constructed within one of the side yards if entirely separated from the main buildings and located at least 10 feet farther

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back from the front street line than the rear most portion of the main building; and in the case of a side yard along an alley, such accessory building shall be located not less than 20 feet from the center line of said alley.

(*Ord. 648, 9/12/1955, Art. 10, §1003*)

§27-1105. Projections into Rear Yard.

No building and no part of a building shall be erected within or shall project into the rear yard except cornices, eaves, gutters or chimneys projecting not more than 18 inches, by windows not extending through more than one story and projecting more than 5 feet; steps and balconies, provided that an accessory building may be built or constructed within the rear yard if entirely separated from the main building and located at least 10 feet farther back from the front street line than the rear-most portion of the main building; and, in the case of a rear yard along an alley, such accessory building shall be located not less than 20 feet from the center line of said alley.

(*Ord. 648, 9/12/1955, Art. 10, §1004*)

§27-1106. Open Space.

No lot area shall be so reduced that the area of the lot or the dimensions of the open spaces shall be smaller than herein prescribed.

(*Ord. 648, 9/12/1955, Art. 10, §1005*)

§27-1107. Obstruction to View.

On any corner lot, no wall, fence or other structure shall be erected or altered and no hedge, tree, shrub or other growth shall be maintained, which may cause danger to traffic on a street by obscuring the view.

(*Ord. 648, 9/12/1955, Art. 10, §1006*)

§27-1108. Fence in Open Area.

No fence or wall (except a retaining wall or a wall of a building permitted under the terms of this Chapter) over 4 feet in height shall be erected within any of the open spaces required by this Chapter.

(*Ord. 648, 9/12/1955, Art. 10, §1007; amended by Ord. 881, 9/14/1970*)

§27-1109. Minimum Area Exception.

In the case of a lot held in single and separate ownership at the effective date of this Chapter, which does not fulfill the requirements for the minimum area for the district in which it is located, a building may be erected or altered thereon when authorized as a special exception.

(Ord. 648, 9/12/1955, Art. 10, §1008)

§27-1110. Required Open Space Exception.

In the case of a lot held in a single and separate ownership at the effective date of this Chapter, which, because of unusual conditions of depth or width has difficulty in providing the required open spaces of the district in which it is located, the required open spaces may be decreased when authorized as a special exception.

(Ord. 648, 9/12/1955, Art. 10, §1009)

§27-1111. Prohibited Use.

No lot or premise shall be used as a trailer camp, or a tourist cabin or automobile court.

(Ord. 648, 9/12/1955, Art. 10, §1010)

§27-1112. Required Access.

No dwelling shall hereafter be erected or altered unless there is direct access to it through an open space on the same lot. Such open space shall be at least 12 feet wide and shall extend from the dwelling to a public street or highway, or to a private street or highway not less than 50 feet in width and having a cartway so constructed and maintained that vehicles of all kinds may readily pass over it at all seasons of the year. For the purpose of this Section, an alley shall not constitute a public street or highway.

(Ord. 648, 9/12/1955, Art. 10, §1012)

§27-1113. Loading/Unloading Space.

Every building for trade, business, industry or manufacturing hereafter erected or substantially altered shall be provided with space, either inside or outside the building, for the loading or unloading of goods or materials. Such space shall have access to a street or alley.

(Ord. 648, 9/12/1955, Art. 10, §1013)

§27-1114. Court Size.

Where a court is provided for the purpose of furnishing light and air to rooms used for living

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purposes, the least dimensions of such courts shall be as follows:

- A. No outer court shall be less than 5 feet wide nor, at any given level, less than 4 inches wide for each foot of height of such level above the lowest window served by it.
- B. No outer court shall have a depth greater than three times its width.
- C. No inner court shall be less than 10 feet wide nor, at any given level, less than 6 inches wide for each foot of height of such level above the lowest window served by it.

(*Ord. 648, 9/12/1955, Art. 10, §1014*)

§27-1115. Nonconforming Uses.

The lawful use of a building existing at the effective date of this Chapter, or authorized by a building permit issued prior thereto, may be continued although such use does not conform with the provisions of this Chapter, but such use may not be extended or enlarged except when authorized as a special exception; but such nonconforming use is abandoned, any subsequent use shall be in conformity with the provisions of this Chapter.

- A. A nonconforming use of a building may be changed to another nonconforming use of the same or a more restricted classification. Whenever a nonconforming use of a building has been changed to a more restricted classification, or to a conforming use, such use shall not hereafter be changed to a use of a less restricted classification.
- B. A nonconforming use of a portion of a building may be extended throughout the building. A building constituting a nonconforming use may be extended upon the lot occupied by such building and held in single and separate ownership at the effective date of this Chapter when authorized as a special exception.
- C. A nonconforming building which is destroyed by fire, explosion or act of God, may be rebuilt and used for the same purpose; provided that:
 - (1) The reconstruction of the building is commenced within 1 year from the date the building was destroyed and is carried to completion without delay.
 - (2) The reconstructed building does not exceed in height, area, and volume of the building destroyed.
- D. The lawful use of vacant land existing at the effective date of this Chapter may be continued although such use does not conform with the provisions of this Chapter, but no such use shall be extended, enlarged or changed to any use but a conforming use. If a nonconforming use of land ceases for any length of time for any reason, any subsequent use of such land shall be in conformity with the

provisions of this Chapter.

(*Ord. 648, 9/12/1955, Art. 10, §1015*)

§27-1116. Interpretation.

In interpreting and applying the provisions of this Chapter, they shall be held to the minimum requirements for the promotion of the health, safety, morals and general welfare of the Borough. It is not intended to interfere with or abrogate or annul other rules, regulations or ordinances of the Borough; provided, that where this Chapter imposes a greater restriction upon the use of buildings or premises, or upon the height of a building or requires larger opening than are imposed by such other rules, regulations or ordinances, the provisions of this Chapter shall control.

(*Ord. 648, 9/12/1955, Art. 10, §1017*)

§27-1117. Enforcement.

It shall be the duty of the ~~Building Inspector~~ Code Enforcement/Zoning Officer; and he is hereby given power and authority to enforce the provisions of this Chapter. The ~~Building Inspector~~ Code Enforcement/Zoning Officer shall require that the application for a building permit shall contain all the information necessary to enable him to ascertain whether the proposed building, alteration, or use complies with the provision of this Chapter. No building permit shall be issued until the ~~Building Inspector~~ Code Enforcement/Zoning Officer or his agent has certified that the proposed building, alteration or use complies with all the provisions of this Chapter.

(*Ord 648, 9/12/1955, Art. 10, §1018; as amended by A.O.*)

§27-1118. Remedies.

In case any building or structure or sign is erected, constructed, reconstructed, altered, repaired, constructed or maintained, or any building, structure or land is used, or any hedge, tree, shrub or other growth, or wall maintained, in violation of this Chapter or of any regulations made pursuant thereto, in addition to other remedies provided by law, any appropriate action or proceeding, whether by legal process or otherwise, may be instituted

or taken to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to restrain, correct or abate such violation to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or about such premises.

(*Ord. 648, 9/12/1955, Art. 10, §1019*)

~~§27-1119 — Penalty.~~

~~For any and every violation of the provisions of this Chapter, the owner, general agent or contractor of a building or premises where such violation has been committed or shall exist, and the lessee or tenants of an entire building or entire premises where such violation has been committed or shall exist, and the owner, general agent, contractor, lessee or tenant of any part of a building or premises in which part of such violation has been committed or shall exist, and the general agent, architect, building, contractor, or any other person who commits, takes part, or assists in any such violation or who maintains any building or premises in which any such violation shall exist, shall be liable on conviction thereof to a fine or penalty not exceeding \$100, which shall inure to the benefit and use of the Borough; and, whenever such person shall have been notified by service of summons in prosecution, or in any other way, that he is committing such violation of this Chapter, each day that he shall continue such violation after such notification shall constitute a separate offense punishable by like fine or penalty. Such fines or penalties shall be collected as the fines or penalties are now collected by law.~~

~~(Ord. 648, 9/12/1955, Art. 10, §1020)~~

§27-1119. ENFORCEMENT REMEDIES.

1. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Borough, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Borough as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.
2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.
3. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Borough the right to commence any action for enforcement pursuant to this Section.

4. District justices shall have initial jurisdiction over proceedings brought under this Section.

(*Ord. 648*, 9/12/1955, Art. 10, §1020; as amended by A.O.)

§27-1120. Disallowing Use of Land for Housing Dangerous Waste.

No building and or no part of a building shall be erected or altered to be used for the purpose of processing or storing of infectious waste, pathological waste, chemotherapeutic waste, hazardous waste, radioactive waste or hospital waste.

(*Ord. 648*, 9/1/2/1955, Art. 10; as added by *Ord. 1049*, 8/1/1987, §2)

PART 12

“C2” HIGHWAY COMMERCIAL DISTRICTS

§27-1201. Applicability of Regulations.

In C2 Highway Commercial Districts, the following regulations shall apply.

(Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3)

§27-1202. Statement of Purpose for the Zoning District.

1. The following describes the intent of the C2 Highway Commercial Zoning District within Ambridge. Allowable and conditional uses for the district are further explained in §27-1204, “Table of Use Regulations.”
2. **Highway Commercial (C2).** The purpose of this District to capitalize on the high visibility and traffic volumes of Ohio River Boulevard and formulate a highway retail zone.

(Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3)

§27-1203. Applicability of Regulations.

Except as provided by law or in this Part, no building, structure or land shall be used or occupied in C2 Highway Commercial Districts, except for the purposes permitted in §27-1204.

(Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3)

§27-1204. Table of Use Regulations.

Legend:

- P** Permitted Use
- C** Conditional Use
- X** Not Permitted Use

USE	C-2
Residential	
Single family detached	X

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USE	C-2
Duplexes	X
Townhomes	X
Low rise apartments	X
High rise apartments	X
Mobile homes	X
Conversions	X
Dwelling in combination	X
Boarding house	X
Institutional and Recreational	
Place of worship	X
School	X
Commercial school/college	X
Library	X
Community center	X
Day care	X
Group home	X
Group home for sheltered care	X
Nursing home	X
Hospital	X
Cemetery	X
Recreational - public	X
Recreational - private	X
Private club	X
Emergency service and governmental facilities	X
Public parking lot/garage	X

USE	C-2
Public utility building/storage yard	X
Office Use	
Medical office	P
Business/professional office	P
Retail and Consumer Services	
Retail store	P
Service business	P
Financial establishment	P
Convenience store	P
Restaurant	P
Drive through restaurant	P
Repair shop	P
Upholsterer	P
Funeral home	P
Motel/hotel	P
Entertainment	P
Tavern	P
Lumber yard	P
Veterinary	P
Gasoline/service station	C
Automobile sales	C
Boat sales	C
Vehicle repair and accessories	C
Truck sales	C
Shopping center	P

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USE	C-2
Industrial	
Light manufacturing	X
Industrial	X
Research and development	X
Wholesale	X
Printing	X
Contracting	X
Truck terminal	X
Crafts	X
Industrial park	X
Accessory Use	
Home occupation	X
Residential accessory uses and structures	X
Swimming pools	X
Commercial accessory buildings	P
Commercial outdoor storage and display	P
Temporary structure	C

(Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3; as amended by Ord. 1113, 12/18/1995, §2)

§27-1205. Key for Permitted and Conditional Uses and Uses Not Permitted.

1. The letter “P” denotes a permitted use by right, subject to such requirements specified in §27-1209 and after a zoning permit has been issued in accordance with §27-1118.
2. The letter “C” denotes a use which is conditional subject to such requirements

specified in §27-1209 and provided the governing body grants the conditional use pursuant to Part 13, "Conditional Uses."

3. The letter "X" denotes a use that is not permitted.

(*Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3; as amended by Ord. 1113, 12/18/1995, §2*)

§27-1206. Regulations.

Uses permitted by right or conditional uses shall be subject, in addition to use regulations, to such regulations of yard lot size, lot width, building area, easements, provisions for off-street parking and loading, and to such other provisions as are specified in other Sections hereof.

(*Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3*)

§27-1207. Temporary Accessory Uses.

1. No partial structure or temporary structure shall be erected or moved onto a lot and used for any dwelling purposes unless authorized by the issuance of a temporary zoning permit. Such permit shall clearly set forth that the structure proposed is intended for temporary dwelling purposes and that the authorized structure's to be vacated upon the expiration of a specified time limit, not to exceed 1 year. On receipt of the zoning permit, the applicant shall certify that such person has knowledge of the terms of the permit and the penalty that can be involved for violation.
2. Nonconforming temporary buildings or uses incidental to a building development and reasonably required for such development may be granted temporary zoning permits, according to §27-1209, Use (3)(F).

(*Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3*)

§27-1208. Uses Similar to Stated Uses.

Uses similar to those set forth in §27-1209 shall be permitted when authorized by the Borough Council, following review and recommendation by the Planning Commission.

(*Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3*)

§27-1209. Use and Parking Regulations.

1. **Office Uses.** The following uses are permitted where indicated in §27-1204, subject to the district requirements and other applicable requirements of any other Borough ordinance.

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A. **Office.**

- (1) Office or clinic other than home occupation, for medical or dental examination or treatment of persons as outpatients, including laboratories incidental thereto.
- (2) Parking. Six off-street parking spaces per doctor, plus one additional space per each employee.

B. **Business Professional Office.**

- (1) Business, professional, real estate, government office or office park.
- (2) Parking. One off-street parking space for each 300 square feet of gross floor area.

2. **Retail and Consumer Service Uses.** The following retail and consumer service uses are permitted where indicated in §27-1204, subject to the district requirements and any applicable requirements of any other Borough ordinance.

A. **Retail Shops and Stores.**

- (1) Retail shops and stores selling apparel, books, confections, drugs, dry goods, flowers, foodstuffs, furniture, gifts, hardware, toys, household appliances, jewelry, notions, periodicals, shoes, stationery, tobacco, paint, records, cards, novelties, hobby and art supplies, music, luggage, sporting goods, pets, floor covering, garden supplies and fabrics; provided, all products produced on the premises are sold on the premises at retail. Also included within this use shall be the sale of soft drinks, beer, and alcoholic beverages in sealed containers not for consumption on premises.
- (2) Parking. One off-street parking space for each 200 square feet of gross area used for servicing customers, plus one additional space for each full-time employee.

B. **Service Business.**

- (1) Service business including barber, beautician, laundry and dry cleaning, shoe repair, tailor, photographer and travel agency.
- (2) Parking. One off-street parking space for each 200 square feet of gross area used or intended to be used for servicing customers, plus one additional space for every one full-time employee. For barber and beauty shops, there shall be one off-street parking space per barber or beautician chair plus one per waiting chair.

C. **Financial Establishment.**

- (1) Financial establishment including bank, savings and loan association, credit union and other financial establishment.
- (2) Parking. One off-street parking space for each 300 square feet of gross area used or intended to be used for servicing customers, plus one additional space for each full-time employee.

D. Convenience Store.

- (1) A retail store selling foodstuffs and (household supplies for the convenience of the neighboring population provided that the following conditions are met:
 - (a) All products produced on the premises are sold on the pre mises at retail.
 - (b) Provide adequate and safe ingress and egress.
- (2) Parking. One off-street parking pace for each 200 square feet of gross area used or intended to be used for servicing customers, plus one additional space for each full-time employee.

E. Restaurant.

- (1) Eating place for the sale and consumption of food and beverages without drive-in and without take-out service. All food and beverages are to be consumed inside the building while patrons are seated at counters or tables. The sale of alcoholic beverages must be secondary to the sale and consumption of food.
- (2) Parking. One off-street parking space for each 50 square feet of floor area devoted to the dining area, plus one additional off-street parking space for each full-time employee.

F. Drive-in Restaurant.

- (1) Eating place for the sale and consumption of food and nonalcoholic beverages with drive-in service. Lane length for customers awaiting service shall be sufficient to not encumber traffic flow off-site.
- (2) Parking. One off-street parking space for every two seats, or one off-street parking space for every 100 square feet of gross floor area, whichever requires the greater number of off-street parking spaces, plus one additional space for each employee on the largest shift.

G. Repair Shop.

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- (1) Repair shop for appliances, small engines, outboard motors, go-carts, motorcycles, mopeds, bicycles, guns, locks and small business machines. Motorcycle and moped inspection shall be allowed. Other State licensed motor vehicles shall not be permitted.
- (2) Parking: One off-street parking space for each 300 square feet of gross floor area, plus one additional space for each full-time employee.

H. Upholsterer or Cabinet Maker.

- (1) Retail store selling upholstery products and furniture, and the business of making r repairing upholstery products or furniture.
- (2) Parking. One off-street parking space for each 300 square feet of gross floor area, plus one additional space for each full-time employee.

I. Funeral Home or Mortuary.

- (1) Funeral Home or Mortuary. This use must meet the following requirements:
 - (a) Provide safe and adequate traffic flow.
 - (b) Provide adequately for safe assembly of funeral cortege.
- (2) Parking. One off-street parking space for each four seats provided for patron use, or at least one off-street parking space for each 50 square feet of gross area used or intended to be used in the operation of the establishment, whichever requires the greater number of off-street parking spaces, plus one additional space for each full-time employee.

J. Motel/Hotel.

- (1) Motel, hotel or a building or group of buildings for the accommodation of transient guests, chiefly motorists, containing guest rooms for rent. The use must meet the following requirements:
 - (a) Provide safe and adequate traffic flow.
 - (b) Provide onsite capacity for loading and unloading.
- (2) Parking. One off-street parking space for each rental room or suite, plus one additional off-street parking pace for each full-time employee.

K. Entertainment Facility.

- (1) Entertainment and recreation facilities operated for the entertainment,

enjoyment or health of the people, such as motion picture theaters and similar activities, primarily operated as revenue producing enterprises. This use must meet the following requirements:

- (a) Provide safe and adequate traffic flow.
 - (b) Provide onsite capacity for loading and unloading.
 - (c) Not conduct business between the hours of 2 a.m. and 6 a.m. at locations within 500 feet of residential district boundaries.
- (2) Parking: One off-street parking space for each four seats provided for patron use, or at least one off-street parking space for each 50 square feet of gross floor area used or intended to be used for service to customers, patrons, clients, guests or members, whichever requires the greater number of off-street parking spaces, plus one additional space for each full-time employee.

L. Tavern.

- (1) An establishment which serves alcoholic beverages for on-premises consumption and which is licensed by the Pennsylvania Liquor Control Board.
- (2) Parking. One off-street parking space for each 50 square feet of total floor area, plus one additional off-street parking space for each full-time employee.

M. Lumber Yard including Planing Mill.

- (1) Lumber yard, including planing mill.
- (2) Parking.
 - (a) One off-street parking space for each employee on the two major shifts at maximum employment, but in no case less than one off-street parking space for every 1,000 square feet of gross floor area, including storage sheds.
 - (b) For lumber yards which include retail sales, one off-street parking space for each 200 square feet of gross area used or intended to be used for servicing customers, plus one additional off-street parking space for each full-time employee.

N. Veterinary Facilities.

- (1) Office of a veterinarian with accessory animal kennels. In no event shall animal kennels be allowed as a primary use. No kennels which are not

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fully enclosed shall be located within 200 feet of any lot line.

- (2) Parking: three off-street parking spaces for each doctor, plus one space for each full-time employee.

O. Service Station.

- (1) Gasoline service station, subject to the following provisions:
 - (a) All activities except those to be performed at the fuel pumps shall be performed within a completely enclosed building.
 - (b) Fuel pumps shall be at least 25 feet from any street right-of-way.
 - (c) All automobile parts and similar articles shall be stored within a building.
 - (d) Lubrication, oil changes, tire changes and repairs permitted if entirely within a building.
- (2) Parking. One off-street parking space for every 300 square feet of gross floor area, or two off-street parking spaces for each service bay, whichever is larger, plus one space for each full-time employee. Off-street parking spaces are not to be a part of, nor interfere with, the accessways to the pumps.

P. Automobile Sales.

- (1) Sales of automobiles by a new car dealership, used car sales and car, truck, trailer and cycle rentals. All sales and rental merchandise which is not within an enclosed structure and additional equipment shall be located within building setback areas and buffer yard or landscape setback areas.
- (b) Parking. Five off-street parking spaces for each employee on the largest shift.

Q. Boat Sales.

- (1) Sales of boats and rental of boats. All sales and rental merchandise which is not within an enclosed structure and additional equipment shall be located within building setback areas and buffer yard or landscape setback areas.
- (2) Parking. Five off-street parking spaces for each employee on the largest shift.

R. Vehicular Repair Inspection and Accessories.

- (1) Vehicular repair garage, including spraying and body and fender work or car washing facility; provided, that all repair and paint work is performed within an enclosed building. All new and scrap parts shall be within an enclosed structure. All vehicles waiting repair shall be stored inside a building overnight.
- (2) Parking: One off-street parking space for each 300 square feet of gross floor area, plus one additional space for each full-time employee.

S. Truck Sales.

- (1) Truck and heavy equipment repair and sales. All sales and rental merchandise which is not within an enclosed structure and additional equipment shall be located within building setback areas and buffer yard or landscape setback areas
- (2) Parking: Five off-street parking spaces for each employee on the largest shift.

T. Shopping Center.

- (1) A neighborhood or community shopping center which is preplanned and designed as a complex of related structures and circulation patterns, subject to the following additional criteria:
 - (a) Shopping centers shall have a minimum site area of 5 acres.
 - (b) Not more than 20% of the total lot area shall be occupied by buildings;
 - (c) Only the following uses shall be permitted, as identified more particularly under §27-1202 and this Section subsections (1)(A), (1)(B) (2)(A) - (G), (2)(G), (2)(J), (2)(K) and (2)(S).
 - (d) Any use of the same general character as any of the above permitted uses shall be permitted upon approval by the Borough Council.
 - (e) The proposed development shall be construed in accordance with an overall plan and shall be designed as a single architectural unit with appropriate landscaping.
 - (f) Outdoor storage and displays shall conform to the provisions of use (3)(E).
 - (g) The distance, at the closest point, between any two buildings or groups of units of attached buildings, shall not be less than 20 feet.

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- (h) The proposed development shall be served by adequate water and public sewage disposal facilities, the adequacy of which shall be demonstrated and guaranteed.
 - (i) Lighting facilities shall be provided and arranged in a manner which will protect the highway and neighboring properties from any direct glare or hazardous interference of any kind.
 - (j) Vehicular access to a shopping center shall not be permitted through a residential area and must occur from a collector road, arterial street, or arterial highway in areas where shopping centers are a permitted use.
 - (2) Parking: One off-street parking space for each 200 square feet of gross floor area.
- 3. **Accessory Uses.** The following accessory uses are permitted where indicated in §27-1204, subject to the district requirements and any other applicable requirements of any other Borough ordinance.
 - A. **Home Occupation.** An activity for gain customarily carried on in a dwelling or in a building or structure accessory to a dwelling, clearly incidental and secondary to the use of the dwelling.
 - (1) Home occupation includes, but shall not be limited to, the following uses:
 - (a) Teaching of not more than four pupils simultaneously, or in the case of musical instruction, not more than two pupils at a time.
 - (b) Art studio.
 - (c) Seamstress, handicrafts or other like activity.
 - (d) Barber shop and beauty parlor limited to serving two patrons at a time.
 - (e) Greenhouse.
 - (f) Office of realtor, insurance salesman, physician, lawyer, clergyman, teacher or other like profession.
 - (2) A home occupation shall conform to the following regulations:
 - (a) The home occupation shall be carried on wholly indoors and within a dwelling or other structure accessory thereto. If carried on as an accessory structure the minimum lot area shall be 2 acres.
 - (b) There shall be no use of show window or display or advertising visible outside the premises to attract customers or clients other

than a home occupation announcement sign.

- (c) There shall be no exterior storage of materials.
 - (d) No articles shall be sold or offered on premises for sale except such as may be produced on the premises.
 - (e) Frequent and repetitive servicing by commercial vehicles for supplies and material shall not be permitted.
 - (f) The floor area devoted to a home occupation shall not be more than 25% of the ground floor area of the principal residential structure, excluding garage.
 - (g) In the case of an accessory office, not more than two employees, assistants or associates, in addition to the resident practitioner, shall be employed on the premises.
 - (h) No external alterations shall be made which involve construction features not customary to dwelling.
- (3) Parking. Two off-street parking spaces in addition to spaces otherwise required, plus one space for each employee, assistant or associate.

B. Residential Accessory Building Uses and Structure.

- (1) Residential accessory structure or use including, but not limited to:
 - (a) Parking spaces for the parking of passenger automobiles and parking of commercial vehicles not exceeding $\frac{3}{4}$ ton loading capacity within a completely enclosed building;
 - (b) Structures such as Fences and Walls. Fences and walls shall not exceed 4 feet in height above grade, unless necessary for retaining earth in any yard setback areas, buffer yards or landscape setback areas.
 - (c) Facilities for domestic servants or caretakers employed on the premises and for occasional gratuitous guests.
 - (d) Recreational facilities such as tennis courts and paddle tennis platforms, provided that lighting for such facilities shall be such that glare is prohibited off-site.
 - (e) Satellite receiving dishes in rear yard only.
 - (f) Accessory structures are not permitted in required front yards, nor

on or attached to roofs. All such facilities will be situated within the required setback areas.

C. Swimming Pools.

- (1) Private swimming pools shall be any pool, pond, lake, open tank or other container designed, installed or capable of containing water to a depth of 1 ½ feet or more. No such swimming pool shall be allowed in any district except as an accessory use and shall comply with the following conditions and requirements:
 - (a) The pool is intended and is to be used solely for the health and enjoyment of the occupants of the principal use of the property on which it is located, and their friends and guests.
 - (b) The pool shall not be operated nor used for a revenue producing enterprise.
 - (c) The pool, including walks, paved areas, fences, bath house, pump house and similar structures shall not be located closer to any other lot line than those distances specified as minimum rear and side yard requirements listed for each respective district.
 - (d) No such swimming pool shall be constructed until a building and zoning permit for the same have been applied and issued, the application for which shall be accompanied by plans in duplicate, setting forth the following information and complying with the following requirements:
 - 1) Plot plan.
 - 2) Pool dimension, depth and volume in gallons.
 - 3) Type and size of filter system, filtration and backwash capacities.
 - 4) Pool piping layout with all pipe sizes shown and type of material.
 - 5) The pool pump capacity.
 - 6) Waste disposal system.
 - 7) A substantial fence or wall completely surrounding the pool, not less than 4 feet in height, which shall be so constructed as not to have openings, holes or gapes large than 2 inches in any dimension except for doors and gates. If such fence is a

picket fence, then the horizontal opening dimension shall not exceed 2 inches. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such door or gate securely closed at all times when not in actual use. In addition, such door or gate shall be equipped with a key or combination lock capable of preventing such door or gate from opening when such lock is fastened. The entrance gate shall be securely locked when pool is unattended.

- 8) Lights used to illuminate any such pool, or the deck thereof, shall be so arranged and shaded as to reflect light away from adjoining premises and public streets.

D. Commercial Accessory Building.

- (1) Accessory buildings or structures, or uses customarily incidental to the uses permitted in all districts in connection with such uses, except outside storage.
- (2) Parking. Parking shall conform to the requirements of the most closely related use in this Section.

E. Commercial Outside Storage or Display.

- (1) Outside storage or display, other than storage as a primary use of the land, necessary but incidental to the normal operation of a primary use. The outside storage or display shall be subject to the following additional provisions:
 - (a) No part of the street right-of-way, no sidewalks or other areas intended or designed for pedestrian use and no required parking areas, shall be occupied by outside storage or display.
 - (b) Outside storage and display areas shall occupy an area of less than $\frac{1}{2}$ of the existing building coverage.
 - (c) Outside storage and display areas shall be buffered from view from the public streets and adjacent lots.
- (2) Uses requiring more substantial amounts of land area for storage or display may be exempt from the provisions of the subsections above when granted as conditional use. Such use shall be subject to the following additional provisions:
 - (a) In particular, uses appropriate for consideration under this provision include, but are not limited to, nurseries, lumber yards,

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automotive sales, truck sales, and truck terminals.

- (b) Among the uses that shall not be considered appropriate for inclusion under this provision are retail stores, repair shops, gasoline service stations, vehicle and inspection repairs, wholesale business and storage, contractor offices and shops, and crafts.

- (3) Parking. None.

F. Temporary Structures.

- (1) A Temporary Structure or Use. A temporary permit may be issued for nonconforming structures or uses necessary during construction or other special circumstances of a nonrecurring nature, subject to the following additional provisions:

- (a) The time period of the initial permit shall be 6 months. The permit may be renewed up to two times for up to 2 months each time.
- (b) Temporary nonconforming structures or uses shall be subject to authorization by the Zoning Officer.
- (c) Such structure or use shall be removed completely upon expiration of the permit without cost to the Borough.

- (2) Parking. None.

(*Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3*)

§27-1210. Minimum Lot Area.

A lot area of not less than 6,000 square feet shall be provided for every building hereafter erected.

(*Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3*)

§27-1211. Maximum Building Area.

The building area shall not exceed 70% of the lot area.

(*Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3*)

§27-1212. Maximum Building Height.

Maximum not exceed 3 ½ stories and 40 feet.

(*Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3*)

§27-1213. Yards.

There shall be front, side and rear yards as follows:

A. Front Yards.

- (1) There shall be a front yard, the depth of which shall be at least 25 feet. In the case of a corner lot, the front yard shall be at least 25 feet on each roadway. The minimum depth shall be provided between the existing or proposed street line(s) and the nearest point of any building or structure, except as may be permitted hereafter.
- (2) Exception. If the alignment of existing buildings on either side of a lot within a distance of 50 feet of the proposed building and fronting on the same side of the same street in the same block is nearer to the street than the required front yard depth, the average of such existing alignment within that distance shall be the required front yard.
- (3) The provisions of subsection (A)(1) shall neither apply to front fences, hedges or walls less than 4 feet above the natural grade in the required front yard, nor to terraces or steps.
- (4) Accessory buildings and structures shall not be permitted within the required front yards.

B. Side Yards.

- (1) There shall be two side yards, one on each side of the main building, and as to each the depth of which shall be at least 15 feet.
- (2) The provisions of subsection (B)(1) shall neither apply to side fences, hedges or walls less than 4 feet above the natural grade in the required side yard, nor to terraces or steps.
- (3) Accessory buildings and structures shall not be permitted within the required side yards.

C. Rear Yards.

- (1) There shall be a rear yard, the depth of which shall be at least 25 feet.

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The minimum depth shall be provided between the existing or proposed street line (s) and the nearest point of any building or structure, except as may be permitted hereafter.

- (2) The provisions of subsection (C)(1) shall neither apply to rear fences, hedges or walls less than 4 feet above the natural grade in the required rear yard, nor to terraces or step.
- (3) Accessory buildings and structures shall not be permitted within the required rear yards.

(*Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3*)

§27-1214. Buffer Yards and Landscape Setback Area Performance Standards.

1. **Buffer Yard Requirements.** Buffer yards are required for nonresidential development in a C2 Highway Commercial District where it adjoins an R Residential District and as conditions set forth in §27-1209.
2. **Buffer Yard Definition.** The buffer yard, measured from the district boundary line or from the near street right-of-way where the street serves as a district boundary line, shall be a minimum of 15 feet. No structures or uses, including but not limited to buildings, accessory structures, parking spaces, access drives and lighting devices may be located in a buffer yard. The buffer yard may be within the required front, side or rear yards.
3. **Buffer Yard Planting.** The buffer yard shall contain at least one row of planting which shall be comprised, of flowering trees (30%) and evergreen trees (70%). These trees shall be spaced 10 feet apart measured from the center of the tree. In addition to the above noted trees, a row of low evergreen shrubs or hedges shall be planted, or earthen mounding shall be constructed in the buffer yard which shall provide a year around visual screen capable of acting as a barrier to light beams from headlights of passenger cars. These low shrubs, hedges, or mounds shall be of such a height that a person facing a passenger car with the plantings or mound between such person and car could observe the car's low beam lights only as a result of the diffused or reflected light from the headlights.
4. **Existing Trees in the Buffer Yards.** Any existing trees, foliage, grass or other natural growth shall be permitted and encouraged to remain in the buffer yard areas and depending on the density of the vegetation may fulfill the need for buffer yard planting at the discretion of the Zoning Officer. Any existing trees within the required buffer yard which are, a minimum of 4 inch caliper shall be preserved and shall count as three required trees within the buffer yard.
5. **Buffer Yard Conflicts.** The buffer yard shall be within the required side or rear yard setbacks, and in case of conflict, the larger yard requirement shall apply. In instances where an existing structure, drive, parking or loading area is located within

the required buffer yard, a buffer yard of the minimum distance from the existing structure to the lot line shall be required. This reduced buffer yard width shall apply only to the yard area upon which the existing structure encroaches. If the existing structure is located within the required buffer yard on one side of the structure, the required buffer yard determined in subsection (1) shall apply on all other yard areas. All planting requirements shall remain in effect regardless of the buffer yard width.

6. **Landscape Setback Area Requirements.** Landscape setback areas, 20 feet in width, shall be required in a C2 District when a parcel in that district fronts on Ohio River Boulevard. No structures or uses, including but not limited to buildings, accessory structures, parking spaces, access drives and lighting devices may be located in a landscape setback area. If a parcel in that district does not front on Ohio River Boulevard, but sides or backs onto it, then the buffer yard requirements in this Section apply.
7. **Landscape Setback Area Conflicts.** In case of conflict between landscape setback area requirements and front yard setback requirements, the larger yard requirement shall apply. In instances where an existing structure, drive, parking or loading area is located within the required landscape setback area, a setback area of not less than the minimum distance from the existing structure, drive, parking or loading area to the lot line shall be required. All planting requirements shall be adhered to regardless of the landscape setback area conflicts.
8. **Plant Material Size.** All ornamental trees required to be planted within the buffer yard and landscape setback areas shall be a minimum of two caliper, or 2 inches in diameter at a point 1 foot above the ground measured along the trunk of the planted tree. All trees, ornamental or evergreen, shall be a minimum of 6 feet in height at the time of planting measured from the ground adjacent to the planted tree to the top of the tree. Plant material shall be planted in accordance with accepted landscaping standards.
9. **Buffer Yard and Landscape Setback Area Ground Cover.** All buffer yard and landscape setback areas not utilized for gardens, tree or shrub plantings, or similar uses shall be seeded, sodded or landscaped within 2 weeks after construction activities are completed, unless those activities are completed between November 1 and April 1. In such case, the required sodding, seeding or planting must occur by April 15.
10. **Maintenance.** All buffer yards and landscape setback areas shall be maintained and kept clean of all debris, rubbish, weeds and tall grass by the landowner. Dead plant material shall be replaced within 1 year. The screen plantings shall be placed and maintained so that, at maturity, the plant material will not overhang any street, public walk or property line.
11. **Intersection Sight Triangle at Buffer Yards and Landscape Setback Areas.** A clear sight triangle shall be maintained at all street intersections.
12. **Allowable Use Exceptions.** No elements except plant material and vehicular and pedestrian access, points shall be permitted in the buffer yard and landscape setback

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areas except, when decorative screen walls and fences, which have been approved by a Zoning Officer.

13. **Buffer Yard and Landscape Setback Area Approval.** Prior to the issuance of any zoning permit, complete plans showing the arrangement of all buffer yard and landscape setback areas, the placement, species and size of all plant materials, and the placement, size and materials of all fences to be placed in such buffer yards shall be reviewed by the Zoning Officer to ascertain that the plans are in conformance with the terms of this Chapter.

(*Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §3*)

PART 13
CONDITIONAL USES

§27-1301. Location and Specific Requirements.

The uses listed in and designated by §27-1204 of this Chapter as conditional uses may be permitted in the districts and subject to the requirements and conditions set forth in that section by the Council of the Borough after a public hearing conducted by the Council and after receipt of recommendations from the Borough's Planning Commission.

(Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §4)

§27-1302. Authority of the Council and Planning Commission.

In the approval process for conditional uses, the Planning commission may have the power to recommend, and the Council shall have the power to enforce such conditions as are incorporated in other applicable Sections of this Chapter necessary to protect, preserve and promote the health, safety and welfare of the community.

(Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §4)

§27-1303. Procedure.

1. **Applications.** A written application for conditional use approval shall be filed with the zoning Officer, which application shall contain or be accompanied by a site plan and such other pertinent data information necessary to assure the fullest practicable presentation of all the relevant facts concerning the application, and a notarized statement by at least one of the owners of the subject property attesting to the truth and correctness of all facts and information presented with the application. A fee of ~~\$100~~ in an amount as established from time to time by resolution of Borough Council shall be paid upon the filing of each such application. [A.O.]
2. **Planning Commission Action.** The Planning Commission shall conduct a public hearing pursuant to public notice on each such conditional use application. Subsequent to the public hearing, the Council shall submit the application and pertinent data to the Council
3. **Council Action.** Subsequent to receipt of the Planning Commission's recommendation, the Council shall conduct a public hearing on the conditional use application, subject to public notice. The Council may either approve said application subject to the conditions set forth in this Chapter in Part 12, "C2" Highway Commercial Districts, for the various conditional uses or reject said application.
4. **Additional Costs.** The applicant must pay any other costs incurred by the Council

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including, but not limited to, solicitor's fees, engineer's fees, stenographic and reporting fees and reproduction costs.

(Ord. 648, 9/12/1955; as added by Ord. 1102, 11/9/1993, §4; as amended by A.O.

PART 14

“P” PUBLIC/CIVIC DISTRICTS

§27-1401. Applicability of Regulations.

In P Public/Civic Districts, the following regulations shall apply.

(Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3)

§27-1402. Statement of Purpose for the Zoning District.

The following describes the intent of the P Public/Civic Zoning District within Ambridge. Allowable and conditional uses for the district is further explained in §27-1404, “Table of Use Regulations.”

A. **Public/Civic (P).** The purpose of this District is the following:

- (1) To centralize the functions of the Borough into one location.
- (2) To centralize other governmental and educational uses into one location.
- (3) To better integrate the Historic District into the rest of the Borough.
- (4) To revitalize the central portions of the Borough.

(Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3)

§27-1403. Applicability of Regulations.

Except as provided by law or in this Part, no building, structure or land shall be used or occupied in P Public/Civic Districts, except for the purposes permitted in §27-1404.

(Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3)

§27-1404. Table of Use Regulations.

Legend:

- P Permitted Use**
- C Conditional Use**
- X Prohibited Use**

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Use	P
Residential	
Single family detached	X
Duplexes	X
Townhomes	X
Low rise Apartments	X
High rise Apartments	X
Mobile homes	X
Conversions	X
Dwelling in combination	X
Boarding House	X
Institutional and Recreational	
Place of worship	C
School	P
Commercial school/college	P
Library	P
Community center	P
Day care	C
Group home	X
Group home for sheltered care	X
Nursing home	C
Hospital	C
Cemetery	C
Recreational public	P
Recreational private	C
Private club	C

Use	P
Emergency service and governmental facility	P
Public parking lot/garage	C
Public utility building/storage yard	C
Office Use	
Medical office	X
Business/professional office	X
Retail and Consumer Services	
Retail store	X
Service business	X
Financial establishment	X
Convenience store	X
Restaurant	C
Drive through restaurant	X
Repair shop	X
Upholsterer	X
Funeral home	X
Motel/hotel	C
Entertainment	C
Tavern	X
Lumber yard	X
Gasoline/service station	X
Automobile sales	X
Boat sales	X
Vehicle repair and accessories	X

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Use	P
Truck sales	X
Shopping sales	X
Industrial	
Light manufacturing	X
Industrial	X
Research and development	X
Wholesale	X
Printing	X
Contracting	X
Truck terminal	X
Crafts	X
Industrial park	X
Accessory Use	
Home occupation	X
Residential accessory use and structures	X
Swimming pools	X
Commercial accessory building	X
Commercial outdoor storage and display	X
Temporary structures	X

(Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3)

§27-1405. Key for Permitted and Conditional Uses and Uses Not Permitted.

1. The letter “P” denotes a permitted use by right, subject to such requirements specified in §27-1409 and after a zoning permit has been issued in accordance with §27-1118.

2. The letter "C" denotes a use which is conditional use subject to such requirements specified in §27-1409 and provided the Governing Body grants the conditional use pursuant to Part 13 "Conditional Uses."
3. The "X" denotes a use that is not permitted.

(*Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3*)

§27-1406. Uses Subject to Other Regulations.

Uses permitted by right or conditional uses shall be subject, in addition to use regulations, to such relations of yard, lot size, lot width, building area, easements, provisions for off-street parking and loading, and to such other provisions as are specified in other Sections hereof.

(*Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3*)

§27-1407. Temporary Accessory Uses.

1. No partial structure or temporary structure shall be erected or moved onto a lot and used for any dwelling purposes unless authorized by the issuance of a temporary zoning permit. Such permit shall clearly set forth that the structure proposed is intended for temporary dwelling purposes and that the authorized structure is to be vacated upon the expiration of a specified time limit, not to exceed 1 year. On receipt of the zoning permit, the applicant shall certify that such person has knowledge of the terms of the permit and the penalty that can be invoked for violation.
2. Nonconforming temporary buildings or uses incidental to a building development and reasonably required for such development may be granted temporary zoning permits, according to §271409, "Use" subsection (6)(F).

(*Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3*)

§27-1408. Uses Similar to Stated Uses.

Uses similar to those set forth in §27-1409 shall be permitted when authorized by the Borough Council, following review and recommendation by the Planning Commission.

(*Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3*)

§27-1409. Use and Parking Regulations.

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1. **Residential Uses.** No residential uses are permitted in §27-1404.
2. **Institutional and Recreational Uses.** The following uses are permitted where indicated in §27-1404, subject to the district requirements and other applicable requirements of any other Borough ordinance.
 - A. **Place of Worship.**
 - (1) Place of religious worship .
 - (2) The place of worship use must meet the following requirements:
 - (a) Provide safe and adequate traffic flow.
 - (b) Provide adequate ingress and egress of pedestrian flow.
 - (c) Prohibit glare due to site lighting.
 - (d) Provide buffer yards in conformance with the provisions of §27-1414.
 - (3) Parking. One off-street parking space for each two seats provided for member and visitor use, plus one additional space for each full-time and each part-time employee.
 - B. **School.**
 - (1) Private school or public school which is not conducted as a private gainful business.
 - (2) The school use must meet the following additional requirements:
 - (a) Provide safe and adequate traffic flow.
 - (b) Prohibit glare due to site lighting.
 - (c) Provide buffer yards at outdoor play areas to protect the neighborhood from inappropriate noise and other disturbance, in conformance with the provisions of §27-1414.
 - (d) Provide fencing to control pedestrian ingress and egress.
 - (e) In all districts, access to a collector road or major road is required.
 - (3) Parking.
 - (a) Elementary School. One off-street parking space for each faculty member and employee plus one space per two classrooms and

offices.

- (b) Junior High School. One off-street parking space for each faculty member and employee plus one space per two classrooms and offices.
- (c) Senior High School. One off-street parking space per faculty member and employee plus one space for each 10 classroom seats, or one off-street parking space for each 10 auditorium seats, whichever requires the greater number of off-street parking spaces.

C. Commercial School/Trade Professional School/College.

- (1) Trade or professional school, music or dancing school, college.
- (2) The commercial school use must meet the following additional requirements:
 - (a) Provide safe and adequate traffic flow.
 - (b) Prohibit glare due to site lighting.
 - (c) Provide buffer yards at outdoor play areas to protect the neighborhood from inappropriate noise and other disturbance, in conformance with the provisions of §27-1414.
 - (d) Provide fencing to control pedestrian ingress and egress.
 - (e) In all districts, access to a collector road or major road is required.
- (3) Parking. One off-street parking space per faculty member and employee, plus one space per three nonresident students, plus one space per five resident students if residents are permitted to have cars.

D. Library.

- (1) Library or museum, open to the public or connected with a permitted educational use and not conducted as a private gainful business.
- (2) The library use must meet the following additional requirements:
 - (a) Provide safe and adequate traffic flow.
 - (b) Prohibit glare due to site lighting.
- (3) Parking. One space per five seats or one space per 250 square feet of gross area where no seats are provided.

E. Community Center.

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- (1) Community center, adult education center or other similar facility operated by an educational, philanthropic or religious institution.
- (2) The Community center use must meet the following requirements:
 - (a) The use shall not be conducted as a private gainful business.
 - (b) Provide safe and adequate traffic flow.
 - (c) Prohibit glare due to site lighting.
 - (d) Provide buffer yard at outdoor play areas to protect the neighborhood from inappropriate noise and other disturbance, in conformance with the provisions of §27-1414.
 - (e) Provide fencing to control pedestrian ingress and egress.
 - (f) In all instances access to a collector road, major road or arterial highway, is required.
- (3) Parking. One off-street parking space for each four seats provided for patron use or at least one off- street parking space for each 50 square feet of gross floor area used or intended to be used for service to customers, patrons, clients, guests or members, whichever requires the greater number of off-street parking spaces, plus one additional space for each full-time employee.

F. **Daycare Facility.**

- (1) An establishment providing care to children or adults.
- (2) Any such facility which requires State approval shall not be operated until such approval is shown.
- (3) Such a facility shall be registered with the Borough.
- (4) The daycare facility use must meet the following additional requirements:
 - (a) In residential districts R1, MX, R2, R3 and P the use shall be conducted in a building designed as a single-family detached residence or in a structure used for religious purposes.
 - 1) Daycare in a single-family detached residence shall be limited to six or less persons including persons under care related to the operator.
 - 2) Daycare in a structure used for religious purposes shall be

limited to no more than one person per 50 gross feet of area used or intended for use in the care of persons attending the care facility.

- (b) Provide buffer yard at outdoor play areas to protect the neighborhood from inappropriate noise and other disturbance, in conformance with the provisions of §27-1414. Play yards shall be enclosed with sufficient fencing so as to protect the neighborhood from inappropriate noise and other disturbances.
 - (c) Provide sufficient facilities for passenger loading and unloading.
- (5) Parking. At least one off-street space for each teacher, administrator and maintenance employee.

G. Group Home.

- (1) Any dwelling occupied by six or fewer persons including staff, whether operated for profit or not, which provides for a period exceeding 24 hours one or more personal services for persons not related to the owner or administrator by law, blood, marriage or adoption, and not in foster care, who require such services.
- (2) The personal services, in addition to housing and food services, may include but not be limited to personal assistance with bathing, dressing, housekeeping, adult supervision, emotional security and other related services but not including medical services.
- (3) Group homes shall not be deemed to include rooming or boarding homes, fraternities, sororities, clubs, monasteries or convents, hotels or nursing homes.
- (4) The group home use must meet the following additional requirements:
 - (a) Provide buffer yard at outdoor play areas to protect the neighborhood from inappropriate noise and other disturbance, in conformance with the provisions of §27-1414.
 - (b) If children are members of the group home, play yards shall be enclosed with sufficient fencing so as to protect the neighborhood from inappropriate noise and other disturbances.
- (5) Parking. One-half off-street parking space for each nonstaff resident; one off-street parking space for each staff resident. A minimum of two spaces shall be paved with site space allowance for additional spaces as required by resident use.

H. Group Home for Shelter Care.

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- (1) Any dwelling occupied by 12 or fewer persons including staff for profit or nonprofit which provides for a period exceeding 24 hours, one or more personal services for persons not related to the owner or administrator by law, blood, marriage or adoption, and not in foster care, who requires such services.
- (2) The sheltered care facility serves as a substitute for the residents' own homes, furnishing facilities and comforts normally found in a home but providing in addition such services, equipment, and safety features as are required for safe and adequate care of, residents at all times.
- (3) Such services may include:
 - (a) Supervision and assistance in dressing, bathing and in the maintenance of good personal hygiene.
 - (b) Care in emergencies or during temporary illness, usually for periods of 1 week or less.
 - (c) Supervision in the taking of medications.
 - (d) Other services conducive to the residents' welfare.
- (4) The group home for sheltered care may include half-way houses, homes for battered spouses and children, and homes designed to provide a transition from long-term institutional care to normal activities.
- (5) Group homes shall not be deemed to include rooming or boarding homes, fraternities, sororities, clubs, monasteries or convents, hotels or nursing homes.
- (6) The group home for sheltered care use must meet the following additional requirement:
 - (a) Provide buffer yards at outdoor recreation spaces to protect the neighborhood from inappropriate noise and other disturbance, in conformance with the provisions of §27-1414.
- (7) Parking. One-half off-street parking space for each nonstaff resident; one off-street parking space for each staff resident. A minimum of two spaces shall be paved with site space allowance for additional spaces as required by resident use.

I. Nursing Home.

- (1) Licensed nursing or convalescent home.
- (2) The nursing home use must meet the following requirements:
 - (a) A site area of not less than 1 acre plus 800 square feet per resident is required.
 - (b) No more than 80 resident patients shall be accommodated at anyone time.
 - (c) Provide a safe and adequate traffic flow particularly at the change of shifts.
 - (d) Prohibit glare due to site lighting.
 - (e) Provide buffer yards in conformance with the provisions of §27-1414.
- (3) Parking. One-half off-street parking space for each patient bed; plus at least one additional off-street parking space for each visiting doctor; nurse and staff on major shifts.

J. Hospital.

- (1) An establishment by the American Hospital / Association, which provides health services primarily for inpatient or surgical care of the sick or injured, including such related facilities as laboratories, outpatient departments, training facilities, central service facilities, and staff offices as an integral part of the establishment.
- (2) A hospital use is subject to the following additional requirements:
 - (a) Provide sufficient facilities for passenger loading and unloading.
 - (b) Provide safe and adequate traffic flow.
 - (c) Provide adequate ingress and egress of pedestrian flow.
 - (d) Prohibit glare due to site lighting.
 - (e) Provide buffer yards in conformance with the provisions of §27-1414.
- (3) Parking. One and one-half off- street parking spaces per inpatient bed and one off-street parking space per 600 square feet of gross floor area (excluding mechanical and storage space), whichever is greater.

K. Cemetery.

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- (1) A burial place or graveyard including mausoleum, crematory or columbarium.
- (2) A cemetery use is subject to the following additional requirements:
 - (a) Provide safe and adequate ingress and egress of traffic flow.
 - (b) Provide safe and adequate traffic flow.
 - (c) Provide adequate ingress and egress of pedestrian flow.
 - (d) Prohibit glare due to site lighting.
- (3) Parking. One off-street parking space for each employee and one off-street space for each four visitors in total capacity of mausoleum, crematory or columbarium.

L. Recreational Facility or Park.

- (1) An area set aside for public use with recreational facilities, playgrounds and/or structures, or left in a natural state, owned by the Borough, municipal authority or otherwise dedicated to public use, or owned and operated by a nonprofit association for the benefit of the public or the residents of the Borough.
- (2) The recreational facility or park use must meet the following requirements:
 - (a) Provide safe and adequate traffic flow.
 - (b) Prohibit glare due to site lighting.
 - (c) Provide adequate ingress and egress of pedestrian flow.
 - (d) Prohibit glare due to site lighting.
 - (e) If adjacent to residential district use, provide buffer yards to protect the area from inappropriate noise and other disturbance, in conformance with the provisions of §27-1414.
- (3) Parking. The number of off-street parking spaces shall be dependent upon the specific uses of the facility including but not limited to:
 - (a) One off-street space per every four seats in assembly room.

- (b) One off-street space per every 300 gross square feet of a social or community room.
- (c) One and one-half spaces per playing court.
- (d) One space per 100 square feet of gross floor area in eating areas of the facility.
- (e) Five spaces per lane for bowling alleys.
- (f) One space per every two employees on largest shift.
- (g) Applicant shall be responsible for demonstrating to the Zoning Officer adequate spaces for other facility uses.

M. Private Recreational Facility.

- (1) An area set aside for private use with recreational facilities, playgrounds and/or structures, or left in a natural state, owned and operated by a private person or entity or for-profit association.
- (2) A private recreational facility use must meet the following requirements:
 - (a) Minimum lot area of 1 acre.
 - (b) Provide safe and adequate traffic flow.
 - (c) If adjacent to a residential district or use, provide buffer yards to protect the neighborhood from inappropriate noise and other disturbance, in conformance with the provisions of §27-1414.
 - (d) Provide fencing to control pedestrian ingress and egress.
 - (e) Lights used to illuminate a private recreational facility shall be so arranged and shaded as to reflect light away from adjoining premises and public streets.
 - (f) The facility shall be closed for operation from 11 p.m. to 7 a.m.
- (3) Parking. The number of off-street parking spaces shall be required dependent upon the specific uses of the facility including but not limited to:
 - (a) One off-street space per every four seats in assembly room.
 - (b) One off-street space per every 300 gross square feet of a social or community room.
 - (c) One and one-half spaces per playing court.

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- (d) One space per 100 square feet of gross floor area in eating areas of the facility.
- (e) Five spaces per lane for bowling alleys.
- (f) One space per every two employees on largest shift.
- (g) Applicant shall be responsible for demonstrating to the Zoning Officer adequate spaces for other facility uses.

N. Private Club.

- (1) Private club or lodge other than use (2)(M).
- (2) A private club use must meet the following additional requirements:
 - (a) Shall be for members and their authorized guests only.
 - (b) Provide safe and adequate traffic flow.
 - (c) If adjacent to residential district or use, provide buffer yards to protect the neighborhood from inappropriate noise and other disturbance, in conformance with the provisions of §27-1414.
 - (d) Provide fencing to control pedestrian ingress and egress.
- (3) Parking. One off-street parking space for every 5 members of total membership or at least one off-street parking space for each 50 square feet of gross floor area used or intended to be used for service to customers, patrons, clients, guests, or members, whichever requires the greater number of off-street parking spaces, plus one additional space for each full-time employee.

O. Emergency Service and Governmental Facility.

- (1) Fire, ambulance, rescue and other emergency service and government buildings of a municipal, County, State or Federal nature or volunteer nature, on parcels with a minimum size of one acre.
- (2) The emergency service and governmental facility use must meet the following requirements:
 - (a) Provide safe and adequate traffic flow.

- (b) Prohibit glare due to site lighting.
- (3) Parking. One off-street parking space for the maximum number of employees and/or volunteer staff who are working at anyone time. In addition, one off-street space for every four seats in assembly room.

P. Public Parking Lot or Garage.

- (1) A lot of record upon which the parking or storing of automotive vehicles is the primary use.
- (2) Public parking lot or garage use must meet the following requirements:
 - (a) No sale, rental, service or repair operations of vehicles shall be performed.
 - (b) The parking or storage of trucks or trailers shall not be permitted.
 - (c) All parking areas shall meet the design standards of §27-1415 of this Part.
 - (d) Safe and adequate traffic flow if provided.
 - (e) Prohibit glare due to site lighting.

R. Public Utility Building and Storage Yard.

- (1) Transformer station, pumping station, relay station, towers (transmission or relay), substations, switching center, sewage treatment plant and any similar or related installations, not including public fills.
- (2) In residential districts, such uses shall be permitted as conditional uses only when all of the following conditions are met:
 - (a) Installation is essential to service such as residential areas as deemed by the Public Utility Commission pursuant to §619 of the Pennsylvania Municipal Planning Code, 53 P.S. §10619.
 - (b) No public business office or any storage yard or storage building is operated in connection with it.
 - (c) A 25 foot buffer yard shall be provided along all lot lines, planted and maintained in conformance with the provisions of §27-1414.
 - (d) Towers are prohibited in R1, R2, R3 and MX districts.
- (3) Parking. Two off-street parking spaces plus one off-street parking space for each employee normally in attendance at the facility at any time.

3. Office Uses. No office uses are permitted in §27-1404.

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4. **Retail and Consumer Service Uses.** The following retail and consumer service uses are permitted where indicated in §27-1404, subject to the district requirements and any applicable requirements of any other Borough ordinance.

A. **Repair Shops and Stores.**

- (1) Retail shops and stores selling apparel, books, confections, drugs, dry goods, flowers, foodstuffs, furniture, gifts, hardware, toys, household appliances, jewelry, notions, periodicals, shoes, stationery, tobacco, paint, records, cards, novelties, hobby and art supplies, music, luggage, sporting goods, pets, floor covering, garden supplies and fabrics; provided, all products produced on the premises, are sold on the premises at retail. Also included within this use shall be the sale of soft drinks, beer, and alcoholic beverages in sealed containers not for consumption on premises.
- (2) Parking. One off-street parking space for each 200 square feet of gross area used for servicing customers, plus one additional space for each full-time employee.

B. **Service Business.**

- (1) Service business including barber, beautician, laundry and dry cleaning, shoe repair, tailor, photographer and travel agency.
- (2) Parking. One off-street parking space for each 200 square feet of gross area used or intended to be used for servicing customers, plus one additional space for every one full-time employee. For barber and beauty shops, there shall be one off-street parking space per barber or beautician chair plus one per waiting chair.

C. **Financial Establishment.**

- (1) Financial establishment including bank, savings and loan association, credit union and other financial establishment.
- (2) Parking. One off-street parking space for each 300 square feet of gross area used or intended to be used for servicing customers, plus one additional space for each full-time employee.

D. **Convenience Store.**

- (1) A retail store selling foodstuffs, and household supplies for the convenience of the neighboring population.

- (2) The convenience store use must meet the following requirements:
 - (a) All products produced on the premises are sold on the premises at retail.
 - (b) Provide adequate and safe ingress and egress.
- (3) Parking. One off-street parking space for each 200 square feet of gross area used or intended to be used for servicing customers, plus one additional space for each full-time employee.

E. Restaurant.

- (1) Eating place for the sale and consumption of food and beverages without drive-in and without take-out service. All food and beverages are to be consumed inside the building while patrons are seated at counters or tables.
- (2) The ~~convenience store~~ restaurant use must meet the following requirements: [A.O.]
 - (a) The sale of alcoholic beverages must be secondary to the sale and consumption of food.
- (3) Parking. One off-street parking space for each 50 square feet of floor area devoted to the dining area, plus one additional off-street parking space for each full-time employee.

F. Drive-Through Restaurant.

- (1) Eating place for the sale and consumption of food and nonalcoholic beverages with drive-in service.
- (2) The drive-through restaurant use must meet the following requirements:
 - (a) Lane length for customers awaiting service shall be sufficient to not encumber traffic flow off-site.
- (3) Parking. One off-street parking space for every two seats, or one off-street parking space for every 100 square feet of gross floor area, whichever requires the greater number of off-street parking spaces, plus one additional space for each employee on the largest shift.

G. Repair Shop.

- (1) Repair shop for appliances, small engines, outboard motors, go-carts, motorcycles, mopeds, bicycles, guns, locks, and small business machines. Motorcycle and moped inspection shall be allowed.

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- (2) The repair shop use must meet the following requirements:
 - (a) Other state licensed motor vehicles shall not be permitted.
- (3) Parking. One off-street parking space for each 300 square feet of gross floor area, plus one additional space for each full-time employee.

H. **Upholsterer or Cabinet Maker.**

- (1) Retail store selling upholstery products and furniture, and the business of making or repairing upholstery products or furniture.
- (2) Parking. One off-street parking space for each 300 square feet of gross floor area, plus one additional space for each full-time employee.

I. **Funeral Home or Mortuary.**

- (1) Funeral home or mortuary.
- (2) The funeral home or mortuary use must meet the following requirements:
 - (a) Provide safe and adequate traffic flow.
 - (b) Provide adequately for safe assembly of funeral cortege.
- (3) Parking. One off-street parking space for each four seats provided for patron use, or at least one off-street parking space for each 50 square feet of gross area used or intended to be used in the operation of the establishment, whichever requires the greater number of off-street parking spaces, plus one additional space for each full-time employee.

J. **Motel/Hotel.**

- (1) Motel, hotel or a building or group of buildings for the accommodation of transient guests, chiefly motorists, containing guest rooms for rent.
- (2) The motel/hotel use must meet the following requirements:
 - (a) Provide safe and adequate traffic flow.
 - (b) Provide onsite capacity for loading and unloading.

- (3) Parking. One off-street parking space for each rental room or suite, plus one additional off-street parking space for each full-time employee.

K. Entertainment Facility.

- (1) Entertainment and recreation facilities operated for the entertainment, enjoyment or health of the people, such as motion picture theaters and similar activities, primarily operated as revenue producing enterprises.
- (2) The entertainment facility use must meet the following requirements:
 - (a) Provide safe and adequate traffic flow.
 - (b) Provide onsite capacity for loading and unloading.
 - (c) Not conduct business between the hours of 2 a.m. and 6 a.m. at locations within 500 feet of residential district boundaries.
- (3) Parking. One off-street parking space for each four seats provided for patron use, or at least one off-street parking space for each 50 square feet of gross floor area used or intended to be used for service to customers, patrons, clients, guests or members, whichever requires the greater number of off-street parking spaces, plus one additional space for each full-time employee.

L. Tavern.

- (1) An establishment which serves alcoholic beverages for on-premises consumption and which is licensed by the Pennsylvania Liquor Control Board.
- (2) Parking. One off-street parking space for each 50 square feet of total floor area, plus one additional off-street parking space for each full-time employee.

M. Lumber Yard, Including Planing Mill.

- (1) A lumber yard, including planing mill.
- (2) Parking.
 - (a) One off-street parking space for each employee on the two major shifts at maximum employment, but in no case less than one off-street parking space for every 1,000 square feet of gross floor area, including storage sheds.
 - (b) For lumber yards which include retail sales, one off-street parking space for each 200 square feet of gross area used or intended to be used for servicing customers, plus one additional off-street parking

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space for each full-time employee.

N. **Veterinary Facility.**

- (1) Office of a veterinarian with accessory animal kennels.
- (2) The veterinary facility use must meet the following requirements:
 - (a) In no event shall animal kennels be allowed as a primary use.
 - (b) No kennels which are not fully enclosed shall be located within 200 feet of any lot line.
- (3) Parking. Three off-street parking spaces for each doctor, plus one space for each full-time employee.

O. **Service Station.**

- (1) Gasoline service station.
- (2) The gasoline station use must meet the following requirements:
 - (a) All activities except those to be performed at the fuel pumps shall be performed within a completely enclosed building.
 - (b) Fuel pumps shall be at least 25 feet from any street right-of-way.
 - (c) All automobile parts and similar articles shall be stored within a building.
 - (d) Lubrication, oil changes, tire changes and repairs permitted if entirely within a building.
- (3) Parking.
 - (a) One off-street parking space for every 300 square feet of gross floor area, or two off-street parking spaces for each service bay, whichever is larger, plus one space for each full-time employee.
 - (b) Off-street parking spaces are not to be a part of, nor interfere with, the accessways to the pumps.

P. **Automobile Sales.**

- (1) Sales of automobiles by a new car dealership, used car sales and car, truck, trailer and cycle rentals.
- (2) The automobile sales use must meet the following requirements:

- (a) Provide buffer yards in conformance with the provisions of §27-1414.
 - (b) All sales and rental merchandise which is not within an enclosed structure and additional equipment shall be located within building setback areas and buffer yard or landscape setback areas.
- (3) Parking. Five off-street parking spaces for each employee on the largest shift.

Q. Boat Sales.

- (1) Sales of boats and rental of boats.
- (2) The boat sales use must meet the following requirements:
 - (a) Provide buffer yards in conformance with the provisions of §27-1414.
 - (b) All sales and rental merchandise which is not within an enclosed structure and additional equipment shall be located within building setback areas and buffer yard or landscape setback acres.
- (3) Parking. Five off-street parking spaces for each employee on the largest shift.

R. Vehicular Repair Inspection and Accessories.

- (1) Vehicular repair garage, including spraying and body a fender work or car washing facility.
- (2) The vehicular repair inspection and accessories use must meet the following requirements:
 - (a) Provide buffer yards in conformance with the provisions of §27-1414.
 - (b) All repair and paint work is performed within an enclosed building.
 - (c) All new and scrap parts shall be within an enclosed structure.
 - (d) All vehicles waiting repair shall be stored inside a building overnight.
- (3) Parking. One off-street parking space for each 300 square feet of gross floor area, plus one additional pace for each full-time employee.

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S. **Truck Sales.**

- (1) Truck and heavy equipment repair and sales.
- (2) The truck sales use must meet the following requirements:
 - (a) Provide buffer yards in conformance with the provisions of §27-1414.
 - (b) All sales and rental merchandise which is not within an enclosed structure and additional equipment shall be located within building setback areas and buffer yard or landscape setback areas.
- (3) Parking. Five off-street parking spaces for each employee on the largest shift.

T. **Shopping Center.**

- (1) A neighborhood or community shopping center which is preplanned and designed as a complex of related structures and circulation patterns.
- (2) The shopping center use must meet the following additional requirements:
 - (a) Shopping centers shall have a minimum site area of 5 acres.
 - (b) Not more than 20% of the total lot area shall be occupied by buildings.
 - (c) Only the following uses shall be permitted, as identified more particularly under §27-1404 and this §27-1409 (3)(A), (B), (4)(A) - (G), (4)(J), (4)(K) and (4)(T).
 - (d) Any use of the same general character as any of the above permitted uses shall be permitted upon approval by the Borough Council.
 - (e) The proposed development shall be constructed in accordance with an overall plan and shall be designed as a single architectural unit with appropriate landscaping.
 - (f) Outdoor storage and displays shall conform to the provisions of use (6)(E).
 - (g) The distance, at the closest point, between any two buildings or groups of units of attached buildings, shall not be less than 20 feet.
 - (h) The proposed development shall be served by adequate water and public sewage disposal facilities, the adequacy of which shall be demonstrated and guaranteed.

- (i) Lighting facilities shall be provided and arranged in a manner which will protect the highway and neighboring properties from any direct glare or hazardous interference of any kind.
 - (j) Vehicular access to a shopping center shall not be permitted through a residential area and must occur from a collector road, arterial street, or arterial highway in areas where shopping centers are a permitted use.
 - (3) Parking. One off-street parking space for each 200 square feet of gross floor area.
- 5. **Industrial Uses.** No industrial uses are permitted in §27-1404.
- 6. **Accessory Uses.** The following accessory uses are permitted where indicated in §27-1404, subject to the district requirements and any other applicable requirements of any other Borough ordinance.
 - A. **Home Occupation.** An activity for gain customarily carried on in a dwelling or in a building or structure accessory to a dwelling clearly incidental and secondary to the use of the dwelling.
 - (1) Home occupation includes, but shall not be limited to, the following uses:
 - (a) Teaching for not more than four pupils simultaneously, or in the case of musical instruction, not more than two pupils at a time.
 - (b) Art studio.
 - (c) Seamstress, handicrafts or other like activity.
 - (d) Barber shop and beauty parlor limited serving patrons at a time.
 - (e) Greenhouse.
 - (f) Office of realtor, insurance salesman, physician, lawyer, clergyman, teacher or other like profession.
 - (2) A home occupation use must meet the following requirements:
 - (a) The home occupation shall be carried on wholly indoors and within a dwelling or other structure accessory thereto. If carried on as an accessory structure the minimum lot area shall be 2 acres.
 - (b) There shall be no use of show window or display or advertising visible outside the premises to attract customers or clients other than a home occupation announcement sign.

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- (c) There shall be no exterior storage of materials.
 - (d) No articles shall be sold or offered on premises for sale except such as may be produced on the premises.
 - (e) Frequent and repetitive servicing by commercial vehicles for supplies and material shall not be permitted.
 - (f) The floor area devoted to a home occupation shall not be more than 25% of the ground floor area of the principal residential structure, excluding garage.
 - (g) In the case of an accessory office, not more than two employees, assistants or associates, in addition to the resident practitioner, shall be employed on the premises.
 - (h) No external alterations shall be made which involve construction features not customary to dwelling.
- (3) Parking. Two off-street parking spaces in addition to spaces otherwise required, plus on space for each employee, assistant or associate.

B. Residential Accessory Building Uses and Structures.

- (1) Residential accessory structure or use, including but not limited to:
- (a) Parking spaces for the parking of passenger automobiles, and parking of commercial vehicles not exceeding $\frac{3}{4}$ ton loading capacity within a completely enclosed building.
 - (b) Structures such as fences and walls. Fences and walls shall not exceed 4 feet in height above grade, unless necessary for retaining earth in any yard setback areas, buffer yards or landscape setback areas.
 - (c) Facilities for domestic servants or caretakers employed on the premises and for occasional gratuitous guests.
 - (d) Recreational facilities such as tennis courts and paddle tennis platforms, provided that lighting for such facilities shall be such that glare is prohibited off site.
 - (e) Satellite receiving dishes in rear yard only.
 - (f) Accessory structures are not permitted in required front yards, nor on or attached to roofs.

- (h) All such facilities will be situated within the required setback areas.

C. Swimming Pools.

- (1) Private swimming pools shall be any pool, pond, lake, open tank or other container designed, installed or capable of containing water to a depth of 1½ feet or more.
- (2) No such swimming pool shall be allowed in any district except as an accessory use.
- (3) Swimming pool use must meet the following additional requirements:
 - (a) The pool is intended and is to be used solely for the health and enjoyment of the occupants of the principal use of the property in which it is located, and their friends and guests.
 - (b) The pool shall not be operated nor used or a revenue producing enterprise.
 - (c) The pool, including walks, paved areas, fences, bath house, pump house and similar structure shall not be located closer to any other lot line than those distances specified as minimum rear and side yard requirements listed for each respective district.
 - (d) No such swimming pool shall be constructed until a building and zoning permit for the same have been applied and issued, the application for which shall be accompanied by plans in duplicate, setting forth the following information and complying with the following requirements:
 - 1) Plot plan.
 - 2) Pool dimension, depth and volume in gallons.
 - 3) Type and size of filter system, filtration and backwash capacities.
 - 4) Pool piping layout with all pipe sizes shown and type of material.
 - 5) The pool capacity.
 - 6) Waste disposal system.
 - 7) A substantial fence or wall completely surrounding the pool,

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not less than 4 feet in height, which shall be so constructed as not to have openings, holes or gapes large than 2 inches in any dimension except for doors and gates. If such fence is a picket fence, then the horizontal opening dimension shall not exceed 2 inches. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such door or gate securely closed at all times when not in actual use. In addition, such door or gate shall be equipped with a key or combination lock capable of preventing such door or gate from opening when such lock is fastened. The entrance gate shall be securely locked when pool is unattended.

- 8) Lights used to illuminate any such pool, or the deck thereof, shall be so arranged and shaded as to reflect light away from adjoining premises and public streets.

D. Commercial Accessory Building.

- (1) Accessory buildings or structures, or uses customarily incidental to the uses permitted in all districts in connection with such uses, except outside storage.
- (2) Parking. Parking shall conform to the requirements of the most closely related use in §27-1409.

E. Commercial Outside Storage or Display.

- (1) Outside storage or display, other than storage as a primary use of the land, necessary but incidental to the normal operation of a primary use.
- (2) The commercial outside storage or display use must meet the following requirements:
 - (a) No part of the street right-of-way, no sidewalks or other areas intended or designed for pedestrian use, and no required parking areas, shall be occupied by outside storage or display.
 - (b) Outside storage and display areas shall occupy an area of less than $\frac{1}{2}$ of the existing building coverage.
 - (c) Outside storage and display areas shall be buffered from view from the public streets and adjacent lots.
- (3) Uses requiring more substantial amounts of land area for storage or display may be exempt from the provisions of the subsections above when granted as conditional use.

- (4) Such conditional use must meet the following additional requirements:
 - (a) In particular, uses appropriate for consideration under this provision include, but are not limited to, nurseries, lumber yards, automotive sales, truck sales, and truck terminals.
 - (b) Among the uses that shall not be considered appropriate for inclusion under this provision are retail stores, repair shops, gasoline service stations, vehicle and inspection repairs, wholesale business and storage contractor offices and shops and crafts.
- (5) Parking. None.

F. Temporary Structures.

- (1) A temporary structure or use.
- (2) A temporary permit may be issued for nonconforming structures or uses necessary during construction or other special circumstances of a nonrecurring nature.
- (3) The temporary structure use must meet the following additional requirements:
 - (a) The time period of the initial permit shall be 6 months.
 - (b) The permit may be renewed up to two times for up to 2 months each time.
 - (c) Temporary nonconforming structures or uses shall be subject to authorization by the Zoning Officer.
 - (d) Such structure or use shall be removed completely upon expiration of the permit without cost to the Borough.
- (4) Parking. None.

(Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3; as amended by A.O.

§27-1410. Minimum Lot Area.

A lot area of not less than 6,000 square feet shall be provided for every building hereafter erected.

(Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3)

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§27-1411. Maximum Building Area.

The building area shall not exceed 70% of the lot area.

(*Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3*)

§27-1412. Maximum Building Height.

The building height shall not exceed 3½ stories and 40 feet.

(*Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3*)

§27-1413. Yards.

There shall be front, side and rear yards as follows:

A. Front Yards.

- (1) There shall be a front yard, the depth of which shall be at least 35 feet. In the case of a corner lot, the front yard shall be at least 35 feet on each roadway. The minimum depth shall be provided between the existing or proposed street line(s) and the nearest point of any building or structure, except as may be permitted hereafter.
- (2) The provisions of subsection (A)(1) shall neither apply to front fences, hedges or walls less than 4 feet above the natural grade in the required front yard, nor to terraces or steps.
- (3) Accessory buildings and structures shall not be permitted within the required front yards.

B. Side Yards.

- (1) There shall be two side yards, one on each side of the main building and as to each the depth of which shall be at least 15 feet.
- (2) The provisions of subsection B(1) shall neither apply to side fences, hedges or walls less than 4 feet above the natural grade in the required side yard, nor to terraces or steps.
- (3) Accessory buildings and structures shall not be permitted within the required side yards.

C. Rear Yard.

- (1) There shall be a rear yard, the depth of which shall be at least 30 feet. The minimum depth shall be provided between the existing or proposed street line(s) and the nearest point of any building or structure except as may be permitted hereafter.
- (2) The provisions of subsection (C)(1) shall neither apply to rear fences, hedges or walls less than 4 feet above the natural grade in the required rear yard, nor to terraces or steps.
- (3) Accessory buildings and structures shall not be permitted within the required rear yards.

(*Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3*)

§27-1414. Buffer Yards and Landscape Setback Area Performance Standards.

The following buffer yard performance standards shall apply to all development in a "P" Public/Civic District:

- A. **Buffer Yard Requirements.** Buffer yards are required for development in a "P" Public/Civic District as conditions set forth in §27-1409.
- B. **Buffer Yard Definition.** The buffer yard, measured from the district boundary line or from the near street right-of-way where the street serves as a district boundary line, shall be a minimum of 15 feet. No structures or uses, including, but not limited to, buildings, accessory structures, parking spaces, a cess drives and lighting devices may be located in a buffer yard. The buffer yard may be within the required front, side or rear yards.
- C. **Buffer Yard Planting.** The buffer yard shall contain a least one row of planting which shall be comprised of flowering trees (30%) and evergreen trees (70%). These trees shall be spaced 10 feet apart measured from the center of the tree. In addition to the above noted trees, a row of low evergreen shrubs or hedges shall be planted, or earthen mounding shall be constructed in the buffer yard which shall provide a year round visual screen capable of acting as a barrier to light beams from headlights of passenger cars. These low shrubs, hedges, or mounds shall be of such a height that a person facing a passenger car with the plantings or mound between such person and car could observe the car's low beam lights only as a result of the diffused or reflected light from the headlights.
- D. **Existing Trees in the Buffer Yard.** Any existing trees, foliage, grass or other natural growth shall be permitted and encouraged to remain in the buffer yard areas, and depending on the density of the vegetation, may fulfill the need for buffer yard planting at the discretion of the Zoning Officer. Any existing trees within the required buffer yard which are a minimum of 4 inch caliper shall be preserved and shall count as three required trees within the buffer yard.

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- E. **Buffer and Conflicts.** The buffer yard shall be within the required side or rear yard setbacks, and in case of conflict, the larger yard requirement shall apply. In instances where an existing structure, drive, parking or loading area is located within the required buffer yard, a buffer yard of the minimum distance from the existing structure to the lot line shall be required. This reduced buffer yard width shall apply only to the yard area upon which the existing structure encroaches. If the existing structure is located within the required buffer yard on one side of the structure, the required buffer yard determined in subsection (A) shall apply on all other yard areas. All planting requirements shall remain in effect regardless of the buffer yard width.
- F. **Landscape Setback Area Requirements.** Landscape setback areas, 20 feet in width, shall be required in a C2 district when a parcel in that district fronts on Ohio River Boulevard. No structures or uses, including but not limited to buildings, accessory structures, parking spaces, access drives and lighting devices may be located in a landscape setback area. If a parcel in that district does not front on Ohio River Boulevard, but sides or backs onto it, then the buffer yard requirement in this Section apply.
- G. **Landscape Setback Area Conflict .** In case of conflict between landscape setback area requirements and front yard setback requirements, the larger yard requirement shall apply. In instances where an existing structure; drive, parking or loading area is located within the required landscape setback area, a setback area of not less than the minimum distance from the existing structure, drive, parking or loading area to the lot line shall be required. All planting requirements shall be adhered to regardless of the landscape setback area conflicts.
- H. **Plant Material Size.** All ornamental trees required to be planted within the buffer yard and landscape setback areas shall be a minimum of 2 inches caliper, or 2 inches in diameter at a point 1 foot above the ground measured along the trunk of the planted tree; All trees, ornamental or evergreen, shall be a minimum of 6 feet in height at the time of planting measured from the ground adjacent to the planted tree to the top of the tree. Plant material shall be planted in accordance with accepted landscaping standards
- I. **Buffer Yard and Landscape Setback Area Ground Cover.** All buffer yard and landscape setback areas not utilized for gardens, tree or shrub plantings, or similar uses shall be seeded, sodded or landscaped within 2 weeks after construction activities are completed, unless those activities are completed between November 1 and April 1. In such case, the required sodding, seeding or planting must occur by April 15.
- J. **Maintenance.** All buffer yards and landscape setback area shall be maintained and kept clean of all debris, rubbish, weeds and tall grass by the landowner. Dead plant material shall be replaced within 1 year. The screen

plantings shall be placed and maintained so that, at maturity, the plant material will not overhang any street, public walk, or property line.

- K. **Intersection Sight Triangles at Buffer Yards and Lands Areas.** A clear sight triangle shall at all street intersections.
- L. **Allowable Use Exceptions.** No elements except plant material and vehicular and pedestrian access points shall be permitted in the buffer yard and landscape setback areas except, when decorative screen walls and fences, which have been approved by a Zoning Officer.
- M. **Buffer Yard and Landscape Setback Area Approval.** Prior to the issuance of any zoning permit, complete plans showing the arrangement of all buffer yard and landscape setback areas, the placement, species and size of all plant materials, and the placement size and materials of all fences to be placed in such buffer yards shall be reviewed by the Zoning Officer to ascertain that the plans are in conformance with the terms of this Chapter.

(*Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3*)

§27-1415. Parking Performance Standards.

The following parking and performance standards shall apply to all development in a P Public/Civic District.

A. General Requirements.

- (1) **Space Requirements.** The number of off-street parking spaces required by use is described in §27-1409. In the case where the calculated number of required parking spaces includes the fraction of a space, an additional space should be added to the calculated number.
- (2) **Existing Parking.** Structures and uses in existence at the date of adoption of this Chapter shall not be subject to the requirements of this Section so long as the kind or extent of use is not changed; provided it at any parking facility now serving such structures or uses shall not in the future be reduced below such requirements.
- (3) **Change in Requirements.** Whenever there is an alteration of a structure or a change or extension of a use which increases the parking requirements according to the standard of §27-1409, the total additional parking required for the alteration, change or extension shall be provided in accordance with the requirements of this Section.
- (4) **Conflict with Other Uses.** No parking area shall be used for any use that interferes with its availability for parking, except that it may be used for

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a stormwater retention basin of a maximum depth of 6 inches.

- (5) **Continuing Character of Obligation.** All required parking facilities shall be provided, and maintained so long as the use exists which the facilities were designed to serve. Off-street parking facilities shall not be reduced except upon the approval of the Zoning Hearing Board and then only after proof that by reason of diminution in floor area, seating area, the number of employees, or change in other factors controlling the regulation of the number of parking spaces, such reduction is in conformity with the requirement of this Section.
- (6) **Joint Use.** Two or more uses may provide for required parking in a common parking lot if the total space provided is not less than the sum of the spaces required for each use individually. However, the number of spaces required in a common parking facility may be reduced below this total by variance if it can be demonstrated that the hours or days of peak parking needed for the uses are so different that a lower total will provide adequately for all uses served by the parking facility.
- (7) **Location of Parking Spaces.** Required off-street parking spaces shall be on the same lot or premises with the principal use served or where this requirement cannot be met within 300 feet of the said lot if the use is nonresidential.
- (8) **Maintenance of Parking Areas.** Driveways and parking areas of three or more vehicles, shall be graded, surfaced with all weather paving, and drained to the satisfaction of the Borough Engineer to the extent necessary to prevent dust, erosion or excessive water flow across streets or adjoining property. All off-street parking spaces shall be marked so as to indicate their location. Failure to keep parking areas in satisfactory condition, i.e., free from holes, shall be considered a violation of this Section.
- (9) **Nonautomotive Vehicular Parking.** Commercially licensed vehicles and construction equipment greater than 1 ton shall not be permitted to be parked on residential lots of less than 1 acre unless parked in a garage, except if service is being provided.

B. Parking Design and Maintenance Standards. The design standards specified below shall be required for all off-street parking facilities with a capacity of three or more vehicles built after the effective date of this Chapter.

- (1) The minimum dimensions of stalls and aisles shall be as follows:
 - (a) Stall widths shall be 9 feet for all uses except parking deck spaces, which shall be 8 feet 6 inches in width.
 - (b) Stall depth shall be at least 19 feet with said dimension measured

on the angle for all parking except parallel parking, which shall have a stall depth of 20 feet.

- (c) Minimum width of aisles providing access to parking stalls for two-way travel shall be 24 feet. Minimum width of aisles providing access to parking stalls for one-way travel shall be as follows:

Angle of Parking	Minimum Aisle Width
Parallel	24 feet
30 degrees	14 feet
45 degrees	16 feet
60 degrees	20 feet
90 degrees	20 feet

- (2) Handicapped access considerations, including but not limited to, parking spaces, access aisles and accessible routes shall conform to the Americans with Disabilities Act Accessibility Guidelines, U.S. Access Board.
- (3) Parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles.
- (4) The width of entrance and exit drives shall be:
- A minimum of 12 feet for one-way use only.
 - A minimum of 24 feet for two-way use.
- (5) The purposes of servicing any property under single and separate ownership, entrance and exit drives crossing the street shall be limited to two along the edge of any lot and their center lines be spaced at least 80 feet apart.
- (6) In no case shall parking areas be designed to require or encourage cars to back into a public street in order to leave the lot.
- (7) Parking spaces and access drives shall be at least 5 feet from any lot line.
- (8) All parking areas for any purpose other than single-family residences shall be physically separated from any public street by a planting strip which shall not be less than 5 feet in width. Tire bumpers or concrete curb shall be installed so as to prevent vehicle overhang of the sidewalk areas. This 5 foot planting strip shall be parallel to and measured from

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the street line.

- (9) Off-street parking areas, except those in district, shall include planted islands 135 feet or 15 parking spaces these islands shall be a minimum of 9 feet in width. One shade tree (minimum 3 inch caliper) for every nine cars shall be required and shall be planted either in these islands or in other locations inside the parking area boundaries. This requirement is in addition to any buffer yard or landscape setback area planting requirements §27-1414.
- (10) Lighting of parking areas may be required at the discretion of the Zoning Officer. All artificial lighting used, to illuminate any parking space of spaces shall be so arranged that no direct rays from such lighting shall fall upon any neighboring property or street. Lighting level shall be a minimum maintained of 1 foot-candle average maintained unless modified by the Zoning Officer.

C. Off-Street Loading Requirements. Off-street loading requirements as specified below shall be provided on any lot on which a building exceeding 6,000 square feet of gross floor area (GFA) for business or industry is hereafter erected.

- (1) Every retail establishment, storage warehouse, light manufacturing, heavy manufacturing, research and development or wholesale establishment exceeding 6,000 square feet of gross floor area shall conform to the following requirements:

Sq. Ft. GFA Devoted to Each Use	Required No. Berth
6,000 to 19,999 s.f.	1 berth
20,000 to 79,999 s.f.	2 berths
Each additional 50,000 s.f. over 79,999 s.f.	1 additional berth

- (2) Every auditorium, funeral home, multi-family dwelling of 20 units or more, office building, restaurant, hotel, exceeding 6,000 square feet of gross floor area (GFA) shall conform to the following requirements:

Sq. Ft. GFA Devoted to Each Use	Required No. Berth
6,000 to 29,999 s.f.	1 berth

Sq. Ft. GFA Devoted to Each Use	Required No. Berth
30,000 to 44,999 s.f.	2 berths
Each additional 75,000 s.f. over 44,999 s.f.	1 additional berth

(3) Off-Street Loading Design and Maintenance Standards.

- (a) Each required berth shall be no less than 14 feet wide, 55 feet long and 17 feet high, exclusive of drives and maneuvering space and located entirely on the lot being served.
- (b) There shall be appropriate means of access to a street or alley as well as adequate maneuvering space.
- (c) All accessory driveways and entrance ways shall be graded, all weather surfaced and drained to the satisfaction of the Borough Engineer, to the extent necessary to prevent nuisances of dust, erosion and excessive water flow across public ways.
- (d) Such facilities shall be designed and used in such a manner as to at no time constitute a nuisance, a hazard or an unreasonable impediment to traffic.
- (e) The lighting requirements of subsection (B) shall be met when applicable.
- (f) Loading facilities shall be provided and maintained as long as the use exists which the facilities were designed to serve.
- (g) Loading facilities shall not be reduced in total extent after their provision, except when the reduction is in conformity with the requirements of this Section.
- (h) Reasonable precautions shall be taken by, the owner or sponsor of particular uses to assure the availability of required facilities to the delivery and pick-up vehicles they are designed to serve.

(Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3)

§27-1416. Signage.

The following signage performance standards shall apply to all development in a "P" Public/Civic District.

- A. **General.** Signs may be erected and maintained only when in compliance with

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the provisions of this Section and the signage regulations of the Borough relative to the erection, alteration, or maintenance of signs and similar devices. Permanent signs shall only be erected on the premises they serve, and shall not overhang any public street right-of-way.

B. District Signs. The following regulations apply to signs erected and maintained in a P District:

- (1) Sign advertising the sale or rental of the premises upon which they are erected, when erected by the owner or broker of any other person interested in the sale or rental of such premises, may be erected and maintained, provided:
 - (a) The size of any such sign is not in excess of 6 square feet.
 - (b) Not more than two signs are placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which event two such signs may be erected on each frontage.
- (2) Sign advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a builder, contractor, developer or other person interested in such sale or development, may be erected and maintained, provided:
 - (a) The size of any signs is not in excess of 20 square feet.
 - (b) Not more than two signs are placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which event two such signs may be erected on each frontage.
- (3) Signs bearing the word "sold" or the word "tented" with the name of the person effecting the sale or rental may be erected and maintained, provided the conditions in subsection (B)(1) hereby are complied with.
- (4) Signs of mechanics, painters, and other artisans may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected, provided:
 - (a) The size thereof is not in excess of 12 square feet.
 - (b) Such signs are removed promptly upon completion of the work.
- (5) Sign of schools, colleges, churches, hospitals, sanitariums or other institutions of a similar nature may be erected and maintained, provided:

- (a) The size of any such sign is not in excess of 20 square feet.
 - (b) Not more than two signs are placed on a property in single and separate ownership, unless such property fronts upon more than one street, in which event two such signs may be erected on each frontage.
- (6) In addition to the other requirements of this Section, every sign referred to herein must be constructed of materials which are kept in good condition and repair, and not allowed to become dilapidated. Each such sign shall be removed when the circumstances leading to its erection no longer apply. Unless specifically authorized by other ordinances or regulation of the Borough, the construction or erection of any such signs within the street lines of public highways are prohibited.

(Ord. 648, 9/12/1955; as added by Ord. 1113, 12/18/1995, §3)

PART 15

ZONING MAP AMENDMENTS

Ordinance	Date	Description
235	7/11/1921	Adopting as official map of the Borough
779	4/8/1963	Amending <i>Ord. 648</i> , by classifying certain areas.
927	12/9/1974	Adding additional area to the Ambridge Historical District.
928A	5/12/1975	Reclassifying land in the south end of the Borough from Residential to Commercial and Industrial.
940	5/4/1976	Reclassifying land in the French Point and Village Plan of Lots in the Fourth Ward from Residential to Commercial.
1102	11/9/1993	Establishing the boundaries of C2 Highway Commercial District to include certain Beaver County tax parcels.
1113	12/18/1995	Establishing the boundaries of C2 Highway Commercial District to include certain Beaver County tax parcels. Establishing the boundaries of P Public/Civic District to include certain Beaver County tax parcels.
1140	6/28/199	Extending the Commercial District along the southwesterly side of Melrose Avenue.
1167	2/26/2002	Reaffirming the "R" Residential zoning classification of Walter Panek Park and those additional portions of the Borough located to the north or east thereof bounding on State Route 989 and Ridge Road.

