

CODIFIED ORDINANCES OF JEANNETTE

PART THIRTEEN - PLANNING AND ZONING CODE

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CODIFIED ORDINANCES OF JEANNETTE
PART THIRTEEN - PLANNING AND ZONING CODE

ARTICLE 1305
General Provisions

1305.01 Intent; requirements are minimum. 1305.02 Compliance required.

CROSS REFERENCE
Violation; penalty - see P. & Z. 1313.03, 1313.99

1305.01 INTENT; REQUIREMENTS ARE MINIMUM.

It is the intent of this Zoning Ordinance to provide for the continuing development and renewal of Jeannette, to facilitate the growth of business and industry, and to preserve the amenities in residential areas, so as to promote the health, safety and welfare of its residents. In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements necessary to meet the intent of this Ordinance. (Ord. 64-11. Passed 9-22-64.)

1305.02 COMPLIANCE REQUIRED.

(a) No structure shall be erected, converted or altered, nor shall any structure or land be used except for a purpose permitted in the district in which the structure or land is located, except as provided in this Zoning Ordinance. No structure shall be erected, enlarged or altered except in conformity with the area regulations, minimum yard requirements and minimum off-street parking space requirements of this Ordinance for the district in which such structure is located.

(b) No part of a yard or other open space required about any structure for the purpose of complying with the provisions of this Ordinance shall be included as a part of a yard or other open space similarly required for another structure. (Ord. 64-11. Passed 9-22-64.)

ARTICLE 1309
Definitions

1309.01 Definitions.

CROSS REFERENCE

Definitions - see Municipalities Planning Code §107 (53 P.S. §10107)

1309.01 DEFINITIONS.

For the purpose of this Zoning Ordinance, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the word "shall" is mandatory and not directory.

- (1) "Accessory structures" means a structure such as a garage, carport, porch or the like used for the conduct or shelter of an accessory use.
- (2) "Accessory use" means a use naturally and normally incidental to, subordinate to, and devoted exclusively to the main use of the land or structure. Accessory uses include home occupations as herein defined.
- (3) "Apartment" means one of a group of dwelling units occupying a common residential structure.
- (4) "Attached dwelling units" means two or more separate dwelling units which use a common party wall, such as rowhouses, townhouses and the like.
(Ord. 64-11. Passed 9-22-64.)
- (5) "Board" means the Zoning Hearing Board of Jeannette.
(Ord. 69-9. Passed 8-20-69.)
- (6) "Clinic" means any establishment where patients are examined and treated by doctors or dentists but not hospitalized overnight.
- (7) "Conditional use" means a special exception.
- (8) "Commercial school" means any educational facility operated for profit such as a business school or a school for music lessons.
- (9) "Council" means the Council of Jeannette.
- (10) "Drive-in commercial uses" means any retail commercial use providing considerable off-street parking and catering primarily to vehicular trade such as drive-in restaurants, drive-in theaters, gas stations, commercial parking lots and similar uses.
- (11) "Dwelling unit" means a structure or portion thereof designed or used as the principal place of residence of one family.
- (12) "Entertainment facilities" means any activity conducted for gain which is generally related to the entertainment field, such as motion picture theaters, bowling alleys, roller skating rinks, miniature golf, golf driving ranges, commercial swimming pools, carnivals and related uses.

- (13) "Essential services" means the erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collections, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduit cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, reasonable necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including structures.
- (14) "Family" means one or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, club, fraternity or hotel.
- (15) "Gas station" means any structure or land used for the dispensing, sale or offering for sale at retail of any automobile fuels, oils or accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories but not including major repair work, such as motor replacement, body and fender repair or spray painting. (Ord. 64-11. Passed 9-22-64.)
- (16) "Home occupation" means any occupation or activity carried on and conducted exclusively in a residential dwelling unit by a member of the immediate family, residing on the premises, provided that no other nonresidents are employed to assist in the conduct of the occupation or activity in the residential dwelling unit in which it is located. Such home occupation shall be limited to use of the premises for the professional activities of a physician, dentist, lawyer, clergyman, architect or engineer, and also to the personal service activities offered by a barber or a beautician.
- Such home occupations shall also conform with the following:
- (a) There shall be no commodities sold on the premises.
 - (b) There shall be no display which would indicate from the exterior of the dwelling unit that the structure or land is being used in part for any purpose other than that of a dwelling.
 - (c) There shall not be any excessive traffic or parking congestion generated by the home occupation which will adversely affect other residential dwelling units in the area.
 - (d) No existing residential building shall be enlarged or added to for the purpose of providing additional space for the conduct of such home occupation.
(Ord. 69-9. Passed 8-20-69.)
- (17) "Hotel" means a structure in which lodging or boarding and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours.
- (18) "House" See dwelling unit.
- (19) "Light manufacturing" means the storage, repair, manufacture, preparation, treatment or processing of any article, substance or commodity when conducted wholly within an enclosed structure.
- (20) "Local retail business" means any retail sales establishment conducted wholly within an enclosed structure which caters to and can be located in close proximity to residential districts without creating undue vehicular congestion, excessive noise or other objectionable influence. Retail business shall not include processing,

- handling or manufacturing of any articles not sold at retail on the premises. To prevent congestion, local retail uses include only those enterprises which normally employ less than ten persons.
- (21) "Lot" means a parcel of land occupied or intended for occupancy by a use permitted in this Zoning Ordinance and which may include one main structure, together with its accessory structures, the open spaces and parking spaces required by this Ordinance, and having its principal frontage upon a street or upon an officially approved place.
- (22) "Lot of record" means any lot which individually or as a part of a subdivision has been recorded in the Office of the Recorder of Deeds of the County.
- (23) "Minimum area of lot" means the horizontally projected area of a lot computed exclusive of any portion of the right of way of any public thoroughfare.
- (24) "Lot width" means the width of a lot at the front yard line measured at right angles to its depth. (Ord. 64-11. Passed 9-22-64.)
- (25) "Mobile home" means any mobile vehicle used or designed to be used for living purposes, whether the wheels are attached or not. A travel trailer, as defined herein, shall be considered a mobile home only if occupied. (Ord. 69-9. Passed 8-20-69.)
- (26) "Nonconforming use" means the lawful use of land or a structure, or portion thereof, which does not conform with the use regulations of the district in which it is located, such use regulations having taken effect after the use was established.
- (27) "Personal service shop" means any enterprise conducted wholly within an enclosed structure for gain, which primarily offers services to the general public such as shoe repair, valet service, watch repairing, barber shop, beauty parlors and related activities, but not including the repair of automobiles and related machinery.
- (28) "Planning Commission" means the Planning Commission of Jeannette.
- (29) "Professional activities" means the use of offices and related spaces for such professional services as are provided by doctors, dentists, lawyers, architects and engineers.
- (30) "Public building" means any structure owned or operated by a public body or agency, or by any public utility agency, which dispenses general service to the public, including road maintenance garages and utility substations.
- (31) "Rectory" means a place of residence in connection with the church where ministers, priests, nuns or other persons of similar vocation reside.
- (32) "Research laboratory" means offices used for the investigation and refinement of scientific knowledge, including the engineering and industrial application of such knowledge, but not including the mass production of products thus engineered. (Ord. 64-11. Passed 9-22-64.)
- (33) "Residential structure and use" means any single family home, two-family home, three-family home, four-family home, attached dwelling, apartment or dwelling group. (Ord. 70-8. Passed 4-15-70.)
- (34) "School" means any educational institution operated by a government agency or by any religious or charitable institution.
- (35) "Sign" means any display of any letters, numerals, figures, emblems or pictures displayed for the purpose of making anything known, whether attached to or on any structure, surface or thing, including, but not limited to, the ground or any rock, tree or other natural object, and which display is visible beyond the boundaries of the lot on which the sign is located.

- (36) "Structural alterations" means any change which would tend to prolong the life of a supporting member of a structure such as bearing walls, columns, beams or girders.
- (37) "Structure" means anything constructed or erected, the use of which requires more or less permanent location on the ground or attached to something having a permanent location on the ground, including, in addition to homes and other conventional buildings, porches, carports and billboards, but not including sidewalks, drives and patios.
- (38) "Height of structure" means the vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.
- (39) "Trailer park" means a site designed and approved for the rental of park sites for mobile homes.
- (40) "Yard" means an open space between a structure and an adjoining lot line, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of the rear yard, the minimum horizontal distance between the lot line and the main structure shall be used.
- (41) "Zoning certificate" means the document issued by the Zoning Inspector authorizing the use of the land or structure.
- (42) "Zoning District Map" means the zoning district map or maps of the City, together with all amendments subsequently adopted.
- (43) "Zoning Inspector" means the Zoning Inspector or his authorized representative appointed by Council. (Ord. 64-11. Passed 9-22-64.)
- (44) "Travel trailer" means a mobile vehicle, with wheels, designed for overnight living or camping purposes, capable of being towed by a passenger automobile and having an over all length of not more than twenty-five feet and an over all width of not more than eight feet. A travel trailer may be parked upon the owner's property providing the travel trailer is not occupied.
(Ord. 69-9. Passed 8-20-69.)
- (45) "Public housing" means any structure or structures owned or operated by a public body or agency, or by any public authority, which provides residential housing to individuals on a rental basis. (Ord. 70-8. Passed 4-15-70.)
- (46) "Zoning Ordinance" means Ordinance 64-11, passed September 22, 1964, as amended and codified herein as Part Thirteen - Planning and Zoning Code.
(Ord. 64-11. Passed 9-22-64.)

ARTICLE 1313
Administration and Enforcement

1313.01 Enforcement by Zoning Inspector. 1313.99 Penalty.
1313.02 Zoning Certificates.
1313.03 Violation.

CROSS REFERENCES

Penalty - see Municipalities Planning Code §515 (53 P.S. §10505)
Compliance required - see P. & Z. 1305.02
Appeals - see P. & Z. 1317.02
Building permit fees - see BLDG. & HSG. 1705.03

1313.01 ENFORCEMENT BY ZONING INSPECTOR.

It shall be the duty of the Zoning Inspector, who shall be appointed by Council, to enforce this Zoning Ordinance.

It shall also be the duty of the members of the Police Department to report to the Zoning Inspector any violations of this Zoning Ordinance that come to their attention and to aid the Zoning Inspector in the enforcement of this Zoning Ordinance at all times.

Appeal from the decision of the Zoning Inspector may be made to the Zoning Hearing Board as provided in Article 1317. (Ord. 69-9. Passed 8-20-69.)

1313.02 ZONING CERTIFICATES.

(a) No owner, builder or contractor shall use or permit the use of any land or structure hereafter erected, changed or enlarged, wholly or partly, until a zoning certificate has been issued by the Zoning Inspector. The builder and contractor shall be jointly and severally liable with the owner for any violations under this Zoning Ordinance. It shall be the duty of the Zoning Inspector to issue a certificate if, and only if, the structure, building or premises and the proposed use thereof, conform with all the requirements of this Ordinance. A zoning certificate shall not be required for minor repairs that are considered as maintenance only. (Ord. 69-9. Passed 8-20-69.)

(b) A zoning certificate shall be required for any of the following:

- (1) Construction or alteration of any structure, including accessory structure.
- (2) Change in use of an existing structure or accessory structure to a use of a different classification.
- (3) Occupancy and use of vacant land.
- (4) Change in the use of land to a use of a different classification.
- (5) Any change in the use of a nonconforming use.

(c) Every application for a zoning certificate shall be accompanied by a plot plan and such other plans as may be necessary to show the location and type of structures to be erect or alterations to be made. The applicant shall submit any additional data needed to satisfy the Zoning Inspector, or the Zoning Hearing Board, that the provisions of this Zoning Ordinance will be met. (Ord. 64-11. Passed 9-22-64.)

(d) A fee shall be paid with each application for a zoning certificate as follows:

<u>Cost of Construction</u>		<u>Fee</u>
\$ 1	to \$ 2,000	\$ 7.00
2,001	20,000	10.00
20,001	50,000	15.00
50,001	100,000	20.00
All over	100,000	25.00

In the event that the proposed construction is not completed within six months from the date the zoning certificate is issued then the zoning certificate must be renewed for another six month period at an additional fee of two dollars (\$2.00) and the zoning certificate must be renewed for each additional six month period thereafter for so long as the proposed construction is not completed and the renewal fee thereon shall be two dollars (\$2.00) for each and every renewal thereof. (Ord. 69-9. Passed 8-20-69.)

(e) Every zoning certificate shall state that the structure or the proposed use of a structure or land complies with all provisions of law. A record of all zoning certificates shall be kept on file by the Zoning Inspector, and copies shall be furnished on request to any person having proprietary or tenancy interest in the structure or land affected. (Ord. 64-11. Passed 9-22-64.)

1313.03 VIOLATION.

No person shall locate, erect, construct, reconstruct, enlarge, change, maintain or use any structure or land in violation of any regulation in or any provision of this Zoning Ordinance. (Ord. 64-11. Passed 9-22-64.)

1313.99 PENALTY.

Whoever violates any provision of this Zoning Ordinance shall be fined not more than one hundred dollars (\$100.00). Each day the violation continues shall constitute a separate offense. (Ord. 64-11. Passed 9-22-64.)

ARTICLE 1317
Zoning Hearing Board

- | | |
|-----------------------------------|--------------------------------|
| 1317.01 Membership. | 1317.06 Nonconforming uses. |
| 1317.02 Powers and duties; fee. | 1317.07 Interpretation of Map. |
| 1317.03 Variances. | 1317.08 Exceptions; fee. |
| 1317.04 Conditional uses; fee. | |
| 1317.05 Performance requirements. | |

CROSS REFERENCES

- Conditional uses - see P. & Z. 1309.01(7), 1325.02
 Nonconforming uses - see P. & Z. 1309.01(26), 1325.03
 Map boundary lines - see P. & Z. 1321.03
 Performance requirements - see P. & Z. 1337.01

1317.01 MEMBERSHIP.

A Zoning Hearing Board shall be constituted, adopt laws and hold hearings in accordance with law. The Zoning Hearing Board shall consist of three members appointed by Council in accordance with applicable Pennsylvania law.
 (Ord. 69-9. Passed 8-20-69.)

1317.02 POWERS AND DUTIES; FEE.

The Zoning Hearing Board shall have the power to hear and decide appeals which have been duly filed with the Zoning Inspector where it is alleged by the appellant that there is error in any order, requirement, decision, grant or refusal made by the Zoning Inspector or other administrative official in the interpretation or of the provisions of this Zoning Ordinance. A fee of twenty-eight dollars (\$28.00) shall be paid by the appellant with each application for an appeal. The Board may reverse, affirm or modify the order, requirement, decision or determination appealed and to that end shall have all powers of the Zoning Inspector. (Ord. 69-9. Passed 8-20-69.)

1317.03 VARIANCES.

The Zoning Hearing Board, upon appeal shall have the power to authorize variances. In authorizing a variance, the Board may attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objectives of this Zoning Ordinance. Variances may be granted only where the following requirements are met:

- (a) That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary

hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located;

- (b) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
- (c) That such unnecessary hardship has not been created by the appellant;
- (d) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located nor substantially or permanently impair the appropriate use or development of adjacent property nor be detrimental to the public welfare; and
- (e) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible.

(Ord. 70-8. Passed 4-15-70.)

1317.04 CONDITIONAL USES; FEE.

(a) The Zoning Hearing Board shall have the power to decide applications for conditional uses specified in Section 1325.02 and in other provisions of this Zoning Ordinance, and a fee of five dollars (\$5.00) shall be paid by the applicant with each application for a conditional use. (Ord. 69-9. Passed 8-20-69.)

(b) The proposed use shall be approved if, and only if, it meets the intent of this Ordinance as stated in Section 1305.01; conforms to the performance requirements specified in Article 1337; fits harmoniously with adjacent uses and structures; is suitable to the topography and other special characteristics of the site; and complies with all off-street parking and other provisions of this Ordinance. In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the health, safety and general welfare of the City. (Ord. 64-11. Passed 9-22-64.)

1317.05 PERFORMANCE REQUIREMENTS.

In appeals to the Zoning Hearing Board from decisions of the Zoning Inspector involving performance requirements, the procedure shall be the following:

- (a) The Board may require a plan of the proposed construction or development, a description of the proposed machinery, processes and products; and specifications for the mechanisms and techniques to be used in meeting the performance requirements.
- (b) The Board may refer the application to one or more expert consultants qualified to advise as to whether a proposed use will conform to the performance requirements. The costs of such services shall be borne by the applicant, and a copy of any reports shall be furnished to the applicant.

(Ord. 64-11. Passed 9-22-64.)

1317.06 NONCONFORMING USES.

The Zoning Hearing Board shall have the power to permit changes and extensions of

nonconforming uses as follows:

- (a) A nonconforming use of a less objectionable nature may be substituted for an existing, legal nonconforming use.
- (b) An existing, legal nonconforming use which occupies only a portion of an existing structure or premises may be extended throughout such structure or premises.
- (c) The Board may impose such requirements and conditions as it may deem necessary for the protection of adjacent properties and the public interest. No change or alteration of a nonconforming use shall entail structural alterations beyond those required by law. (Ord. 64-11. Passed 9-22-64.)

1317.07 INTERPRETATION OF MAP.

Where the street or lot layout actually on the ground, or as recorded, differs from the street and lot lines as shown on the Zoning Map, the Zoning Hearing Board, after notice to the owners of the property and after public hearings, shall interpret the Map in such way as to carry out the intent and purpose of this Zoning Ordinance.

(Ord. 64-11. Passed 9-22-64.)

1317.08 EXCEPTIONS; FEE.

The Zoning Hearing Board shall have the power to grant exceptions in cases where the Board feels that the application meets the minimum requirements for the promotion of the health, safety, morals and general welfare of the community and is in keeping with the intent of this Zoning Ordinance as set forth in Section 1305.01. The Board may grant an exception for a front yard, side yard or rear yard of less depth or width than that required by this Ordinance where topography or existing building development makes strict compliance unreasonable or substantially impossible. A fee of ten dollars (\$10.00) shall be paid by the applicant with each application for an exception.

(Ord. 69-9. Passed 8-20-69.)

R-2

Residential District (cont.)

Attached dwellings
 Churches
 Schools
 Parks and playgrounds
 Essential services
 Accessory uses

B-1

Local Business District

Retail store
 Personal service shop
 Offices and banks
 Theaters and places of entertainment
 Restaurants
 Churches
 Commercial schools
 Public buildings
 Parks and playgrounds
 Essential services
 Accessory uses
 Professional activities

B-3

Business District

Gas stations
 Drive-in commercial uses
 Retail stores
 Personal service shops
 Offices and banks
 Theaters and places of entertainment
 Restaurants
 Churches
 Commercial schools
 Public buildings
 Parks and playgrounds
 Essential services
 Accessory uses
 Professional activities

R-3

Residential District (cont.)

Attached dwellings
 Churches
 Schools
 Parks and playgrounds
 Essential services
 Accessory uses
 Multiple family dwellings
 Professional activities
 Apartments

B-2

Shopping Center District

Retail store
 Personal service shop
 Offices and banks
 Theaters and places of entertain-
 ment
 Restaurants
 Churches
 Commercial schools
 Public buildings
 Parks and playgrounds
 Essential services
 Accessory uses
 Professional Activities

M-1

Manufacturing District

Truck farming
 Manufacturing
 Research laboratories
 Wholesale distributors
 Public buildings
 Essential services
 Accessory uses
 Professional activities

1325.02 CONDITIONAL USES.

The conditional uses for each district are shown on the following table. Conditional uses will be permitted in accordance with the following table only after approval by the Zoning Hearing Board as specified in Section 1317.04.

S-1
Special District

Single family homes
Attached dwelling units
Home occupation
Professional activities

R-2
Residential District

Noncommercial recreational uses
Nursery schools
Public buildings
Home occupation

B-1
Local Business District

Gas stations
Public uses
Private clubs and lodges
Mortuaries
Clinics
Home occupations

B-3
Business District

Automotive repair
Wholesale business
Sale or storage of building materials
Mortuaries
Clinics
Home occupation
Light manufacturing
(Ord. 64-11. Passed 9-22-64; Ord. 69-9. Passed 8-20-69; Ord. 70-8. Passed 4-15-70.)

R-1
Residential District

Noncommercial recreational uses
Nursery schools
Public buildings
Home occupation

R-3
Residential District

Noncommercial recreational uses
Nursery schools
Public buildings
Private clubs and lodges
Mortuaries
Clinics
Home occupation

B-2
Shopping Center District

Gas stations
Automotive repair
Wholesale business
Drive-in commercial uses
Sale or storage of building
Materials
Private clubs and lodges
Mortuaries
Clinics
Home occupation

M-1
Manufacturing District

Restaurants
Motels; hotels
Truck terminals
Warehousing
Home occupation

1325.03 NONCONFORMING USES.

(a) Any use of structure or land lawfully existing at the effective date of this Zoning Ordinance may be continued, even though such use does not conform to the provisions of this Ordinance. The nonconforming lawful use of a structure may be extended throughout those existing parts of the structure which were arranged or designed for such use. No nonconforming structure shall be moved, extended, enlarged or structurally altered, except when authorized by the Board in accordance with the provisions of Article 1317.

(b) Whenever the lawful use of a structure or land becomes nonconforming through a change in the Zoning Ordinance or in the district boundaries, such use may be continued.

(c) A nonconforming use which is discontinued for a period of twelve consecutive months shall not be resumed.

(d) A nonconforming lawful use which has been damaged by fire, explosion, act of God or the public enemy to the extent of more than eighty percent of its reproduction value at the time of damage shall not be restored, except in conformity with the regulations of the district in which it is located. When damaged by less than eighty percent of its reproduction value, a nonconforming lawful use may be repaired or reconstructed and used as before the time of damage, provided such repairs or reconstruction are completed within one year of the date of such damage. (Ord. 64-11. Passed 9-22-64.)

ARTICLE 1329
Yard, Area and Height Requirements

- | | |
|--|---|
| 1329.01 Yard and area dimensions. | 1329.05 Side and rear yards for non-residential uses abutting S or R Districts. |
| 1329.02 Lot area per family for multiple family units. | 1329.06 Height; height increase. |
| 1329.03 Existing lots of record. | 1329.07 Height exceptions. |
| 1329.04 Yard regulations. | |

CROSS REFERENCES

Lot defined - see P. & Z. 1309.01(21) et seq.
Measuring height - see P. & Z. 1309.01(38)

1329.01 YARD AND AREA DIMENSIONS.

(a) Applicability. The following table establishes the minimum yard and area requirements for all uses in residential districts. The minimum yard and area requirements for the S-1, B-1, B-2 and B-3 Districts apply only to residential structures. Setback and side yard requirements for nonresidential purposes in any district are governed by Sections 1329.04, 1329.06 and 1329.07. (Ord. 70-8. Passed 4-15-70.)

(b) Minimum Yards and Areas for Residential Structures.

	S-1	R-1	R-2	R-3	B-1	B-2	B-3
Minimum Lot Area (square feet)	6000	6000	6000	6000	5000	5000	5000
Minimum Lot Area per Family (square feet)	6000	6000	*	*	*	*	*
Minimum Lot Width (feet)	55	55	50	50	40	40	40
Minimum Depth of Front Yard (feet)	15	25	20	20	15	15	15
Minimum Width of Each Side Yard (feet)	8	8	5	5	5	5	5
Minimum Depth of Rear Yard (feet)	25	25	25	25	25	25	25

* See Section 1329.02

(Ord. 64-11. Passed 9-22-64; Ord. 69-9. Passed 8-20-69.)

1329.02 LOT AREA PER FAMILY FOR MULTIPLE FAMILY UNITS.

For two-family structures, the lot area per family shall not be less than 3,000 square feet per family. Three and four-family units shall provide a lot area of not less than 4,000 square feet for the first family, plus 1,000 square feet for each additional family. Attached dwellings shall provide a lot area of not less than 2,000 square feet per unit.

(Ord. 70-8. Passed 4-15-70.)

1329.03 EXISTING LOTS OF RECORD.

Any lot of record existing in a recorded plan of lots at the effective date of this Zoning Ordinance may be used for the erection of a single family dwelling even though its area and width are less than the minimum requirements of this Ordinance. The Zoning Hearing Board may grant an exception for such variation of the area requirements of this Ordinance as the Board may deem necessary to secure appropriate improvements of a lot of such restricted area, size or shape that it cannot reasonably be improved without modification of the strict application of the provisions of this Ordinance, provided such lot, at the time of the passage of this Ordinance, either was held under a separate ownership from the adjoining lots, or was shown on a recorded plot to be a separate and distinct numbered lot. (Ord. 69-9. Passed 8-20-69.)

1329.04 YARD REGULATIONS.

(a) Lots which abut upon more than one street shall provide the required front yards along every street.

(b) No accessory structures shall be located in any required front yard.

(c) Structures, whether open or enclosed, such as carports, porches, balconies or platforms above grade level, shall be considered a part of the structure to which they are attached and shall not project into any minimum front, side or rear yards.

(Ord. 64-11. Passed 9-22-64.)

1329.05 SIDE AND REAR YARDS FOR NONRESIDENTIAL USES ABUTTING S OR R DISTRICTS.

Nonresidential structures or uses shall not be located nor conducted closer to any lot line of any other lot in an S or R District than the distance specified in the following schedule:

Minimum Side or Rear
Yard Abutting any S or
R District

Use

20 feet

Off-street parking spaces and access drives for nonresidential uses.

40 feet

Churches, schools and public or semi-public structures.

70 feet

Recreation facilities, entertainment facilities, motels, trailer parks and all commercial uses.

(Ord. 64-11. Passed 9-22-64.)

1329.06 HEIGHT; HEIGHT INCREASE.

(a) Structures with a height in excess of thirty-five feet above the average ground level at the foundation walls shall be permitted in all districts provided the required front, side and rear yards are each increased by one foot for each foot of additional structure height above thirty-five feet in any residential, business or manufacturing district.
(Ord. 70-8. Passed 4-15-70.)

(b) No wooden fences shall be erected that have height in excess of four feet.
(Ord. 69-9. Passed 8-20-69.)

1329.07 HEIGHT EXCEPTIONS.

The height regulations prescribed herein shall not apply to television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers or scenery lofts, cooling towers, ornamental towers and spires, chimneys, silos, elevator bulkheads, smokestacks, conveyors and flagpoles.
(Ord. 64-11. Passed 9-22-64.)

ARTICLE 1333
Off-Street Parking

- | | |
|---|-------------------|
| 1333.01 General requirements. | 1333.04 Surface. |
| 1333.02 Number of spaces required. | 1333.05 Lighting. |
| 1333.03 Providing parking space on another lot. | |

CROSS REFERENCES

- Carports - see P. & Z. 1329.04
Distance of nonresidential use parking from abutting S or R District - see P. & Z. 1329.05

1333.01 GENERAL REQUIREMENTS.

In all districts except the B-1 Local Business District, in connection with every business, institutional, recreational, residential or other use, there shall be provided at any time any new structure is erected or any existing structure except a church, school or hospital is enlarged or increased in capacity, or any new use is established, off-street parking spaces for automobiles in accordance with the following requirements:

- (a) Each off-street parking space shall have an area of not less than 160 square feet exclusive of access drives or aisles, and shall be of usable shape and condition.
- (b) There shall be adequate provision for ingress and egress to all parking spaces. Where a lot does not abut on a public or private alley or easement of access, there shall be provided an access drive not less than eight feet in width in the case of a dwelling, and not less than eighteen feet in width in all other cases, leading to the parking or storage areas or loading or unloading spaces required hereunder.

(Ord. 64-11. Passed 9-22-64.)

1333.02 NUMBER OF SPACES REQUIRED.

The number of off-street parking spaces to be provided shall not be less than the following:

<u>Use</u>	<u>Parking Spaces Required</u>
Residential	One per dwelling unit
Rental units	One per rented room or unit
Church or school	One for each six seats in principal gathering room
Private club or lodge	One for each four members

Use (cont.)Parking Spaces Required (cont.)

Offices, clinics, business services	One for every 300 square feet of floor space
Retail store, personal service establishment, restaurant, assemble hall or funeral home	One for each 150 square feet of floor space
Hospital, sanitarium or convalescent home	One for every three beds and one for each two employees on the maximum working shift
Industrial uses	One for each two employees on the maximum working shift

(Ord. 64-11. Passed 9-22-64.)

1333.03 PROVIDING PARKING SPACE ON ANOTHER LOT.

Parking spaces may be located on a lot other than that containing the principal use with the approval of the Zoning Hearing Board provided a written agreement, approved by the City Solicitor is filed with the application for a zoning certificate.

(Ord. 64-11. Passed 9-22-64.)

1333.04 SURFACE.

Any off-street parking area for more than five vehicles shall be graded for proper drainage and surfaced so as to provide a durable and dustless surface with a penetrated stone base or asphalt surface. (Ord. 69-9. Passed 8-20-69.)

1333.05 LIGHTING.

Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect the light away from adjoining premises in any R District.

(Ord. 64-11. Passed 9-22-64.)

ARTICLE 1337
Special Provisions

- | | |
|---|------------------------------------|
| 1337.01 Performance requirements. | 1337.05 Unit development projects. |
| 1337.02 Mobile homes and trailer parks. | 1337.06 Signs. |
| 1337.03 Private swimming pools. | |
| 1337.04 Temporary structures. | |

CROSS REFERENCES

- Appeals re performance requirements - see P. & Z. 1317.05
 Service station signs - see FIRE PREV. 1513.03

1337.01 PERFORMANCE REQUIREMENTS.

(a) Fire Hazards. Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire-suppression equipment and by such safety devices as are normally used in the handling of any such material.

(b) Radioactivity or Electrical Disturbance. No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

(c) Noise. Noise which is objectionable as determined by the Zoning Hearing Board due to volume, frequency or beat shall be muffled or otherwise controlled except that air raid sirens and related apparatus used solely for public purposes are exempt from this requirement.

(d) Vibration. No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.

(e) Odors. No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.

(f) Air Pollution. No pollution of air by flyash, dust, vapors or other substance shall be permitted which is harmful to health, animals, vegetation or other property.

(g) Glare. No direct or reflected glare shall be permitted which is visible from any property or from any public street, road or highway.

(h) Water Pollution. Pollution of water shall be subject to the requirements and regulations established by the Department of Environmental Resources.
(Ord. 64-11. Passed 9-22-64.)

1337.02 MOBILE HOMES AND TRAILER PARKS.

(a) Mobile homes, whether the wheels are attached or not, shall be permitted only in approved trailer parks which meet the requirements of this Zoning Ordinance. Occupied travel trailers, as defined by this Ordinance shall meet all of the requirements specified for mobile homes. (Ord. 69-9. Passed 8-20-69.)

(b) No trailer park shall be permitted unless it meets the following requirements:

- (1) No trailer park shall have an area of less than three acres.
 - (2) Every trailer site within the park shall have an area of not less than 1,500 square feet.
 - (3) No trailer shall be sited within thirty-five feet of any adjacent property.
 - (4) Not less than ten percent of the gross area of the park shall be improved for recreational activities of the residents of the park.
 - (5) The park shall be appropriately landscaped and screened from adjacent properties.
- (Ord. 64-11. Passed 9-22-64.)

1337.03 PRIVATE SWIMMING POOLS.

A private swimming pool shall be permitted as an accessory use to any permitted residential use provided:

- (a) The pool is intended for private accessory use only, and not for commercial or club purposes.
 - (b) The pool shall be walled or fenced so as to prevent uncontrolled access by children from the street or adjacent properties.
- (Ord. 64-11. Passed 9-22-64.)

1337.04 TEMPORARY STRUCTURES.

Temporary structures used in construction work shall be permitted only during the period that the construction work is in progress. Permits for temporary structures shall be issued for a six-month period. (Ord. 64-11. Passed 9-22-64.)

1337.05 UNIT DEVELOPMENT PROJECTS.

The Zoning Inspector may issue zoning certificates for a unified project in any district even though the use of land, area of lots and depth of yards do not conform in all respects to the provisions of this Zoning Ordinance, provided:

- (a) A unit development plan for the area has been approved by the Zoning Hearing Board;
- (b) The tract of land to be developed is not less than three acres in area;
- (c) The unit development plan is consistent with the intent and purposes of this Ordinance;
- (d) No property adjacent to the area will be adversely affected by the project;
- (e) The average lot area is not less than the minimum lot area requirements for the district in which the plan is located;
- (f) The use of land is similar to the uses permitted in the district in which the plan is located. (Ord. 64-11. Passed 9-22-64.)

1337.06 SIGNS.

No sign, billboard or exterior graphic display shall be permitted in any district except as herein provided:

- (a) In any district a sign not exceeding two square feet in area shall be permitted which announces the name and address of the occupant of the premises on which the sign is located.
- (b) A bulletin board not exceeding fifteen square feet shall be permitted in connection with any church, school or similar public structure.
- (c) Temporary real estate or construction signs not exceeding fifty square feet will be permitted on the property being sold, leased or developed. Such signs shall be removed promptly when they have fulfilled their function.
(Ord. 64-11. Passed 9-22-64.)
- (d) Business signs in connection with any legal commercial use or structure shall be permitted in a B-1, B-2, B-3 or M-1 District upon application to the Zoning Inspector for a permit to erect and maintain any such sign or signs, provided that such signs direct attention to a business, commodity, service or entertainment conducted, sold or offered upon the premises, that such signs are in conformity with all adopted Building, Housing, Fire and other Codes in effect and that such signs are not situated or illuminated in any manner which may cause undue distraction, confusion or hazard to vehicular traffic on the public streets and provided further that such signs shall be subject to the following limitations, restrictions and regulations:
 - (1) Signs attached to the wall of a building must not project more than twelve inches therefrom and no portion thereof shall be less than ten feet above the basic grade of the abutting street or sidewalk. If such sign does not project from a wall of the building, such sign need not conform to the ten foot height limit herein set.
 - (2) Free-standing signs shall be located within the lot lines of the premises and shall not have an aggregate area greater than sixteen square feet.
 - (3) No sign shall be placed upon the public right of way or to extend over the same. All signs projecting over or upon the public right of way as of the effective date of this subsection (d) hereof shall be removed not later than seven years from such effective date. (Ord. 71-7. Passed 4-21-71.)