

CITY OF JEANNETTE

WESTMORELAND COUNTY, PENNSYLVANIA

BILL NO. 18-04

ORDINANCE NO. 18-05

AN ORDINANCE OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 2017-07, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JEANNETTE, AS AMENDED BY ORDINANCE NO. 2017- 10; SPECIFICALLY SECTION 2.15, PERMITTED LAND USES, BY MAKING “SERVICE STATION” A CONDITIONAL USE IN ANY REGIONAL COMMERCIAL (RC) DISTRICT, AND SECTION 4.4.39, SERVICE STATION, BY INSERTING CONDITIONAL USE REGULATIONS FOR SERVICE STATIONS; REPEALING ALL INCONSISTENT ORDINANCES; AND MAKING THE ORDINANCE IMMEDIATELY EFFECTIVE.

WHEREAS, the City Council of the City of Jeannette adopted Comprehensive Zoning Ordinance Revisions on October 11, 2017, pursuant to Ordinance 2017-07, which included comprehensive changes to the zoning classifications of various parcels of land situate in the City of Jeannette; and

WHEREAS, immediately thereafter, the City Council of the City of Jeannette rapidly adopted Zoning Ordinance Amendments on December 26, 2017, pursuant to Ordinance 2017-10, which amended the Zoning Ordinance to make a service station a permitted use in any Regional Commercial District, among other things; and

WHEREAS, the vote to adopt Ordinance 2017-10 and amend the Zoning Ordinance to make service stations a permitted use in any Regional Commercial District was done against the recommendation of the Jeannette Planning Commission and the objections of City residents;

WHEREAS, since the adoption of Ordinance 2017-10, and after consideration by the City Council, the Planning Commission, and the Zoning Officer of the City of Jeannette, it has been determined that it is in the best interest of the City of Jeannette to change the permitted uses of the Regional Commercial District as hereinafter set forth; and

WHEREAS, after due public notice and a public hearing as required by the Pennsylvania Municipalities Planning Code, the City Council of the City of Jeannette finds it appropriate to amend the Zoning Ordinance as hereinafter set forth.

Section 1. Article 2: Zoning Districts. Article 2 shall be amended to delete Section 2.15 in its entirety and shall be replaced, so as to remove “Service Station” as a permitted use in any Regional Commercial District and, instead, to make “Service Station” a conditional use in any Regional Commercial District, as follows:

2.15 Permitted Land Uses

Use	TN	MR	CT	UC	NC	CC	RC	D	IC	II	HI
P = Permitted C = Conditional ¹ A = Accessory SE = Special Exception ¹											
AGRICULTURE											
Community Garden	P	P	P	A	P			SE	A	A	
Indoor Crop Production										P	P
CIVIC											
Cemetery	P	P	P								
Communication Antenna			A	A	A	A	A	A	A	A	A
Communication Tower										C	C
Communications Equipment Building										C	C
Detention Facility										C	P
Educational Facilities, College/University				C		C	C	C	C	C	
Educational Facilities, Primary/Secondary	C	C	C	C	C	C			C		
Educational Facilities, Vocational						C		C	C	C	C
Essential Services	P	P	P	P	P	P	P	P	P	P	P
Government Offices				P	P	P		P	C		
Hospital Services				C		C	C	C	C	C	
Library		P	P		P			P	P		
Maintenance and Service Facilities										C	P
Museum				P				P	P		
Place of Worship	P	P	P	C	P	P		C	P		
Postal Facilities			P			P		P	C	P	P
Public Safety Facility			C	C	C	P		P	C	P	P
Railroad Facilities											C
Recreation, Indoor (Public)				P		C		C	P	SE	
Recreation, Open Space	P	P	P	P	P	P	P	P	P	P	P
Recreation, Outdoor (Public)	P	P	P	P	P	C			SE		
Transitional Housing		P	P								
Transportation Terminal						C	C	C		C	P
Utilities, Major										C	P

TN = Traditional Neighborhood; MR = Mixed Residential; CT = Commercial Transition; NC = Neighborhood Commercial; CC = Commercial Corridor; UC = Urban Center; RC = Regional Commercial; D = Downtown; IC = Institutional Campus; II = Industrial Innovation; HI = Heavy Industrial

Use	TN	MR	CT	UC	NC	CC	RC	D	IC	II	HI
P = Permitted C = Conditional ¹ A = Accessory SE = Special Exception ¹											
COMMERCIAL											
Adult Business											P
Alcohol Sales				P	C	C	P	C			
Alternative Financial Services				P		P					
Art Gallery			P	P	P	P		P	P		
Assisted Living Facility				P		C		C	P		
Automotive, Rentals						P					
Automotive, Repair					SE	P					P
Automotive, Sales			SE			P	P				
Automotive, Washing					SE	P	P				P
Bail Bond Services					SE	P					
Bar/Lounge			SE	P	P	C	P	P			
Bed & Breakfast	SE	SE	SE	SE				SE			
Blood Plasma Center						P				P	
Building Maintenance Services						P				P	P
Clinic, Medical or Dental			P	P	P	P	P	P	P		
Clinic, Veterinary			P	P	P	P	P	P			
Club or Lodge			P	P	P	P		P			
Communications Services						P		P		P	
Consumer Repair Services			P	P	P	P	P	P		P	
Convenience Storage			SE			P		SE		P	P
Day Care Services, General			P	P	P	P	P	P	P	P	
Day Care Services, Limited		A	P	P	P				P	P	
Drive-Through Facility			A	A		A	A	SE			
Employee Recreation, Lunch, Healthcare				A		A			A	A	A
Entertainment, Indoor				P		P	P	P			
Entertainment, Outdoor				P				SE			
Equipment Repair										SE	P
Equipment Sales										SE	P
Family Day Care Home	P	P	P								
Food Preparation, General					C	C				P	P
Food Preparation, Limited				P	P	P		SE		P	P
Food Sales			P	P	P	P	P	P			
Food Truck			A	A	A	A		A	A	A	A

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COMMERCIAL											
Forestry ²	P	P	P	P	P	P	P	P	P	P	P
Funeral Services			P		P	P					
Home-Based Business, No-Impact	A	A	A	A	A	A	A	A			
Home Occupation		A	A	A	A	A	A	A			
Hotel				P		P	P	P			
Kennels						SE					SE
Laundry Services			P		P	P	P				
Live/Work Unit ³			P	P				SE		P	SE
Mixed-Use Structure			P	P	P		P	P			
Motel						P	P				
Nursing Facility, Skilled			SE	SE					SE		
Pawn Shop						P					
Personal Services			P	P	P	P	P	SE	SE		
Pet Services			P	P	P	P		P			
Plant Nursery						P				P	
Printing and Publishing				P		P		P		P	P
Professional Offices			P	P	P	P	P	P	P	P	P
Recreation, Indoor (Private)				P			P	P	SE	SE	
Recreation, Outdoor (Private)				SE			SE		SE		
Residential Treatment						C					
Restaurant, General				P	P	P	P	P			
Restaurant, Limited			P	P	P	P	P	P			
Retail Sales, Convenience			P	P	P	P	P	P			
Retail Sales, General				P		P	P	P			
Salvage Yard											P
Service Station						P	C				P
Sidewalk Dining				A	A		A	A			
Solar Energy Production	A	A	A	A	A	A	A	A	A	P	P
Substance Abuse Treatment Facility						P				P	P
Wind Energy Production	A	A	A	A	A	A	A	A	A	A	A

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P = Permitted C = Conditional ¹ A = Accessory SE = Special Exception ¹											
INDUSTRIAL											
Industrial Park										P	P
Manufacturing, Custom				A	A			A		P	
Manufacturing, Heavy											P
Manufacturing, Light				C						P	P
Mineral Extraction											P
Oil and Gas Extraction											C
Warehousing and Distribution, General				P							P
Warehousing and Distribution, Limited				P		P				P	P
RESIDENTIAL											
Dwelling, Accessory	A	A	A								
Dwelling, Duplex	SE	P	P		P				A ⁴		
Dwelling, Multi-Family		P	P	P	P	P	P ⁵	P	A ⁴		
Dwelling, Single-Family	P	P	P								
Dwelling, Townhouse		P	P		P				A ⁴		
Garage, Private	A	A	A	A	A			A	A ⁴		
Group Home	P	P	P		P						
Halfway House		P	P								
Outdoor Storage Shed, Private	A	A	A		A						
Outdoor Storage Shed, Temporary	A	A	A	A	A	A	A	A	A	A	A
Swimming Pool, Private	A	A			A						

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1. Conditional and Special Exception uses are subject to the regulations in Article 4: Supplemental Regulations.
2. The Pennsylvania Municipalities Planning Code requires Forestry to be a permitted use in every district.
3. A "Live/Work Unit" combines residential and commercial and/or certain industrial uses. The commercial and/or industrial component of Live/Work Units is restricted to those uses expressly permitted in the district that the Live/Work Unit is located. Furthermore, only the following industrial uses are permitted in Live/Work Units: Custom Manufacturing and Light Manufacturing. All businesses must be properly licensed according to local, state, and federal law.
4. These uses are permitted in the Institutional Campus district but only as an accessory to a permitted, conditional, or special exception use in this district. These uses are *not* regulated in the same manner as "Dwelling, Accessory."
5. Multifamily dwellings are permitted as part of a mixed-use structure ONLY.

Section 2. Article 4: Supplemental Regulations. Article 4 shall be amended to add a new, subsection 4.4.39 Service Station, and to renumber the current subsection 4.4.39 and the following subsections accordingly, to insert the following:

4.4.39 Service Station

Use Category	Districts
Conditional	RC

- A. All fuel dispensing units or service stations abutting any residential property or use must provide one of the following screening methods along each side, rear or front yard.
 - a. A landscape buffer 10 feet wide planted with 4 large shade trees and 5 perennial shrubs per 50 feet of the transitional yard.
 - b. A decorative masonry wall or similar solid wall with a minimum height of 6 feet.
 - c. A privacy fence constructed of vinyl or other similar non- destructive decorative materials with a minimum height of 6 feet.
- B. No exterior product displays or sales will be allowed, this will include butnot limited to food, drink dispensing, oils, lubricates, auto accessories, plant or gardening items, all products shall be stored and sold indoors. No product installation or repair is permitted.
- C. The exterior sale and display of portable propane tanks is allowable in appropriate secured cabinets.
- D. All lighting shall be shielded and reflected away from streets and adjoining properties.
- E. Ingress, egress and internal traffic circulation shall be designed to ensure safety and minimize congestion.
- F. Refuge storage and dumpsters areas shall be provided and screened to enclose all refuge and containers. This area shall be setback 10 feet from any property line.
- G. The proposed use shall not significantly alter the overall character of the area. Buildings, canopies, and signage shall be similar to existing residential buildings of the area in architectural design, features, and construction material.
- H. Applicant Shall provide a written description explaining the measures, including security, which will be implemented to ensure that adjacent properties will be

adequately protected from any negative impacts including, but not limited to, litter, loitering, noise, lighting, glare, and other visual impacts.

- I. Applicant shall provide copies of all licenses or permits required by local, state, and federal agencies.

Section 3. Severability. It is herein declared that the provisions of this Ordinance are severable, and if any provisions, portions, or sections of this Ordinance are declared to be illegal, invalid, or unconstitutional, the decisions of any Court, which makes declarations, shall not impair or affect any of the remaining portions of this Ordinance.

Section 4. Repealer. Any ordinance or part of any ordinance that conflicts with the provisions of this ordinance is hereby repealed to the extent of any such conflict on the effective date of this ordinance.

Section 5. Effective Date. This Ordinance shall become effective ten (10) days after its enactment.

This Ordinance is duly ORDAINED AND ENACTED by a majority of the members of the City Council of the City of Jeannette at a duly advertised public meeting held on the 12th day of April, 2018.

CITY OF JEANNETTE

By: Curtis J. Antoniak
Curtis J. Antoniak
Mayor and President of Council

ATTEST: (SEAL)

Michelle Langdon
Michelle A. Langdon
City Clerk