

BOROUGH OF FORD CITY
AMENDED AND RESTATED ZONING ORDINANCE
ORDINANCE NO. 746

ADOPTED JANUARY 13, 2020
AMENDED NOVEMBER 29, 2023

ARTICLE 1. INTRODUCTORY PROVISIONS.....	4
1.01 Title	4
1.02 Authority.....	4
1.03 Effective Date	4
1.04 Applicability and Jurisdiction	4
1.05 Purposes	4
1.06 Minimum Requirements.....	4
1.07 Compliance Required	4
1.08 Conflicting Provisions	5
1.09 Language and Interpretation.....	5
1.10 Zoning Map.....	5
1.11 Transitional Provisions.....	6
1.12 Severability	7
ARTICLE 2. ZONING DISTRICTS	8
2.01 Districts.....	8
2.02 Allowed Uses	9
2.03 General Regulations	9
2.04 Neighborhood Districts Building & Site Regulations	12
2.05 Mixed-Use Districts Building & Site Regulations	16
2.06 Public-Institutional Districts Building & Site Regulations	20
2.07 Industrial Districts Building & Site Regulations	21
ARTICLE 3. RIVERFRONT OVERLAY	22
3.01 Intent	22
3.02 Applicability, Authority & Process	22
3.03 Site Design Regulations	22
3.04 Layout & Location of Zoning Districts.....	26
ARTICLE 4. USES.....	28
4.01 Principal Uses Allowed	28
4.02 Use Classifications	28
4.03 Residential Uses.....	32
4.04 Civic and Institutional Uses.....	32
4.05 Retail and Service Uses.....	34
4.06 Office and Employment Uses	38
4.07 Infrastructure.....	39
4.08 Accessory Structures & Uses	40
ARTICLE 5. BUILDING & SITE DESIGN	44
5.01 Building Design	44
5.02 Site Landscape Regulations	56
5.03 General Performance Standards	58
ARTICLE 6. PARKING	60
6.01 General	60
6.02 Parking Ratios	61
6.03 Calculation of Required Parking	63
6.04 Parking Reductions and Credits	63
6.05 Bicycle Parking.....	64
6.06 Parking Area Layout and Design	65
6.07 Loading	68

TABLE OF CONTENTS

ARTICLE 7. SIGNS	69
7.01 General Requirements.....	69
7.02 Exempt Signs.....	71
7.03 Temporary Signs	72
7.04 Prohibited Signs	74
7.05 Permitted Types & Quantity of Lot Signage	75
7.06 Wall Sign	77
7.07 Projecting or Suspended Sign	78
7.08 Projecting Marquee Sign	79
7.09 Awning Sign	80
7.10 Canopy-Mounted Sign	81
7.11 Window Sign	82
7.12 Monument Sign	83
7.13 Ped-Scale Pole-Mounted Sign.....	84
7.14 Pole Sign	85
7.15 Electronic Displays.....	86
7.16 Administration of Signs.....	86
ARTICLE 8. FLOODPLAIN	88
8.01 Authority.....	88
8.02 General Provisions.....	88
8.03 Administration	88
8.04 Identification of Floodplain Areas	92
8.05 Technical Provisions	93
8.06 Activities Requiring Special Permits	98
8.07 Existing Structures in Identified Floodplain Areas	100
8.08 Variances	101
8.09 Definitions	102
ARTICLE 9. ADMINISTRATION & PROCEDURES	106
9.01 Boards and Commissions.....	106
9.02 Enforcement	107
9.03 Summary of Procedures	108
9.04 General Procedures	108
9.05 Text and Map Amendments to the Zoning Ordinance	109
9.06 Zoning Permit	110
9.07 Development Plan Review.....	110
9.08 Conditional Use Permit.....	114
9.09 Variances, Special Exceptions, and Appeals	115
9.10 Nonconformities.....	117
ARTICLE 10. DEFINITIONS & MEASURING.....	120
10.01 Definitions	120
10.02 Measuring Building and Site Regulations	123

ARTICLE 1. INTRODUCTORY PROVISIONS

1.01 TITLE

The title of this document is the “Ford City Zoning Ordinance.” This ordinance may be cited and referred to as the “zoning ordinance” or “this ordinance.”

1.02 AUTHORITY

This zoning ordinance is adopted under the authority of the borough Charter and powers granted and limitations imposed by Pennsylvania law, including Section 62.23(7) and the Pennsylvania Municipalities Planning Code (MPC), Act 247.

1.03 EFFECTIVE DATE

The provisions of this zoning ordinance become effective on January 13, 2020, except as otherwise expressly stated.

1.04 APPLICABILITY AND JURISDICTION

The provisions of this zoning ordinance apply to all public and private use and development of properties within the corporate limits of the Ford City Borough, except as provided by state or federal law or as otherwise expressly stated in this zoning ordinance, and excluding public right-of-way unless otherwise expressly stated.

1.05 PURPOSES

This zoning ordinance is adopted for the purposes of:

1. Protecting and promoting the public health, safety, morals and general welfare;
2. Implementing the policies and goals of the comprehensive plan and other relevant, officially adopted plans of the Ford City Borough; and
3. Addressing the following community development objectives:
 - a. Preserve and enhance its residential, commercial and industrial character.
 - b. Strive for the most beneficial relationship among the industrial, commercial and residential land uses.
 - c. Seek to increase recreational and open space amenities wherever and whenever possible.
 - d. Strive for a civic improvement program through a sound and orderly program of progress.
 - e. Provide safe, decent and sanitary housing for all members of the community.
 - f. Relate physical and financial capabilities to support needed changes and facilities.
 - g. Direct efforts towards community improvement by utilizing the services of all segments of the population, and use the comprehensive plan as a guide towards this orderly development or redevelopment.

1.06 MINIMUM REQUIREMENTS

1. The provisions of this zoning ordinance are the minimum requirements deemed necessary to carry out its stated purposes.
2. In addition to the requirements of this zoning ordinance, all uses, buildings and structures must comply with all other applicable ordinances, laws and regulations.
3. References in this zoning ordinance to other governmental regulations do not constitute a complete list of such regulations. Any such references do not imply that the borough is responsible for enforcing regulations imposed by other government authorities.

1.07 COMPLIANCE REQUIRED

All of the following are subject to compliance with applicable provisions of this zoning ordinance:

1. Lots created or modified;
2. The use of land, buildings, and structures; and
3. Buildings and structures erected, located, moved, reconstructed, extended or structurally altered.

1.08 CONFLICTING PROVISIONS

A. STATE OR FEDERAL REGULATIONS

If the provisions of this zoning ordinance are inconsistent with or conflict with state or federal law or regulation, the applicable state and federal law or regulation governs.

B. OTHER BOROUGH REGULATIONS

If the provisions of this zoning ordinance are inconsistent with one another or if they conflict with provisions found in other adopted ordinances or regulations of the borough, the more restrictive provision governs unless otherwise expressly stated. The more restrictive provision is the one that imposes more stringent controls.

C. PRIVATE AGREEMENTS AND COVENANTS

If the provisions of this zoning ordinance impose a greater restriction than imposed by an agreement or covenant among private parties, the provisions of this zoning ordinance govern. The borough is not responsible for monitoring or enforcing agreements or covenants among private parties.

1.09 LANGUAGE AND INTERPRETATION

A. CONJUNCTIONS

Conjunctions have the following meanings unless the context otherwise expressly indicates:

1. “And” indicates that all connected items or provisions apply; and
2. “Or” indicates that the connected items or provisions may apply singularly or in combination.

B. ILLUSTRATIONS

Illustrations are provided for convenience and reference only and do not define or limit the text of this zoning ordinance. In case of any difference of meaning or implication between the text of this zoning ordinance and any figure or illustration, the text governs.

C. VERSIONS AND CITATIONS

All references in this zoning ordinance to other borough, state, or federal regulations are to be construed as referring to the most up-to-date version and citation for those regulations or successor regulations, unless otherwise expressly indicated. When the referenced regulations have been repealed and not replaced by other successor regulations, zoning ordinance requirements for compliance are no longer in effect.

D. LISTS AND EXAMPLES

Unless otherwise expressly indicated, lists of items or examples that use “including,” “such as,” or similar terms are intended to provide examples only. They are not to be construed as exhaustive lists of all possibilities.

E. DELEGATION OF AUTHORITY

Whenever a provision appears requiring the head of a department or another officer or employee of the borough to perform an act or duty, that provision is to be construed as authorizing the department head or officer to delegate that responsibility to others over whom they have authority. Delegation of authority is not allowed if a specific provision expressly prohibits such delegation.

F. PUBLIC OFFICIALS AND AGENCIES

The “borough” shall refer to the Ford City Borough. All employees, public officials, and boards and commissions to which references are made are those of the borough of Ford City unless otherwise expressly stated.

1.10 ZONING MAP

A. ESTABLISHMENT

The location and boundaries of the districts defined in this zoning ordinance must be established by ordinance and shown on a map entitled “Ford City Borough Zoning Map.” The map is hereby adopted as part of this ordinance and shall be kept on file in the office of the borough secretary in the municipal building.

B. MAINTENANCE AND UPDATES

The zoning officer is responsible for directing revisions to the official zoning map to reflect its amendment as soon as possible after the effective date of any ordinance establishing or amending zoning district boundaries.

C. BOUNDARIES

Zoning boundary lines must be described by legal description or by a map that accompanies the ordinance establishing the district or amending the district boundaries. When a legal description is used, the boundary is deemed to extend to the centerline of abutting streets. When a map is used, boundary lines must be established by dimensions, property lines, recorded lot lines, or the centerline of abutting streets, alleys, or railroad rights-of-way, as those features were of record at the time of adoption.

D. MAP INTERPRETATIONS

Where any uncertainty exists about a zoning boundary that was established by legal description, the legal description accompanying the amending ordinance governs. In other cases, the zoning officer is authorized to make an interpretation of the boundaries. The following rules apply to all zoning map interpretations:

1. Boundaries shown as approximately following the centerlines of streets, highways, alleys or other public rights-of-way must be construed as following such centerlines.
2. Boundaries shown as approximately following platted lot lines must be construed as following such lot lines.
3. Boundaries shown as approximately following borough limit lines must be construed as following those lines.
4. Boundaries shown as approximately following railroad lines must be construed to be midway between the main tracks.
5. Boundaries shown as approximately following the shoreline or centerline of a river, stream, lake or other watercourse must be construed as following the actual shoreline or centerline of the watercourse. If, after establishment of the boundary, the shoreline or centerline of the watercourse moves as a result of natural processes, the boundary must be construed as moving with the shoreline or centerline of the watercourse.

E. ANNEXED LAND

When land is annexed or otherwise brought into the zoning jurisdiction of the borough it must be assigned a zoning classification based on the comprehensive plan, existing land uses, any applicable annexation agreement or other relevant considerations.

1.11 TRANSITIONAL PROVISIONS

The provisions of this section address the transition to this zoning ordinance from the zoning ordinance in effect immediately before the effective date specified in [Sec. 1.03](#).

A. APPLICATIONS, PERMITS AND APPROVALS

Any building, development, or structure for which a building permit was issued or a complete building permit application had been accepted for processing before the effective date specified in [Sec. 1.03](#) may be completed in conformance with the issued building permit and other applicable permits and conditions, even if such building, development or structure does not comply with provisions of this zoning ordinance. If the building, development or structure is commenced but not completed within the time allowed under the original building permit and any authorized permit extension, the building, development or structure may be constructed, completed and occupied only if it complies with the regulations of this zoning ordinance.

Complete applications for variances, exceptions, special permits, conditional uses, site plans, and other zoning-related approvals that are pending approval on the effective date specified in [Sec. 1.03](#) must be reviewed wholly under the terms of the zoning ordinance in effect immediately preceding the effective date specified in [Sec. 1.03](#).

The zoning officer is authorized to issue permits for construction or development approved before the effective date specified in [Sec. 1.03](#) and for developments pending approval before that effective date even if such building, development or structure does not fully comply with provisions of this zoning ordinance. If building is not commenced and completed within the time allowed under the permit and any authorized permit extension, then the building, development or structure may be constructed, completed and occupied only if it complies with the regulations of this zoning ordinance.

B. VIOLATIONS

The adoption of this zoning ordinance does not affect any pending or future suit, proceeding or prosecution of, or action to abate, violations of the previous zoning ordinance that occurred before the effective date specified in [Sec. 1.03](#).

1.12 SEVERABILITY

If one or more provisions of this ordinance, or the application of this ordinance is held to be unlawful, invalid, unenforceable, or preempted by applicable state or federal law or regulations, such provisions are deemed to be severed from this zoning ordinance. The remaining ordinance provisions remain in full force and effect.

ARTICLE 2. ZONING DISTRICTS

2.01 DISTRICTS

A. DISTRICTS ESTABLISHED

The borough's zoning districts are listed in [Table 2.01\(A\)](#). When this zoning ordinance refers to "neighborhood" zoning districts, it is referring to these districts.

TABLE 2.01(A) DISTRICTS	
SYMBOL	DISTRICT NAME
NEIGHBORHOOD DISTRICTS	
N1	Neighborhood Residential 1
N2	Neighborhood Residential 2
NX1	Neighborhood Residential Mix
NX2	Riverfront Residential Mix
MIXED-USE DISTRICTS	
DX	Downtown Mixed-Use
MX	Neighborhood Mixed-Use
CX	Corridor Mixed-Use
GX1	General Office-Residential Mix
GX2	Neighborhood Office-Residential Mix
SPECIAL DISTRICTS	
P1	Civic and Institutional
P2	Parks and Recreation
P3	Conservation
I1	Industrial and Heavy Commercial
I2	Industrial and Office

B. NEIGHBORHOOD DISTRICT DESCRIPTIONS

When this zoning ordinance refers to "neighborhood" zoning districts, it is referring to these districts.

1. N1, Neighborhood Residential 1. The N1 district is intended to preserve the character of the existing neighborhoods with traditional houses and side-by-side houses.
2. N2, Neighborhood Residential 2. The N2 district is intended to preserve the character of the existing neighborhoods with houses on mid-sized lots.
3. NX1, Neighborhood Residential Mix. The NX1 district is intended to preserve the character of the existing neighborhoods with a mix of housing types, including multi-unit houses, rowhouses, and small apartment buildings.
4. NX2, Riverfront Residential Mix. The NX2 district is intended to for use along the riverfront with mix of housing types, including multi-unit houses, rowhouses, and small apartment buildings, in a walkable neighborhood setting.

C. MIXED-USE DUSE DISTRICT DESCRIPTIONS

When this zoning ordinance refers to “mixed-use” zoning districts, it is referring to these districts.

1. DX, Downtown Mixed-Use District

The DX (downtown mixed-use) district is intended to preserve the character of the downtown center with storefronts on the ground-story and upper-story residential and office uses.

2. MX, Neighborhood Mixed-Use District

The MX (neighborhood mixed-use) district is intended to reinforce the scale and character of the neighborhoods, allowing small nodes of mixed-use buildings, where a mix of small-scaled, traditional storefront buildings and commercial buildings with residential elements (i.e. pitched roofs, landscape yards) occur or are desired.

3. CX, Corridor Mixed-Use District

The CX (corridor mixed-use) district is intended for use on the edges of the borough, allowing more intensive commercial uses with a more auto-oriented access.

4. GX1, Downtown Office-Residential Mix District

The GX1 (downtown office-residential mix) district is intended primarily for areas adjacent to downtown with a mix of higher density office and residential uses.

5. GX2, Neighborhood Office-Residential District

The GX2 (neighborhood office-residential mix) district is intended for areas with a mix of small-scale residential and/or office buildings at nodes or along corridors throughout the borough.

D. PUBLIC-INSTITUTIONAL DISTRICT DESCRIPTIONS

When this zoning ordinance refers to “public-institutional” zoning districts, it is referring to these districts.

1. P1, Civic and Institutional District. The P1 district is intended to accommodate public, civic, and institutional (often iconic) buildings and uses commonly found within or near neighborhoods and the downtown, such as libraries, churches, government buildings.

2. P2, Parks and Recreation District. The P2 district is intended to accommodate primarily open, outdoor spaces for parks and recreation, usually only with small scale accessory buildings and structures.

3. P3, Conservation. The P3 district is generally intended to preserve and protect natural areas with steep slopes, drainage areas, consistent tree canopy cover, and other natural features.

E. INDUSTRIAL DISTRICT DESCRIPTIONS

When this zoning ordinance refers to “industrial” zoning districts, it is referring to these districts.

1. I1, Light Industrial-Heavy Commercial. The I1 district is intended to accommodate smaller-scale light industrial and heavy commercial uses that may have outdoor storage of goods and garage or loading bays for trucks and other vehicles.

2. I2, General Industrial. The I2 district is intended to accommodate mid-larger-scale industrial, typically with office uses, with most activities located within buildings.

2.02 ALLOWED USES

Uses are allowed in zoning districts in accordance with the use regulations of [Article 4](#). Some building regulations have additional limitations on permitted uses.

2.03 GENERAL REGULATIONS

The regulations of this [Sec. 2.03](#) apply to all buildings in the all districts, unless otherwise stated.

A. PERMANENT STRUCTURES

All buildings must be of permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise expressly stated in this ordinance.

B. STREET FRONTAGE

All buildings and lots must have frontage on a street. Alley frontage does not fulfill street frontage requirements.

C. BUILD TO THE CORNER

All buildings in mixed-use districts are required to occupy street corners of a lot, defined by the intersection of the two build-to zones or setback lines along streets.

D. BUILDING & SITE DESIGN REGULATIONS

All buildings in the DX district, GX district, and any districts used within the riverfront overlay must comply with the building and site design regulations of [Article 5](#), unless otherwise expressly stated in this ordinance.

E. ACCESSORY STRUCTURE REGULATIONS

Except as defined in the building regulations, accessory structures are subject to the regulations of [Sec. 4.08](#).

F. EXCEPTIONS AND EXEMPTIONS

The following exceptions and exemptions may apply to the building regulations.

1. Minor Deviations. Minor deviations up to 1 foot or 10% of any building and site regulation may be approved as part of the zoning permit by the zoning officer.
2. Existing Buildings. Refer to [Sec. 9.10](#) for buildings constructed and lots established prior to the adoption of these regulations that do not conform to these regulations.
3. Utility Installations. Utility installations are not required to comply with the building regulations except side and rear yard setbacks.
4. Civic and Institutional Uses. Civic and institutional uses per [Table 4.08\(A\)](#) in [Article 4: Uses](#) shall comply with the building and site regulations in [Sec. 2.06](#) for Public and Institutional districts.
5. Outdoor Entertainment Uses. Buildings in outdoor entertainment uses per [Table 4.08\(A\)](#) in [Article 4: Uses](#) are exempt from compliance with front lot line coverage.
6. Outdoor Sales Lot. Buildings in outdoor sales lots per [Table 4.08\(A\)](#) in [Article 4: Uses](#) are exempt from compliance with front lot line coverage. Refer to [Article 4](#) for additional regulations.

G. TREATMENT OF YARDS

Refer to [Sec. 10.01](#) for the definition of yards. Paved vehicular areas are limited to specific locations in accordance with the district building and site regulations. The following additional regulations govern the required treatment of yard areas around buildings.

1. Landscape, Patio, Sidewalks. All yards must consist of landscape areas, patio/deck space, swimming pools, activity spaces, sidewalk space, and/or other non-vehicular space, unless otherwise expressly stated.
 - a. Neighborhood Districts. For lots more than 130 feet in depth, a maximum of 65% of combined front and rear yard areas may be covered in impervious surfaces. Swimming pools may be counted as pervious, for the purposes of this calculation.
 - b. Special Districts. A maximum of 75% of front and rear yard areas may be covered in impervious surfaces.
2. Driveways. See [Sec. 6.06](#) for driveway design and location regulations. Driveways may cross through yards as follows:
 - a. Where permitted as access to the lot by the building regulations, driveways may cross perpendicularly through the front or street side yards.
 - b. Shared driveways may cross perpendicularly through the side and rear yards to connect to parking spaces on adjacent lots.
 - c. Driveways accessing rear yard garages are permitted within the side or rear yard setback, up to the property line. If the driveway is shared, the minimum side yard must be provided outside the driveway.
3. Rear Yards. Minimum rear and side yard setbacks apply to parking lots located in the rear yard, unless otherwise stated.
4. Encroachments. The following encroachments are permitted:
 - a. Front Yards. Open porches, stoops, awnings, and steps may encroach into the front yard up to within 1 foot of the front property line.
 - b. Side Yards. Chimneys, bays, and stoops may encroach up 1.5 feet into the side yard.
 - c. Rear Yards. Open porches, stoops, awnings, decks, and steps may encroach into the rear yard up to within 1 foot of the front property line.

- d. All Yards. Roof overhangs, eaves, and other architectural features, such as cornices, may encroach up to 1.5 feet into any yard.
- e. Accessory Structures. Refer to [Sec. 4.08](#) for allowed accessory structures.

H. TRASH, RECYCLING, REFUSE LOCATIONS

Unless otherwise defined by the building regulations, all trash, recycling, and other refuse areas for buildings in NX1, NX2, all mixed-use districts, and all special districts must be located and treated as follows:

1. Trash, recycling, and other refuse areas in the rear yard of the lot.
2. When no rear yard exists or when the rear yard is less than 10 feet in depth, trash, recycling, and other refuse areas may be located in the rear portion of an interior side yard.
3. Trash, recycling, and other refuse areas may be located inside the building with access doors off the rear or interior side facade. Access doors may be located off a street side facade if the zoning officer determines no other option exists. Access doors must be opaque, screening a minimum of 80% of the opening.
4. See [Sec. 5.02.E](#) for required screening of trash, recycling, and other refuse areas.

2.04 NEIGHBORHOOD DISTRICTS BUILDING & SITE REGULATIONS

The following tables define the building requirements for the neighborhood (N and NX) districts. See Sec. 10.02 for an explanation of key measurements and Sec. 10.01 for definitions. See Article 5 for general site design and performance measures. For NX districts within the Riverfront Overlay, refer to the general building design regulations in Sec. 5.01.

NEIGHBORHOOD DISTRICTS				
	N1	N2	NX1	NX2

A. BUILDING & PARKING SITING. REFER TO [FIGURE 2.04\(1\). BUILDING & PARKING SITING DIAGRAMS](#)

q	Front Build-to Zone (BTZ) or Setback (feet)	Block face average BTZ [1]	10 – 20 Setback	5 – 20 BTZ	10 – 25 BTZ
w	Minimum Frontage Coverage (%)	None	None	None	85
e	Street Side Minimum Setback (feet)	2.5	15	5 – 20	5 – 20
r	Minimum Side Setback (feet)	2.5; 3.5 for new construction; 0 on one side for side-by-side house	15	2.5; 7.5 for new construction	7.5
	Minimum Space between Multiple Buildings on a Single Lot (feet)	7.5; 0 on one side for side-by-side house	15	7.5 [2]	15 [2]
t	Minimum Rear Setback (feet)	Lots less than 100 feet deep: 7.5 Lots 100 to 135 feet deep : 35 Lots more than 135 feet deep: 55	50	Midblock: meet adjacent district regulations; Endblock: 3 on alley	3 on alley; 7.5 feet adjacent to other district
y	Maximum Building Width Along Street	None	None	50 on front, 0 on street side; 6 units & 120 feet for rowhouse	160; 8 units & 180 feet for rowhouse
u	Parking & Driveway Access	Rear yard only, accessed off alley [3]	Any location	Rear yard, accessed off alley [3]	Rear yard, accessed off alley or side street [3]
		Loading areas and garbage -recycling areas are allowed in rear yard only			
i	Attached Garage or Structured Parking Location	Rear portion of building, minimum 20 feet of occupied space between front facade & garage required	Any	Rear portion of building, minimum 20 feet of occupied space between front facade & garage required	
	Allowed Garage Door Location (facade)	All except front	Any	All except front; on street side facades, must be set back a minimum of 5 feet from street side facade.	
o	Accessory Structure Location (Detached Garage, Accessory Dwelling Unit, Other)	Rear yard only; must be located in behind any principal building facade on a street yard; see Sec. 4.08 Accessory Structures & Uses.			

B. HEIGHT. REFER TO [FIGURE 2.04\(2\). HEIGHT DIAGRAMS](#)

q	Minimum Height (stories)	1.5	1	2	2
	Maximum Height (stories)	2.5 [4][5]	3[4][5]	3 [4][5]	4 [4][6]
w	Floor-to-Floor Height (feet)	9 – 12			9 – 14 other stories

- [1] The building shall be located within the range of setbacks of all other buildings on the block face with the exception of any anomaly buildings.
- [2] A rowhouse or townhouse building consists of a series of units in a building, whether each is located on its own lot or not. The building must meet the building and site regulations.
- [3] Rear parking shall not extend beyond the building.
- [4] Basements, up to 3.5 feet above grade at base of front facade, permitted in addition to maximum stories. Basements must be located above the floodway elevation per Article 9.
- [5] Basements on east side of 7th Avenue may be up to a full story height where grade prohibits a usable depth first floor at 3.5 feet above grade.
- [6] When abutting to an N district, all stories above the second story must be set back a minimum of 50-foot setback from the lot line.

NEIGHBORHOOD DISTRICTS			
N1	N3	NX1	NX2

C. FACADE & CAP REQUIREMENTS REFER TO [FIGURE 2.04\(3\). FRONT FACADE DIAGRAMS](#)

q	Minimum Required Transparency per All Stories on Front Street Facade (%)	15%, including any half stories, visible basement, or full floor height towers; no 15-foot wide section of any story, measured horizontally along the story, may be without transparency (refer to Sec. 10.02 for measuring)			
w	Minimum Building Entrances on Street Frontages	One, off stoop or porch (refer to Sec. 10.01 for definition))		One per 100 feet of frontage, one per unit for rowhouses [1] ; see Principal Entryways per Sec. 5.01.L	
e	Ground Story Elevation on Grade	Within 2.5 feet of adjacent grade or between 2.5 feet and 5 feet with visible basement			
r	Street Facade Horizontal Divisions with Shadow Line	none required		Required within 3 feet of the top of any visible basement	Required within 3 feet of top of ground story on at least 80% of facade width
t	Front Facade Vertical Divisions with Shadow Line	none required			Minimum one for every 120 feet of facade width
y	Permitted Cap Types (refer to Sec. 5.01.H for cap type regulations)	Pitched; tower	No type required	Parapet, Pitched, or combination	Parapet, Pitched, Flat, or combination; tower

- [1] For townhouse/rowhouse configurations, each unit must have an entrance on the front facade except, for every unit with an entrance on a front street, one unit may front a courtyard, open space, or side street. all units located in the build-to zone must have an entrance on the street.

FIGURE 2.04(3). FRONT FACADE DIAGRAMS



2.05 MIXED-USE DISTRICTS BUILDING & SITE REGULATIONS

The following tables define the building requirements for the mixed-use (X) districts. See Sec. 10.02 for an explanation of key measurements and Sec. 10.01 for definitions. See Article 5 for general site design and performance measures. For the DX district and districts within the Riverfront Overlay, refer to the general building design regulations in Sec. 5.01.

MIXED-USE DISTRICTS				
DX	MX	CX	GX1	GX1

A. BUILDING & PARKING SITING

q	Front Street Build-to Zone (feet)	0 – 5	0 – 15 <u>[2]</u>	10 – 20 <u>[5]</u>	5 – 30	10 – 25 <u>[2]</u>
w	Minimum Front Lot Line Coverage (%)	90[1]	90	50	50	50
e	Street Side Build-to Zone (feet)	0 – 5	0 – 15	5 – 15	5 – 20	5 – 20
r	Build-to Zone Treatment per <u>Sec. 5.02</u>	Streetscape A	Streetscape A or B	Streetscape A or B	Streetscape B	Streetscape B
t	Minimum Side Setback (feet)	0	5	5	5	5
t	Minimum Space between Multiple Buildings on a Single Lot(feet)	0 or 10 min.	12.5	12.5	12.5	0 or 10 min.
y	Minimum Rear Setback (feet)	0 abutting an alley; 5 abutting an N or NX district				
u	Maximum Building Width along any Front Street	none	50	none	none	75
i	Surface Parking & Loading Location (yard)	Rear & limited side yard <u>[3]</u>	Rear & limited street yard <u>[4]</u>	Rear, limited street, & side yard <u>[3][4]</u>	Rear & limited side yard <u>[3]</u>	Rear & limited street yard <u>[4]</u>
		Loading areas and garbage and recycling areas are allowed in rear yard only				
o	Structured Parking	Structured parking within principal building must be below ground floor or in the rear behind occupied building space at least 20 feet in depth. Detached accessory parking structures are allowed only in the rear yard and shall not extend beyond the building. Refer to				
	Garage Access	Prohibited on front street facades; on side streets and side facades, must be set back a minimum of 5 feet from facade.				

B. HEIGHT

q	Minimum Height (stories)	2	1	1	2	1
q	Maximum Height (stories)	3.5	2.5	2	3.5	2.5
w	Floor-to-Floor Height (feet)	14-18 ground story; 9 – 12 other stories	12 – 14 ground story; 9-12 other stories		9 – 14 stories	

[1] Limited side yard parking counts toward minimum front lot line coverage.

[2] The building may be set back a distance up to the average setback of all of the houses on the block.

[3] Limited side yard parking is located in the interior side yard with up to one double-loaded aisle perpendicular to the street centerline.

[4] Limited street yard parking is a single loaded aisle of parking parallel to the street along any street lot line and located within the lot, utilizing the street as the drive aisle. This parking may be configured as head-in parking off the street, partially on street right-of-way and partially on the private lot on streets with sufficient right-of-way and with a approval per zoning officer.

[5] The build-to zone shall accommodate a minimum of 12 feet from the edge of street pavement for a pedestrian zone and sidewalk. The build-to zone may expand up to 5 additional feet, if needed.

FIGURE 2.05(1). BUILDING & PARKING SITING DIAGRAM

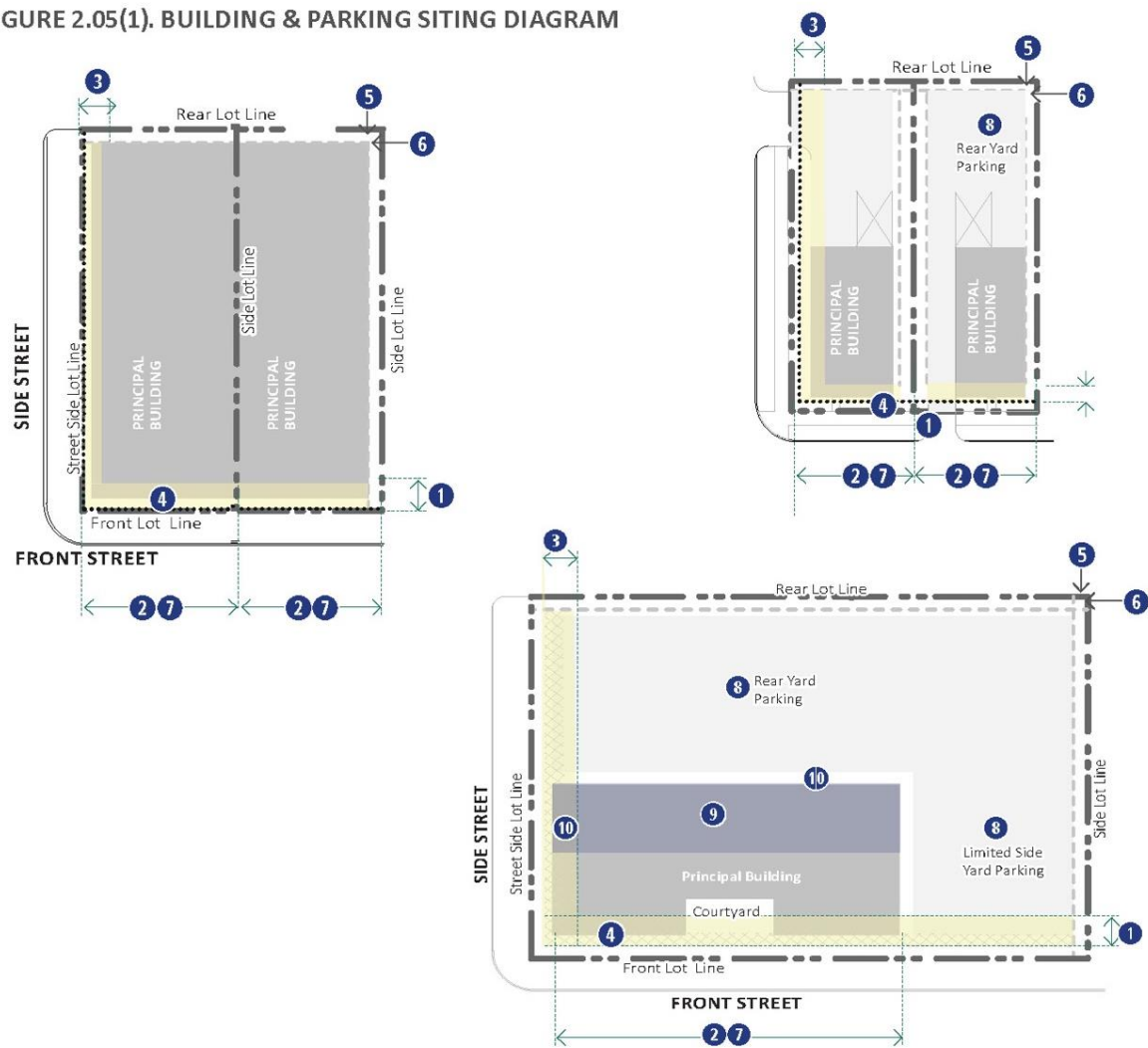
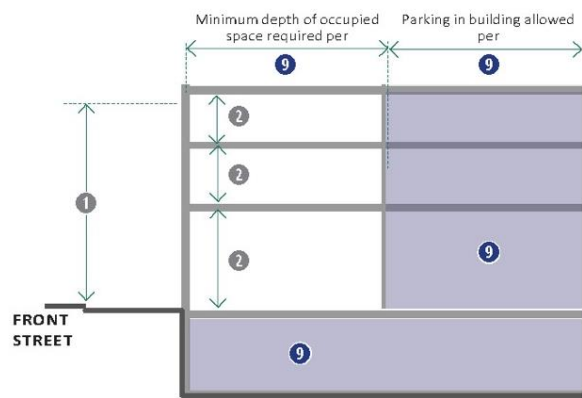


FIGURE 2.05(2). HEIGHT DIAGRAM



MIXED-USE DISTRICTS				
DX	MX	CX	GX1	GX1

C. WINDOWS, DOORS, AND ROOF REQUIREMENTS

q	Minimum Required Windows per Ground Story on Front Facades (%)	65, as measured between 2 and 8 feet. Refer to Figure 2.05(3) for storefront illustration.		Refer to w, below. No separate requirements for ground story.	
w	Minimum Required Transparency per All Other Stories on Street Facade (%)	15, including any half stories or full floor height towers; and no 15-foot wide section, measured horizontally along the story, may be without transparency; and no rectangular segment measuring 30% or more of a story may be without transparency (refer to Sec. 10.02 for measuring)			
e	Minimum Building Entrances on Front Facades	One entrance, then 1 required for every 70 feet of front facade; see Principal Entryways per Sec. 5.01.L		Minimum one principal entrance for buildings; see Principal Entryways per Sec. 5.01.L	
r	Ground Story Elevation on Grade	80% of ground story must be within 1.5 feet of adjacent sidewalk elevation		Within 2.5 feet of adjacent grade or between 2.5 feet and 5 feet with visible basement	
t	Street Facade Horizontal Divisions with Shadow Line	Required within 3 feet of top of ground story on at least 80% of facade width		Required within 3 feet of the top of any visible basement. Refer to Figure 2.05(4) for illustration of visible basement.	
y	Front Facade Vertical Divisions with Shadow Line	Minimum one for every 30 feet of facade width on ground story		Minimum one for every 120 feet of facade width	
u	Permitted Cap Types (refer to Sec. 5.01.H for cap type regulations)	Parapet, Flat, or combination; tower	Parapet, Pitched, Flat, or combination; tower.	Parapet, Flat, or combination; tower.	Parapet, Pitched, Flat, or combination.

- [6] Limited side yard parking counts toward minimum front lot line coverage.
- [7] The building may be set back a distance up to the average setback of all of the houses on the block.
- [8] Limited side yard parking is located in the interior side yard with up to one double-loaded aisle perpendicular to the street centerline.
- [9] Limited street yard parking is a single loaded aisle of parking parallel to the street along any street lot line and located within the lot, utilizing the street as the drive aisle. This parking may be configured as head-in parking off the street, partially on street right-of-way and partially on the private lot on streets with sufficient right-of-way and with a approval per zoning officer.
- [10] The build-to zone shall accommodate a minimum of 12 feet from the edge of street pavement for a pedestrian zone and sidewalk. The build-to zone may expand up to 5 additional feet, if needed.

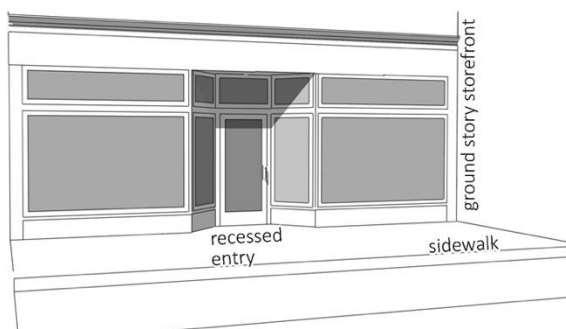


FIGURE 2.05(3). ILLUSTRATION OF GROUND STORY STOREFRONT WITH RECESSED ENTRYWAY.

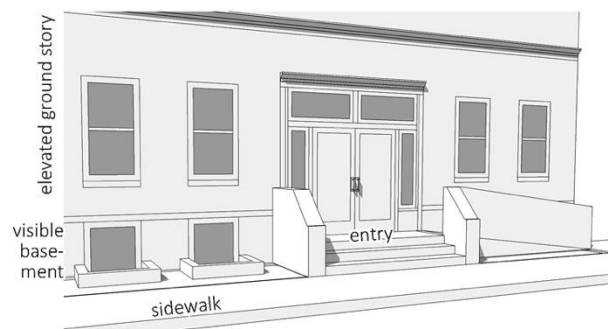
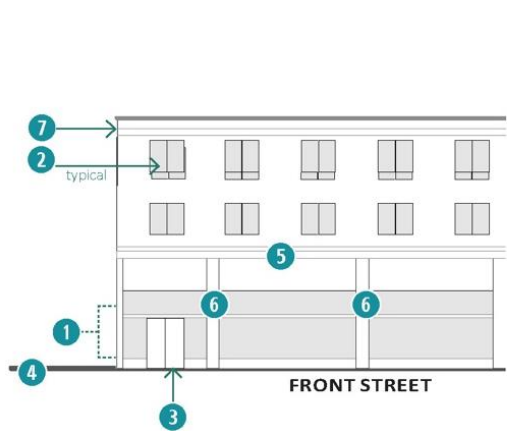
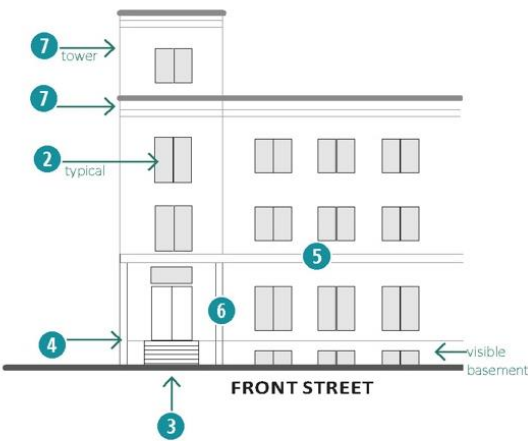


FIGURE 2.05(4). ILLUSTRATION OF OFFICE-RESIDENTIAL BUILDING WITH VISIBLE BASEMENT.

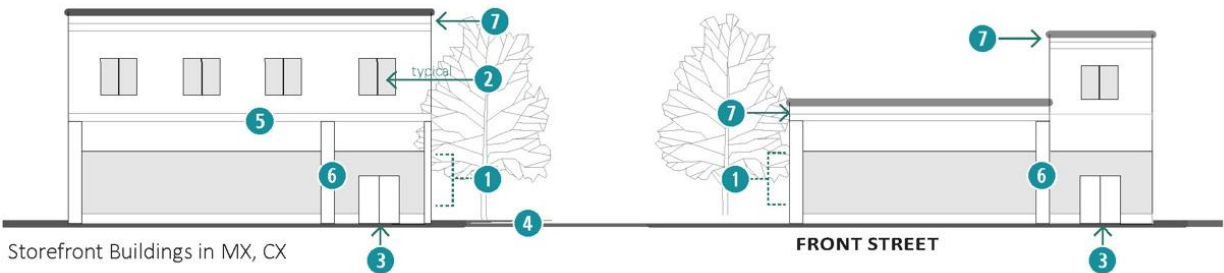
FIGURE 2.05(5). FACADES REGULATIONS



Storefront Building in DX District



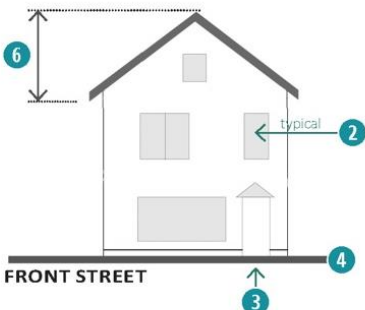
Office-Residential Building in GX1



Storefront Buildings in MX, CX



Office Buildings in GX2



2.06 PUBLIC-INSTITUTIONAL DISTRICTS BUILDING & SITE REGULATIONS

The following table defines the site and building requirements for the public and institutional (P) districts. See Sec. 10.02 for an explanation of key measurements and Sec. 10.01 for definitions. See Article 5 for general site design and performance measures. For districts within the Riverfront Overlay, refer to the general building design regulations in Sec. 5.01.

PUBLIC AND INSTITUTIONAL DISTRICTS		
P1	P2	P3
CIVIC & INSTITUTIONAL	PARKS & OPEN SPACE	CONSERVATION

A. BUILDING & PARKING SITING

q	Minimum Lot Size (feet)	10,000	None	None
w	Front Street Setback (feet)	10 [3]	15 [3]	None
e	Street Side Setback (feet)	5	15	None
r	Minimum Side Setback (feet)	5; 15 adjacent to residential use	5; 15 adjacent to residential use	None
	Minimum Space between Multiple Buildings on a Single Lot(feet)	10	15	
t	Minimum Rear Setback (feet)	0 abutting an alley; 15 abutting an N or NX district	5	None
y	Surface Parking & Loading Location (yard)	Rear; limited front and side yard [1][2]	limited front and side yard	limited front and side yard
		Outdoor loading areas and garbage and recycling areas are allowed in rear yard only, except lots abutting the river, side yard only		None

B. HEIGHT

u	Maximum Height (feet)	40; 50 allowed when greater than 75 feet from a principal N district structure	45	None
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C. WINDOWS & DOORS

i	Minimum Window Coverage per Street Facade (%)	15% per story, blank wall limitations apply	15% per story, blank wall limitations apply	None
o	Minimum Building Entrances on Front Facades	One entrance on front facade		

- [1] Limited side yard parking is located in the interior side yard with up to one double-loaded aisle perpendicular to the street centerline.
- [2] Limited front yard parking is a single loaded aisle of parking parallel to the street along the front lot line. This parking may be configured as head-in parking off the street, partially on street right-of-way and partially on the private lot on streets with sufficient right-of-way and with a approval per zoning officer.
- [3] The building setback shall accommodate a minimum of 12 feet from the edge of street pavement for a pedestrian zone and sidewalk.

2.07 INDUSTRIAL DISTRICTS BUILDING & SITE REGULATIONS

The following table defines the site and building requirements for the industrial (I) districts. See Sec. 10.02 for an explanation of key measurements and Sec. 10.01 for definitions. For districts within the Riverfront Overlay, refer to the general building design regulations in Sec. 5.01.

INDUSTRIAL DISTRICTS	
I1	I2
LIGHT INDUSTRIAL & HEAVY COMMERCIAL	GENERAL INDUSTRIAL & OFFICE

A. BUILDING & PARKING SITING

q	Minimum Lot Size (feet)	20,000	20,000
w	Front Street Setback (feet)	10 ^[3]	15 ^[3]
e	Street Side Setback (feet)	5	15
r	Recommended Streetscape Treatment per Sec. 5.02	Streetscape A	Streetscape A or B
t	Minimum Side Setback (feet)	5; 15 adjacent to residential use	7.5
	Minimum Space between Multiple Buildings on a Single Lot(feet)	15	15
y	Minimum Rear Setback (feet)	5 abutting an alley; 15 abutting an N or NX district	10 abutting an alley; 20 abutting an N or NX district; 30 abutting river
u	Surface Parking & Loading Location (yard)	Rear; limited front and side yard ^{[1][2]}	Any yard
		Outdoor loading areas and garbage and recycling areas are allowed in rear yard only, except lots abutting the river, side yard only	
i	Outdoor Storage Location	Side yard; Street side yard screened from streets by landscape buffer A or B	Any yard, screened from streets by landscape buffer A or B
o	Maximum Lot Coverage (%)	85	70; 90 with incorporating green roof or other semi-pervious surfaces for a minimum of 25% of surface

B. HEIGHT

1)	Maximum Height (feet)	35	45
-----------	------------------------------	----	----

- [1] Limited side yard parking is located in the interior side yard with up to one double-loaded aisle perpendicular to the street centerline.
- [2] Limited front yard parking is a single loaded aisle of parking parallel to the street along the front lot line. This parking may be configured as head-in parking off the street, partially on street right-of-way and partially on the private lot on streets with sufficient right-of-way and with a approval per zoning officer .
- [3] The building setback shall accommodate a minimum of 12 feet from the edge of street pavement for a pedestrian zone and sidewalk.

ARTICLE 3. RIVERFRONT OVERLAY

3.01 INTENT

The riverfront overlay regulations are intended to result in a traditional neighborhood development that extends the walkable street grid of the borough through the large riverfront parcels, providing access to the river via a system of streets, smaller-scaled blocks and small civic, open spaces. A mix of zoning districts will allow a wide range of residential and mixed-use uses within pedestrian-oriented buildings.

3.02 APPLICABILITY, AUTHORITY & PROCESS

A. APPLICABILITY

The following regulations apply to redevelopment within the riverfront overlay as designated on the borough zoning map.

B. AUTHORITY

The riverfront overlay is consistent with the authority established by the Traditional Neighborhood Development, Article VII-A, and the Planned Residential Development Article VII, as referenced by Article VII-A, of the Pennsylvania Municipalities Planning Code.

C. APPLICABILITY

The riverfront overlay is consistent with the authority established by the Traditional Neighborhood Development, Article VII-A, and the Planned Residential Development Article VII, as referenced by Article VII-A, of the Pennsylvania Municipalities Planning Code.

D. APPROVAL PROCESS

A development plan review is required per [Sec. 9.07](#).

1. The development plan regulating map, as required, shall include all areas within the outline of the overlay, whether under the same ownership or not. The intent is to anticipate connectivity and other interactions potential between adjacent sites, and to coordinate with adjacent property owners. The site construction may be phased.
2. Refer to the borough's streets regulations and the county's subdivision regulations for all requirements related to new infrastructure and subdivision processes for approval, modifications, and platting.

3.03 SITE DESIGN REGULATIONS

A. BLOCKS & STREET CONFIGURATION

Refer to [Figure 3.04\(4\)](#) for an illustration of an example layout of these regulations. Note that other configurations that meet the regulations are possible.

1. Block Size. Block length shall be no more than 600 feet, with a maximum perimeter of 1800 feet.
2. Access Points. A minimum of two access points shall be provided for the development, with a minimum of one per every 1,500 feet of boundary, except along rail corridors, slopes, or limited access highways. An access point is a new street connecting to an existing street.
3. Extend Existing Streets. Streets shall connect and continue existing streets from adjoining areas. Future connections shall be considered and temporary dead end streets may be supplied for future extension with council approval during the development plan review process.
4. Shape of Blocks. The shape of a block shall be generally rectangular in order to accommodate typically rectilinear buildings, but may vary due to natural features or site constraints.
5. Vistas. Refer to [Sec. 3.03.E](#) for laying streets out to provide terminate streets at buildings or open space, and not at parking lots.
6. Lot Configuration. All lots shall have frontage along a street per the building regulations requirements, unless otherwise specified.
 - a. With the exception of blocks containing open space, blocks shall typically be fronted with lots or buildings on at least two faces, preferably on the longest street faces.

- b. Flag lots are prohibited.
 - c. The configuration of the blocks shall consider alley, rear lane, and service drive inclusion.
 - d. Blocks may be established including already existing lots and those lots may retain their existing zone designation.
 - e. Consider lot and block orientation for maximum energy efficiency, depending on the building type. For example, block orientation along an east-west longitudinal axis will encourage development of long mixed-use buildings oriented along an east-west axis, with smaller east and west facing facades, able to take advantage of passive solar technology.
7. Cul-de-Sacs and Dead End Streets. Cul-de-sac and temporary dead end streets are permitted only when necessitated by natural features or site constraints, including but not limited to waterways, slopes, or highways. If allowed, pedestrian connections and landscape plantings may be required.
 8. Civic Space. Refer to [Sec. 3.03.F](#) for open space requirements, including street frontage requirements. Open space, existing and new, shall be fronted with streets to provide more visibility and access.

B. BASE STREET

The base street type is illustrated in [Figure 3.04\(1\)](#). Additional street right-of-way or configuration may be required based on existing context and circulation needs. The base street defines the minimum components of any new street on the interior of the development and includes the following:

1. Minimum Widths. The minimum right-of-way width is 54 feet for a two-way street. Travel lanes shall be a minimum of 10 feet. When only one lane of on-street parking is approved, the minimum pavement width for a two-way street is 28 feet and the minimum right-of-way width is 47 feet.
2. On-Street Parking. Parallel, angled, or perpendicular parking is required generally on both sides of the street. On-street parking on one side of the street may be approved. On-street parking width is a minimum 7 feet.
3. Streetscape.
 - a. The minimum dimension required for streetscapes along non-residential ground stories is 9 feet, with a clear sidewalk width of at least 5 feet and a 4-foot minimum parkway. 8-foot minimum parkway is the preferred street tree zone.
 - b. Along residential ground stories, the minimum is 12 feet with a clear sidewalk of at least 5 feet and a 7-foot minimum, 8-foot preferred, landscape zone (parkway).
 - c. See [Sec. 5.02.A](#) for streetscape requirements.
4. Maximum Pavement Width. The maximum pavement width without pedestrian refuge for all streets internal to the development is 38 feet. Pavement widths wider must include a median in the middle to provide pedestrian refuge and/or bulb-outs to reduce the crossing widths to less than 38 feet.
5. Medians. Landscape medians are optional and permitted up to a maximum of 15 feet in width. Medians shall accommodate pedestrian crossings. Note that wider spaces within street configurations may be permitted by utilizing a civic space type per [Sec. 3.03.F](#).
6. Mid-Block Pedestrian Paths. Mid-block pedestrian paths may be located on blocks within the development that are longer than the maximum block sizes, approved during the development plan approval process.
7. Street Crosswalks. Crossings at all controlled street intersections shall include a clear pedestrian path across streets (crosswalks) with accessibility ramps at curbs, demarcated by paint, stamped patterns, or pavers. Raised crosswalks are encouraged at heavy pedestrian locations.
8. Curb Radii. Intersections shall be designed for actual turning radius of the typical design vehicle as opposed to the maximum design vehicle. Small curb radii at intersections shorten pedestrian crossing distances and reduce vehicle turning speeds, increasing pedestrian safety.
 - a. Where on-street parking is provided with no bulb-out, a radius no greater than 5 feet is recommended.
 - b. Where on-street parking is provided with a bulb-out or where no on-street parking is provided, a radius no greater than 10 feet is recommended.
9. Bicycle Accommodations. New streets within the development shall accommodate bicycle access per the borough's most recent complete streets or bicycle policy. Bicycle accommodations shall be included on through streets and higher activity streets. On non-commercial and lower activity streets, bicycles may share vehicular lanes.

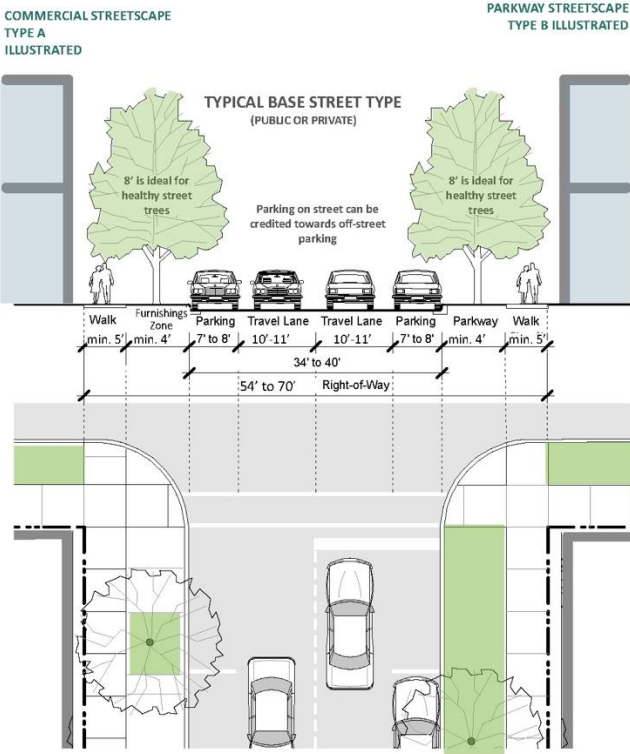


FIGURE 3.04(1). BASE STREET COMPONENTS



FIGURE 3.04(3). EXAMPLE OF TERMINATED VIEWS AT BUILDINGS AND CIVIC OPEN SPACE.



FIGURE 3.04(2). ILLUSTRATIONS OF CIVIC SPACE TYPES

C. ALLEYS, LANES, OR SERVICE DRIVES

Alleys, lanes, or service drives shall be provided through all blocks to provide vehicular access to all lots, except as follows:

1. Parking Drives. Parking drives and parking structure drives may serve as alleys/lanes if the drive is continuous through the block with at least 2 access points and serves all lots on the block.
2. Exception. An exception may be approved during the development plan review with one of the following conditions:
 - a. A single point of access is all that is required and a non-front street is available for access.
 - b. Natural or existing constraints limit the block depth and no more than 2 vehicular access points are required for the lots on the block.

D. FRONT STREET DESIGNATION

The orientation and location of buildings on lots is determined by the front street designation; some building regulations are specific to the front street frontage (see [Article 2](#)). Front street frontages are treated as the front of the building.

1. Minimum Designation. A minimum of 50 percent of a combination of the new streets in the overlay area and existing streets fronting the development shall be designated as front streets.
2. Building Frontage. Front streets shall be designated so that all building lots front at least one front street, except for up to 20 percent of the lots may front a non-front street.
3. Open Space Frontage. Where practicable, streets along open space shall be designated as front streets to ensure buildings front the open space.
4. Driveways and Alleys/Lanes. Driveways and alleys/lanes to lots shall not be located off a front street, except when the parcel is fronted by more than two front streets and/or there is no other alternative access.

E. VISTAS

Views down streets shall be considered when laying out streets and locating open space, parking, and buildings. Refer to [Figure 3.04\(3\)](#) for an example of a terminated vista.

1. Rears of Buildings. The location of open space and streets shall not create views of the rear of buildings or parking behind buildings.
2. Parking. Parking structures and surface parking lots are not permitted at the termination of a street vista.
3. Street Termini. When a street terminates at a parcel, the parcel shall be occupied by one of the following:
 - a. Open Space. If the parcel is open space, any open space type shall be utilized and a vertical element shall terminate the view. Acceptable vertical elements include, but are not limited to, a stand or group of trees, a sculpture, a gazebo or other public structure, or a fountain.
 - b. Building. If the parcel is not utilized as an open space, the facade of a building, whether facing a front street or not, shall terminate the view. The building shall incorporate one of the following treatments to terminate the view: a tower, a bay, or a courtyard.

F. CIVIC SPACE

All developments within the riverfront overlay shall provide the following open space.

1. Required Amount. The following minimum amount of open space shall be provided:
 - a. A minimum of 10% of the total master plan site shall be provided as one of the civic space types, and
 - b. One type of civic space is required within a 500-foot distance, as measured continuously along a sidewalk, from the entrance of each townhouse/rowhouse unit and the principal building entrance of all other buildings. The intent is to provide usable open space within a short walking distance for all occupants and visitors.
2. Types of Civic Space. The following types of civic space are permitted. A mix of types is required, with not more than 3 of any one type utilized. Refer to [Figure 3.04\(2\)](#) for example images.
 - a. Plaza. A plaza is a generally hardscaped area (minimum 60 percent coverage), minimum 1/8 acre in size, with either street, pedestrian, trail right-of-way, or building frontage on all sides and at least one side the equivalent of 25 percent of the perimeter fronting a front street. A single plaza may not fulfill the

- minimum open space requirements; if a plaza is utilized to meet the distance requirement, another open space shall be incorporated in another location on the site.
 - b. Square. A square is a combination of hardscape and landscape (approximately 50% and 50% respectively), minimum 1/4 acre in size, and surrounded by street frontage on all sides.
 - c. Green. A green is a generally landscaped space (minimum 70 percent), minimum 1/2 acre with street right-of-way on at least 50 percent of the perimeter.
 - d. Greenway. A greenway is a linear landscape space, minimum 2 acres in total with minimum 30 feet wide and minimum average 60 feet wide, and with street right-of-way on at least 30 percent of the perimeter.
 - e. Park. A park is a larger, generally landscaped space, a minimum of 2 acres in size, with at least 25 percent of the perimeter on street right-of-way.
3. Existing Open Space. An existing usable open space, more than 1/4 of an acre and meeting one of the types defined above, may fulfill the requirements as approved during development plan review. Landscape area and buffer area does not count towards the civic space requirement.
 4. Riverfront. The greenway civic space type shall be provided along the riverfront, with at least 1,200 linear feet of the greenway edge with street frontage. The intent is to provide visibility and access to the riverfront.
 5. Trails. Refer to any borough open space and/or trail plans, and any existing trails surrounding the site, to provide connections through and within the site for continuous trails.

3.04 LAYOUT & LOCATION OF ZONING DISTRICTS

The development plan shall define locations of zoning districts to meet the following requirements. Consideration for building location shall be given at this point in the process, based upon the regulations of [Article 2](#), to ensure that lots are located and sized to accommodate the buildings. Building locations are not required to be shown for the development plan review. Refer to [Figure 3.04\(4\)](#) For illustration of one potential site layout fulfilling these regulations.

A. PERMITTED DISTRICTS

The following districts are allowed in the riverfront overlay: MX, GX2, N1, NX1, NX2, P1, P2, P3.

B. REGULATING PLAN

The applicant shall develop a regulating plan for the site, similar to [Figure 3.04\(4\)](#), including the location of all districts proposed, located by defining within boundary lines or lot lines on the plan.

C. GENERAL LAYOUT OF SUBAREAS

The following general layout requirements apply:

1. The same subareas shall generally face each other across streets, including existing.
2. More intense buildings and uses located on blocks with less intense buildings and uses should be located on block ends.
3. Changes in subarea shall generally occur at a rear boundary line, at an alley, or at corner parcels.

D. MIXED-USE DISTRICTS

A minimum of 40,000 square feet of mixed-use districts is required, though the council may approve an exception during the development plan approval process.

E. NEIGHBORHOOD DISTRICTS

A minimum of 2 residential districts is required, with at least 3 scales of buildings, such as rowhouses, townhouses, houses with multiple units, small apartment buildings, larger apartment buildings.

F. CIVIC SPACE TYPES

Open space and civic space types to be zoned with the P2 district.



- KEY
- MX: NEIGHBORHOOD MIXED-USE
 - GX2: NEIGHBORHOOD OFFICE
 - NX2: RIVERFRONT RESIDENTIAL
 - NX1: NEIGHBORHOOD MIX
 - N1: NEIGHBORHOOD HOUSING
 - P1: CIVIC & INSTITUTIONAL
 - P2: PARKS
 - P3: CONSERVATION
 - PARKING AREA
 - NEW FRONT STREET
 - NEW NON-FRONT STREET
 - NEW ALLEY
 - TRAIL

NOTE:
This diagram illustrates one potential example of the code requirements. Other site layouts are possible utilizing the regulations.

FIGURE 3.04(4). EXAMPLE OF A REGULATING PLAN FULFILLING THE REGULATIONS OF THE RIVERFRONT OVERLAY

ARTICLE 4. USES

4.01 PRINCIPAL USES ALLOWED

A. USE TABLE

Principal uses are allowed in accordance with [Table 4.08\(A\)](#). Multiple principal uses may occur on a single property, provided all uses are allowed in the district.

B. INTERPRETING THE USE TABLE

1. Use Classification System. Uses are listed in the first column of [Table 4.08\(A\)](#). This zoning ordinance classifies uses into categories and subcategories, as explained in [Table 4.08\(A\)](#). . In some cases, specific use types are listed in addition to the use categories and subcategories.
2. Permitted Uses
 - a. Uses identified with a “4” are permitted as-of-right in the subject zoning district, subject to compliance with any supplemental regulations identified in the final column of [Table 4.08\(A\)](#) and with all other applicable regulations of this zoning ordinance.
 - b. Uses identified with a “8” are permitted as-of-right in the subject zoning district but only when located above the ground-floor or in the rear of the ground story, a minimum of 30 feet from the front facade.
3. Conditional Uses. Uses identified with “C” are allowed only if reviewed and approved in accordance with the conditional use procedures of [Sec. 9.08](#).
4. Prohibited Uses. Uses identified with an “-” are expressly prohibited. Uses that are not listed in the table and that cannot be reasonably interpreted to fall within any defined use category or subcategory are also prohibited.
5. Reference. The final (“Reference”) column of [Table 4.08\(A\)](#) includes a cross-reference to the use definition and any applicable supplemental use regulations that apply to the use. Unless otherwise expressly stated, compliance with supplemental use regulations is required regardless of whether the use is permitted as-of-right or requires conditional use approval. Bracketed numbers also refer to use-specific conditions, which are included as footnotes immediately following the use table.
6. Accessory Use. Accessory uses are generally not identified by [Table 4.08\(A\)](#). Customary accessory uses are allowed in conjunction with principal uses permitted by right or by conditional use approval, subject to compliance with all applicable accessory use regulations of [Sec. 4.08](#).

4.02 USE CLASSIFICATIONS

A. GENERAL

This division describes the system used to classify principal uses in this zoning ordinance.

B. USE CATEGORIES

This zoning ordinance classifies principal land uses into 7 major groupings). These major groupings are referred to as “use categories.” The use categories are as follows:

1. Residential (see [Sec. 4.03](#)).
2. Civic and Institutional (see [Sec. 4.04](#)).
3. Retail and Service (see [Sec. 4.05](#)).
4. Office and Employment (see [Sec. 4.06](#)).
5. Infrastructure (see [Sec. 4.07](#)).
6. Accessory Uses (see [Sec. 4.08](#)).

C. SPECIFIC USE TYPES

Some use subcategories are further broken down to identify specific types of uses that are regulated differently than the subcategory as a whole.

D. CLASSIFICATION OF USES

1. The zoning officer is authorized to classify uses on the basis of the use category, subcategory and specific use type descriptions of this article.
2. When a use cannot be reasonably classified into a use category, subcategory or specific use type, or appears to fit into multiple categories, subcategories or specific use types, the zoning officer is authorized to determine the most similar and thus most appropriate use category, subcategory or specific use type based on the actual or projected characteristics of the principal use or activity in relationship to the use category, subcategory and specific use type descriptions provided in this article. In making such determinations, the zoning officer must consider:
 - a. The types of activities that typically occur in conjunction with the use;
 - b. The types of equipment and processes to be used;
 - c. The existence, number and frequency of residents, customers or employees;
 - d. Parking demands or the use; and
 - e. Other factors deemed relevant to a use determination.
3. If a use can reasonably be classified in multiple categories, subcategories or specific use types, the zoning officer is authorized to categorize each use in the category, subcategory or specific use type that provides the most exact, narrowest and appropriate "fit."

TABLE 4.02(A) USE TABLE

USE CATEGORY	Districts													Reference for Definition & Supplemental Regulations
Use Subcategory	Residential					Mixed-Use				Special				
Specific Use Type	N1	N2	NX1	NX2	DX	MX	CX	GX1	GX2	I1	I2	P1	P2, P3	
RESIDENTIAL														
Household Living														
Single Household Unit per Lot	●	●	●	●	⦿	⦿	●	●	●	-	-	-	-	Sec. 4.03.A
2 Household Units per Lot	Ⓒ	C	●	●	⦿	⦿	●	●	●	-	-	-	-	
3 to 5 Household Units per Lot	-	-	●	●	⦿	⦿	●	●	Ⓒ	-	-	-	-	
6 or more Household Units per Lot	-	-	-	●	⦿	⦿	●	●	-	-	-	-	-	
Group Living														
Group Home or Assisted Living, 8 or fewer residents	●	●	●	●	⦿	⦿	●	●	●	-	-	-	-	Sec. 4.03.B
Group Home or Assisted Living, more than 8 residents	-	-	-	●	⦿	⦿	●	●	-	-	-	-	-	
Other group living	Ⓒ	Ⓒ	Ⓒ	Ⓒ	-	-	-	-	-	-	-	-	-	
CIVIC & INSTITUTIONAL														
Assembly														
Small Assembly	●	●	●	●	-	●	●	●	●	-	-	●	-	Sec. 4.04.A
Large Assembly	-	-	-	●	-	-	●	●	-	-	-	●	-	
Cemetery	-	-	-	-	-	-	-	-	-	-	-	Ⓒ	Ⓒ	Sec. 4.04.B

TABLE 4.02(A) USE TABLE

USE CATEGORY	Districts													Reference for Definition & Supplemental Regulations
Use Subcategory	Residential				Mixed-Use				Special					
Specific Use Type	N1	N2	NX1	NX2	DX	MX	CX	GX1	GX2	I1	I2	P1	P2, P3	
Club or Lodge	-	-	-	●	○	●	●	●	●	●	-	●	-	Sec. 4.04.C
College or University	-	-	-	-	○	●	●	●	-	-	-	●	-	Sec. 4.04.D
Community Garden	●	●	●	●	●	●	●	●	●	●	●	●	●	Sec. 4.04.E
Government Facilities & Services	-	-	-	●	●	●	●	●	●	●	●	●	-	Sec. 4.04.F
Hospital	-	-	-	-	-	●	●	●	-	-	-	●	-	Sec. 4.04.G
Library, Museum, or Cultural Exhibit	●	●	●	●	●	●	●	●	●	●	●	●	©	Sec. 4.04.H
Parks and Recreation Facilities	●	●	●	●	●	●	●	●	●	●	●	●	●	Sec. 4.04.I
School	-	-	-	●	-	●	●	●	●	-	-	●	-	Sec. 4.04.J

RETAIL & SERVICE

Consumer Service

Animal Care	-	-	-	-	●	●	●	●	●	-	-	-	-	Sec. 4.05.A
Animal Boarding	-	-	-	-	-	-	●	-	-	●	●	-	-	Sec. 4.05.B
Consumer, Personal Service, Day Care	-	-	-	-	●	●	●	●	●	-	-	-	-	
Eating and Drinking Establishment	-	-	-	-	●	●	●	-	-	-	-	-	-	Sec. 4.05.C
Entertainment, Indoor	-	-	-	-	●	●	●	-	-	-	-	-	-	Sec. 4.05.D
Entertainment, Outdoor	-	-	-	-	-	-	●	-	-	-	-	●	©	Sec. 4.05.E
Financial Service	-	-	-	-	●	●	●	●	-	-	-	-	-	
Convenient Cash Business/Pawnshop	-	-	-	-	-	-	●	-	-	-	-	-	-	
Funeral or Mortuary Service	-	-	-	-	-	-	●	●	●	-	-	-	-	Sec. 4.05.F
Medical Service/Clinic	-	-	-	-	©	©	●	●	-	-	-	-	-	Sec. 4.05.G
Studio or Instructional Service	-	-	-	-	●	●	●	●	●	-	-	-	-	Sec. 4.05.H

Lodging

Bed & Breakfast	●	●	●	●	○	○	●	●	●	-	-	-	-	Sec. 4.05.I
Short-Term Rental	●	●	●	●	●	●	●	●	●	-	-	-	-	
Hotel	-	-	-	-	●	●	●	●	●	-	-	-	-	

Retail Sales

Neighborhood Scale	-	-	-	-	●	●	●	-	-	-	-	-	-	Sec. 4.05.J
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Community Scale	–	–	–	–	●	–	●	–	–	–	–	–	–	
Artisan Goods with Fabrication	–	–	–	–	●	●	–	–	–	●	●	–	–	
Retail with Outdoor Storage	–	–	–	–	–	–	●	–	–	–	–	–	–	
Medical Marijuana Dispensary	–	–	–	–	–	–	●	–	–	–	–	–	–	
Adult-Oriented Business	–	–	–	–	–	–	©	–	–	–	–	–	–	Sec. 4.05.K
Vehicle Sales & Service														
Vehicle Fueling Station	–	–	–	–	–	©	●	–	–	©	©	–	–	Sec. 4.05.L
Vehicle Sales	–	–	–	–	–	–	●	–	–	–	–	–	–	
Vehicle Rental	–	–	–	–	–	©	●	–	–	–	–	–	–	
Vehicle Maintenance & Repair, Minor	–	–	–	–	–	–	●	–	–	©	©	–	–	
Vehicle Maintenance & Repair, Major	–	–	–	–	–	–	©	–	–	©	©	–	–	
Vocational or Trade School	–	–	–	–	8	●	●	●	–	–	–	–	–	Sec. 4.05.M
OFFICE & EMPLOYMENT														
Office	–	–	–	8	●	●	●	●	●	●	●	●	●	Sec. 4.06.A
Fabrication, Production, Processing														
Low-Impact	–	–	–	–	–	–	–	–	–	●	●	–	–	Sec. 4.06.B
Moderate-Impact	–	–	–	–	–	–	–	–	–	●	●	–	–	
High-Impact	–	–	–	–	–	–	–	–	–	–	©	–	–	
Greenhouse/Nursery, Wholesale	–	–	–	–	–	–	●	–	–	–	–	–	–	
Medical Marijuana Grower	–	–	–	–	–	–	●	–	–	–	–	–	–	
Industrial Service	–	–	–	–	–	–	–	–	–	●	●	–	–	Sec. 4.06.C
Storage, Distribution and Wholesaling														
Personal Storage	–	–	–	–	●	●	●	●	–	–	●	–	–	Sec. 4.06.D
Warehouse	–	–	–	–	●	–	●	–	–	●	●	–	–	
Wholesale Sales and Distribution	–	–	–	–	–	–	●	–	–	●	●	–	–	
Junk, Salvage, Recycling Yard	–	–	–	–	–	–	–	–	–	–	©	–	–	Sec. 4.06.E
INFRASTRUCTURE														
Parking, Non-accessory	–	–	–	©	©	©	©	©	©	©	©	©	–	Sec. 4.07.A
Utilities and Public Service Facilities														
Minor	●	●	●	●	●	●	●	●	●	●	●	●	●	Sec. 4.07.B
Major	©	©	©	©	©	©	©	©	©	©	©	©	©	

ACCESSORY STRUCTURES & USES														
Outbuildings (e.g. sheds, garages)	●	●	●	Ⓢ	—	Ⓢ	●	—	Ⓢ	●	●	●	Ⓢ	Sec. 4.08.B
Accessory Dwelling Units	●	●	—	—	—	—	—	—	—	—	—	—	—	Sec. 4.08.C
Home Occupations	●	●	●	●	●	●	●	●	●	—	—	—	—	Sec. 4.08.D
Outdoor Storage	—	—	—	—	—	—	Ⓢ	—	—	—	●	●	—	Sec. 4.08.E
Drive-In/Drive-Through Service	—	—	—	—	—	Ⓢ	●	—	—	—	—	—	—	Sec. 4.08.F
Electrical Charging Stations	●	●	●	●	●	●	●	●	●	●	●	●	—	Sec. 4.08.G
Solar Panels	●	●	●	●	●	●	●	●	●	●	●	●	—	Sec. 4.08.H
KEY: ●=permitted by right Ⓢ=permitted only above ground-floor Ⓢ=conditional use *supplemental use regulations apply —=prohibited														

4.03 RESIDENTIAL USES

The residential use category includes uses that provide for long-term residential occupancy by individual households or by groups of people.

A. HOUSEHOLD LIVING

Household living is residential occupancy of a dwelling unit by a single household for tenancy periods of 30 consecutive days or more, including, single household, two-household, three-household, three-plus household and live-work uses.

1. Single-Household. One principal dwelling unit on a single lot. Unit may share a side wall with an abutting dwelling unit on its own lot.
2. Two-Household. Two principal dwelling units on a single lot.
3. Three- to Five-Household. Three, four, or five dwelling units occupying a single building on a single lot.
4. Six+-Household. Six or more principal dwelling units occupying a single building on a single lot.

B. GROUP LIVING

Group living is residential occupancy of a building or any portion of a building by a group other than a household. Tenancy is typically arranged on a long-term (30-day or longer) basis. Buildings or spaces occupied by group living uses contain individual rooms with private or shared bathroom facilities and may also contain shared kitchen facilities, and/or common dining and living areas for residents. Residents may or may not receive any combination of care, training, or treatment, but those receiving such services must reside at the site. Examples of group living uses include fraternities, sororities, convents, community living arrangements, assisted living facilities, personal care facility, foster homes, treatment foster homes, monasteries and nursing homes.

1. Community Home. Community home is a group of unrelated disabled persons living together as a single housekeeping unit with shared common facilities. If required, staff persons may reside on the premises. For the purposes of this definition, “disabled” means “handicapped” as defined according to the Fair Housing Act Amendments of 1988, 42 U.S.C.S. 3602(h), and any amendments thereto.
2. Assisted Living Facility. Assisted living means a facility for the accommodation of convalescents or chronically ill persons, in which such nursing care and medical services are prescribed or are performed under the general direction of persons licensed to provide such care or services in accordance with Commonwealth laws.
3. Other Group Living. Any group living use that is not a community home or assisted living facility.

4.04 CIVIC AND INSTITUTIONAL USES

The civic and institutional use category includes public, quasi-public, civic and institutional uses.

A. ASSEMBLY

A facility that has organized services, meetings, or programs to benefit, educate, entertain, or promote discourse amongst the residents of the community in a public or private setting. Typical uses include houses of worship, community centers, auditoriums, civic centers, convention centers, performing arts facilities, and recreation centers.

Customary accessory uses may include offices, classrooms, banquet facilities, play areas. Cemeteries, columbariums, and mausoleums require a conditional use permit.

1. Small Assembly. An assembly use that occupies a building less than 5,000 square feet gross floor area.
2. Large Assembly. An assembly use that occupies a building 5,000 square feet or more gross floor area.

B. CEMETERY

1. Definition. Lands and facilities for the interment of humans or domestic household pets, including columbariums and mausoleums.
2. Supplemental Use Regulations. Cemeteries may be approved as a conditional principal or accessory use subject to the following supplemental use regulations:
 - a. Adequately funded programs and provisions, approved by the borough solicitor, shall be provided to guarantee perpetual care of all cemetery grounds, columbariums, mausoleums, and/or other similar uses. This provision shall apply to existing facilities for which expansions are requested.
 - b. All equipment must be stored in a completely enclosed building.
 - c. All garages, storage facilities, office, and structures shall be screened from adjacent roads and properties by appropriate planting or fences.

C. CLUB OR LODGE

The use of a building or lot by a membership-based organization that restricts access to its facility to bona fide, dues-paying members and their occasional guests and in which the primary activity is a service not carried on as a business enterprise. Private clubs and lodges are characterized by definite membership qualifications, payment of fees and dues, regular meetings and a constitution and bylaws.

D. COLLEGE OR UNIVERSITY

Academic institutions of higher learning that are not-for-profit, accredited or recognized by the state, and offer courses of general or specialized study.

E. COMMUNITY GARDEN

1. Definition. Areas that are managed and maintained by a group of individuals to grow and harvest food crops or non-food crops (e.g., flowers). A community garden area may be divided into separate garden plots for cultivation by one or more individuals or may be farmed collectively by members of the group.
2. Supplemental Use Regulations. Community gardens may be principal or accessory uses and are subject to the following supplemental use regulations:
 - a. On-site sales of community garden food products is permitted as an accessory use, limited to one day per week during regular business hours.
 - b. All equipment must be stored in a completely enclosed building.
 - c. The community garden site must be designed and maintained to prevent any chemical pesticide, fertilizer, or other garden waste from draining on to adjacent properties.
 - d. On-site trash, recyclable and compost containers must be located and maintained as far as practicable from residential dwelling units located on other lots.
 - e. The property must be maintained free of tall weeds and debris. Dead garden plants must be regularly removed and, in any instance, no later than November 1 of each year.
 - f. The perimeter of all community gardens must be fenced with a fence 4 feet in height or shorter.

F. GOVERNMENT FACILITY

Government-owned facilities such as a borough hall/offices, post office, and fire, police or life protection services. May include incidental storage of necessary vehicles. Locational regulations for parking per the district building and site regulations are not required for these facilities.

G. HOSPITAL

Uses providing medical or surgical care to patients and offering inpatient (overnight) care.

H. LIBRARY, MUSEUM, CULTURAL EXHIBIT

Museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art or library collections of books, manuscripts and similar materials operated by a public or quasi-public agency, or non-profit.

I. PARKS AND RECREATION

Recreational, social or multi-purpose uses associated with public parks and open spaces, including playgrounds, playfields, play courts, community centers boat launches, and other facilities typically associated with public parks and open space areas. Also includes public and private golf courses and tennis clubs. May include commercial kiosks for renting equipment, such as canoes, kayaks, golf equipment, bicycles.

J. SCHOOL

Public and private schools at the primary, elementary, middle school or high school level that provide basic, compulsory, state-mandated education.

4.05 RETAIL AND SERVICE USES

The retail and service use category includes uses that provide a business service or involve the selling, leasing or renting of merchandise to the general public. The commercial use subcategories are as follows.

A. ANIMAL SERVICE

Uses that provide goods and services for care of animals, including the following use subcategories:

1. Animal Care. Animal care includes grooming shops and facilities, animal hospitals, and veterinary clinics. Indoor boarding and outdoor exercise facilities no larger than the indoor facility are permitted such as for dog or pet day care.
2. Animal Boarding. The keeping of and care for any number of companion animals with any size outdoor boarding and exercise space. Typical uses include boarding kennels, pet resorts/hotels, dog training centers and animal rescue shelters. Any building or structure in which animals are kept or exercised must be set back at least 50 feet from any N-zoned lot.

B. CONSUMER AND PERSONAL SERVICE

1. Consumer Maintenance and Repair Service. Uses that provide maintenance, cleaning and repair services for consumer goods on a site other than that of the customer (i.e., customers bring goods to the site of the repair/maintenance business). Typical uses include laundry and dry cleaning pick-up shops, tailors, taxidermists, dressmakers, shoe repair, picture framing shops, copy shops, locksmiths, vacuum repair shops, electronics repair shops, and similar establishments. Business that offer repair and maintenance service for large equipment or technicians who visit customers' homes or places of business are classified as an "industrial service."
2. Personal Service. Uses that provide personal support and improvement services. Typical uses include barbers, hair and nail salons, laundromats, tanning salons, travel agencies, and day spas. Also includes uses involved in providing tattoos, piercing and similar forms of body art.
3. Day Care. Uses licensed by the commonwealth and providing care and supervision for children or adults away from their primary residence for more than 4 hours and less than 24 hours per day.

C. EATING AND DRINKING PLACES

An establishment that serves food or beverages for on- or off-premise consumption as its principal business.

1. Restaurant. An establishment that serves food or beverages for on- or off-premise consumption as its principal business. Typical examples of restaurant uses include principal use restaurants, cafés, cafeterias, ice cream/yogurt shops, donut shops and coffee shops.
2. Bar. Uses that cater primarily to adults, 21 years of age and older and that sell and serve beer, wine or alcoholic liquor for on-premise consumption as their principal business. Typical uses include bars, taverns, brewpubs, tasting rooms and nightclubs.

D. ENTERTAINMENT

Buildings and other facilities that provide commercial entertainment and amusement events, where spectators are incidental.

1. Indoor. Entertainment uses located within a building, no outdoor facilities are permitted except in a district where outdoor entertainment use is allowed. Typical uses include theaters, cinemas, health clubs, arcades, bowling alleys, pool halls, skating rinks, shooting and archery ranges.
2. Outdoor. Entertainment uses located outside, with or without indoor facilities. Typical uses include putt-putt golf courses, driving ranges, batting cages, go-cart tracks, swimming pools, water parks, ice rinks.

E. FINANCIAL SERVICE

Uses related to the exchange, lending, borrowing and safe-keeping of money. Automatic teller machines, kiosks and similar facilities that do not have on-site employees or amplified sound are not classified as financial service uses if they meet the general criteria for classification as an accessory use (see [Sec. 4.08](#)). Typical examples of financial service use types are financial institutions, convenient cash businesses and pawnshops:

1. Financial Institution. Any business authorized to do business under commonwealth or federal laws relating to financial institutions, including, without limitation, banks and trust companies, savings banks, building and loan associations, savings and loan associations and credit unions. This term does not include a convenient cash business or pawnshop.
2. Convenient Cash Business. An individual or individuals, firm, partnership, association, corporation, limited liability company or any other business entity licensed by the Commonwealth, engaged in the “payday loan business,” “title loan business,” “currency exchange business” (also known as “check cashing”), or any other substantially similar business.
 - a. A currency exchange business is any business, except financial institutions defined in [Sec. 4.05.E.1](#), above, engaged in the business of and providing facilities for cashing checks, drafts, money orders and all other evidences of money acceptable to such community currency exchange for a fee, service charge or other consideration. This term does not include any person engaged in the business of transporting for hire, bullion, currency, securities, negotiable or nonnegotiable documents, jewels or other property of great monetary value nor any person engaged in the business of selling tangible personal property at retail nor any person licensed to practice a profession or licensed to engage in any business in this commonwealth, who in the course of such business or profession and, as an incident thereto, cashes checks, drafts, money orders or other evidence of money.
 - b. A payday loan business is a business that provides unsecured loans with an initial term of ninety-one days or less in which the amount borrowed does not exceed two thousand dollars and is usually for a period from the time of the loan until the borrowers next payday for which the lender charges either fees or interest for the loan.
 - c. A title loan business is any business providing loans to individuals in exchange for receiving title to the borrower’s motor vehicle as collateral.
3. Pawnshop. An entity engaged in whole or in part in the business of lending money on the security of pledged goods or in the business of purchasing tangible personal property on a condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time, or in the business of purchasing tangible personal property from persons or sources other than manufacturers or licensed dealers.

F. FUNERAL AND MORTUARY SERVICE

Uses that provide services related to the death of a human or companion animal, including funeral homes and mortuaries.

G. MEDICAL SERVICE OR CLINIC

Personal health services including prevention, diagnosis and treatment services for humans, as provided by physicians, dentists, nurses and other health personnel. Medical service uses are performed in an office setting with no overnight care. Typical uses include offices of physicians, dentists, psychiatrists, psychologists, physical therapists and chiropractors. Surgical, rehabilitation and other medical centers that do not involve overnight patient stays are included in this use subcategory, as are medical and dental laboratories, blood banks and kidney dialysis centers, unless otherwise expressly indicated.

H. STUDIO OR INSTRUCTIONAL SERVICE

Uses that focus on providing individual or small group instruction or training in fine arts, music, dance, drama, fitness, language or similar activities. Also includes dance studios, ballet academies, yoga studios, martial arts instruction, tutoring, photography studios and other studios for artists that do not involve the use of power tools or power machinery.

I. LODGING

Uses that provide temporary overnight sleeping accommodations or lodging for 4 or more guests paying a fee or other form of compensation for a period of less than 30 consecutive days. Lodging uses sometimes provide food or entertainment, primarily to registered guests. Lodging use types include: bed & breakfast inns, hotels and motels and short-term rentals.

1. Bed & Breakfast Inn. A lodging establishment in a detached house in which the resident owner/operator offers accommodations and meal service to overnight guests for compensation. The number of guests at any property at any time is limited to 6.
2. Short-term Rental. A residential dwelling that is offered for rent for a fee and for more than 6 but fewer than 29 consecutive days. The number of guests at any property at any time is limited to 4. Registration is required with the borough zoning officer.
3. Hotel. A lodging establishment other than a bed & breakfast inn or short-term rental. Guest rooms must be accessed via internal corridors.

J. RETAIL SALES

Uses involving the sale, lease or rental of new or used goods to the ultimate consumer. Retail sales uses that sell or otherwise provide consumer maintenance and shopping goods. Typical goods include products for personal grooming and for the day-to-day maintenance of personal health; food or beverages for off-premise consumption; retail bakeries; apparel; furniture; household appliances and similar consumer goods; functional and decorative goods; entertainment goods. Typical uses include clothing stores, department stores, appliance stores, TV and electronics stores, beauty supply shops, bike shops, book stores, convenience stores, costume rental stores, stationery stores, art galleries, garden stores, hobby shops, hardware stores without outdoor storage and sales, furniture stores, pet stores and pet supply stores, shoe stores, antique shops, secondhand stores, record stores, toy stores, sporting goods stores, variety stores, musical instrument stores, medical supplies, office supply stores, grocery stores, drug stores, specialty food stores, wine or liquor stores, newsstands and florists.

1. Neighborhood-Scale Retail. Retail sales uses that occupy no more than 10,000 gross square feet with no outdoor sales/storage area.
2. Community-Scale Retail. Retail sales uses of any size with no outdoor sales/storage area.
3. Artisan Goods with Fabrication. Uses involved in the crafting, production, and limited distribution of materials, objects, food, or beverages in small quantities involving the use of hand tools and small-scale, light mechanical equipment. Includes such uses as weavers, upholsterers, glass-blowers, jeweler, microbreweries, micro distilleries.
 - a. All crafting and production activities must occur in a completely enclosed building.
 - b. No external noise, vibration, or noxious smells shall result from any process on-site.
 - c. No outdoor operations or storage is permitted.
 - d. A retail space, tasting room, or other public space is required for retail sale of sales of goods produced on on-site. The retail space must be a minimum of 2,500 square feet, open regular hours, and located at the front of the space.
 - e. Limited distribution means small truck deliveries only.
4. Retail Sales with Outdoor Storage. Retail sales uses that involve outdoor sales and storage of goods. Typical uses include home improvement stores and garden supply stores.
5. Medical Marijuana Dispensary. A facility for the dispensing of medical marijuana, a certified medical use as legally permitted by the Commonwealth of Pennsylvania with Act 16. Operation of the facility requires a permit from the Department of Health (DOH) of the commonwealth to dispense medical marijuana. The following applies:
 - a. A medical marijuana dispensary may not be located within 1,000 feet of the property line of any school or day care use.
 - b. A medical marijuana dispensary may only dispense medical marijuana in an indoor, enclosed, permanent, and secure building and shall not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other motor vehicle.
 - c. A medical marijuana dispensary may not operate on the same site as a facility used for growing and processing medical marijuana.
 - d. Medical marijuana dispensaries shall have a single secure public entrance and shall implement appropriate security measures to deter and prevent the theft of marijuana and unauthorized entrance into areas containing medical marijuana.
 - e. A medical marijuana dispensary shall not have a drive-through service; outdoor seating areas; outdoor vending machines; nor offer direct or home delivery service.

- f. Administering or consumption of medical marijuana shall be prohibited on the premises.
- g. Loading and off-loading areas within the structure are preferred. If an external loading dock arrangement is designed it should be from within a secure environment.

K. ADULT-ORIENTED BUSINESSES

1. Definition. Adult-oriented business means Adult Bookstore, Adult Cabaret, Adult Mini-Theater, Adult Theater, Massage Establishment, or any other adult-oriented activity identified in Title 68, Chapter 55 of the Statutes of Pennsylvania.
2. Supplemental Regulations:
 - a. No more than one adult-oriented business establishment may be located on any one parcel, and such establishment must be at least 1,500 feet from any other adult-oriented business establishment. Further, no adult-oriented business establishment is permitted within 1,000 feet of the following:
 - (i) Any historic site identified on the “National Register”, or an adopted historic district;
 - (ii) Any public or private elementary or secondary school or licensed nursery school or day care center;
 - (iii) Any religious assembly use;
 - (iv) A public park.
 - b. Signs advertising any adult-oriented business establishment must conform with the sign requirements of [Article 7](#), with the exception, however, that no tower or portable signs and with further exception that signs must not depict specified sexual activities and/or any specified anatomical areas per Title 68, Chapter 55 of the Statutes of Pennsylvania, and provided further that no flashing or traveling lights may be located outside the building. The location and wording of such sign must be shown for any approval.
 - c. Lighting must be provided so as to illuminate the entire exterior of the building. Such lighting must be shown on the site plan and submitted for conditional use approval.
 - d. No display windows are allowed on the premises.
 - e. The owner and/or operator of the adult-oriented business establishment must agree to comply with all federal, Commonwealth, and local laws and ordinances, including obscenity, liquor, and cabaret laws.
 - f. adult-oriented business cabaret establishments are subject to compliance of the municipal code relating to noise.
 - g. The hours of operation for such establishments are limited to the hours of 10:00am and 2::00am current local time.
 - h. All activities must occur indoors. No outdoor activities are permitted.

L. VEHICLE SALES AND SERVICE

1. Fuel Station. A use engaged in retail sales of vehicle fuels for personal vehicles, not including fleet fueling facilities and truck stops, which are regulated as industrial service uses.
 - a. Where possible, fuel pumps shall be located in the side yard.
 - b. Fuel pumps shall not be located adjacent to residentially zoned lots.
 - c. Any convenience store shall meet the building regulations for the district, with the exception of front lot line coverage.
2. Vehicle Sales. Uses primarily engaged in the sales of personal, consumer-oriented motor vehicles, such as automobiles, pick-up trucks, small, trucks, motorcycles and personal watercraft. Note: the sale of large trucks, construction equipment, agricultural equipment, aircraft or similar large vehicles are not permitted.
3. Vehicle Rentals. Uses primarily engaged in the rental of personal, consumer-oriented motor vehicles, such as automobiles, pick-up trucks, small trucks, motorcycles and personal watercraft. The rental of large trucks, construction equipment, agricultural equipment, aircraft or similar large vehicles are not permitted. .
4. Vehicle Maintenance and Repair, Minor. Uses that repair, install or maintain the mechanical components of automobiles, trucks, vans, trailers or motorcycles or that wash, clean or otherwise protect the exterior or interior surfaces of such vehicles. Typical examples include oil-change shops, muffler shops, tire shops, car washes, auto glass repair, and auto repair shops providing motor and mechanical repair services.
5. Vehicle Maintenance and Repair, Major. Uses that primarily conduct motor vehicle body work and repairs or that apply paint to the exterior or interior surfaces of motor vehicles by spraying, dipping, flow-coating or other similar means. Typical examples include body and paint shops.

M. VOCATIONAL, BUSINESS, OR TRADE SCHOOL

Uses in an enclosed building that focus on teaching the skills needed to perform a particular job. Examples include schools of cosmetology, modeling academies, computer training facilities, vocational schools, administrative business training facilities and similar uses. Schools and other training facilities that involve outdoor work or training activities are classified as industrial services

4.06 OFFICE AND EMPLOYMENT USES

A. OFFICE

Uses that focus on providing executive, management, administrative and professional services. Also includes broadcast and recording studios and uses engaged in scientific research and testing services leading to the development of new products and processes that do not involve the mass production, distribution or sale of such products or involve the use of hazardous materials or processes.

B. FABRICATION AND PRODUCTION

1. Industrial uses primarily involved in the manufacturing, processing, fabrication, packaging, or assembly of goods made from extracted materials or from recyclable or previously prepared materials, including the design, storage and handling of these products and the materials from which they are produced.
 - a. Low-Impact. Uses that process, fabricate, assemble, treat, or package finished parts or products without the use of explosive or petroleum materials. This subcategory does not include the assembly of large equipment and machinery and has very limited external impacts in terms of noise, vibration, odor, hours of operation, and traffic. Common examples include apparel manufacturing, bakery products manufacturing, bottling plants, ice manufacturing, mattress manufacturing and assembly, musical instrument manufacturing, newspaper printing and binderies.
 - b. Moderate-Impact. Uses that process, fabricate, assemble, or treat materials for the production of large equipment and machines as well as fabrication and production uses that because of their scale or method of operation regularly produce odors, dust, noise, vibration, truck traffic or other external impacts that are detectable beyond the property lines of the subject property. Common examples include dairy products manufacturing, flour mills, and paper products manufacturing.
 - c. High-Impact. Manufacturing and industrial uses that regularly use hazardous chemicals or procedures or that produce hazardous by-products or explosive hazards. Typical examples of high-impact manufacturing and industrial uses include: the manufacture of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins. This subcategory also expressly includes animal slaughtering, asphalt and concrete plants, foundries, abrasive manufacturing, chrome plating, electroplating, tanneries, soap manufacturing, petrochemical tank farms, gasification plants, smelting, meat packing, metal reduction and refinement and oil refining.
 - d. Greenhouse/Nursery, Wholesale. Uses that include both open and enclosed spaces for the large-scale growing of plants meant primarily for wholesale sales.
 - e. Medical Marijuana Grower. Facility for the growing and processing of medical marijuana, a certified medical use as legally permitted by the Commonwealth of Pennsylvania with Act 16. Operation of the facility requires a permit from the Department of Health (DOH) of the commonwealth to grow and process medical marijuana. The following applies:
 - (i) A medical marijuana grower/processor may only grow medical marijuana in an indoor, enclosed, and secure building which includes electronic locking systems, electronic surveillance and other features required by the DOH. The grower/processor facility shall not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other motor vehicle.
 - (ii) The floor area of the medical marijuana grower/processor shall include sufficient space for production, secure storage of marijuana seed, related finished product, and marijuana-related materials used for production or for required laboratory testing.
 - (iii) Marijuana remnants and by-products shall be secured and properly disposed of in accordance with the DOH Policy and shall not be placed within any unsecured exterior refuse containers.
 - (iv) The grower/processor shall provide only wholesale products to other medical marijuana facilities. Retail sales and dispensing of medical marijuana and related products is prohibited at medical marijuana grower/processor facilities.

- (v) Grower/processors may not locate within 1,000 feet of the property line of a public, private, or parochial school or day-care center.
 - (vi) Loading and off-loading areas within the structure are preferred. If an external loading dock arrangement is designed it should be from within a secure environment.
2. Performance Standards. All fabrication and production uses shall comply with the performance standards established in [Sec. 5.03](#).

C. INDUSTRIAL SERVICE

Uses engaged in the maintenance, repair or servicing of industrial, business or consumer machinery. Examples include janitorial, carpet cleaning, extermination, plumbing, electrical, window cleaning and similar building maintenance services; welding shops; machine shops; heavy truck servicing and repair; publishing and lithography; redemption centers; laundry, dry-cleaning, and carpet cleaning plants; photofinishing laboratories and maintenance and repair services that are not otherwise classified.

D. STORAGE, DISTRIBUTION AND WHOLESALING

Uses involved in the storage or movement of goods primarily intended for industrial, institutional, or commercial businesses.

1. Personal Storage

An enclosed use that provides separate, small-scale, self-service storage facilities leased or rented to individuals or small businesses. Facilities are designed and used to accommodate interior access to storage lockers or drive-up access from passenger vehicles.

2. Warehouse

Uses conducted within a completely enclosed building that are engaged in long-term and short-term storage of goods and that do not meet the definition of “self-service storage” use or a “trucking and transportation terminal.”

3. Wholesale Sales and Distribution

Uses engaged in the wholesale sales, bulk storage and distribution of goods. Such uses may also include incidental retail sales and wholesale showrooms. Expressly includes the following uses: bottled gas and fuel oil sales, monument sales, and portable storage building sales.

E. JUNK OR SALVAGE YARD

A building or open area where waste, scrap, used or second-hand materials are bought, sold, exchanged, stored, baled, packed, disassembled, crushed, processed, or handled for reclamation, disposal or other similar purposes. This definition also includes, but is not limited to, the following:

- 1. Scrap iron, copper, brass, and other metals; paper; rags; batteries; wrecked, dismantled, or junked motor vehicles; motor vehicle parts; rubber tires; and bottles. T
- 2. The processing of junk or salvage as part of a manufacturing process.
- 3. The visible presence of 3 or more vehicles defined above, not including motor vehicles licensed for the current year as provided by law, or motor vehicles in storage within an enclosed building. If vehicles are classified as antique or collectible vehicles, older than 25 years, and placed in an enclosed building, and the owner operates in conjunction with existing state and local laws, the number of vehicles licensed or unlicensed shall be unlimited.

4.07 INFRASTRUCTURE

A. PARKING, NON-ACCESSORY

Parking that is not provided to comply with minimum off-street parking requirements and that is not provided exclusively to serve occupants of or visitors to a particular use, but rather is available to the public at-large. A facility that provides both accessory parking and non-accessory parking is classified as non-accessory parking.

B. UTILITIES AND PUBLIC SERVICE FACILITIES

- 1. Minor. Infrastructure services that require location in or very near the area where the service is provided. Minor utilities and public service facilities do not regularly have employees at the site and typically have few if any impacts on surrounding areas. Typical uses include: underground electric distribution substations; electric

transformers; water conveyance systems; stormwater facilities and conveyance systems; telephone switching equipment and emergency communication warning/broadcast facilities.

2. Major. Infrastructure services that typically have substantial visual or operational impacts on nearby areas. Typical uses include high-voltage electric substations, utility-scale power generation facilities and utility-scale water storage facilities, such as water towers and reservoirs.

4.08 ACCESSORY STRUCTURES & USES

A. GENERALLY APPLICABLE REGULATIONS

1. Accessory Structures and Uses Allowed. Accessory structures and uses are allowed only in connection with lawfully established principal uses.
2. Allowed Structures and Uses. Allowed accessory uses are limited to those expressly regulated in this section as well as those that, in the determination of the zoning officer, satisfy all of the following criteria:
 - a. They are customarily found in conjunction with the principal use of the subject property;
 - b. They are subordinate and clearly incidental to the principal use of the property; and
 - c. They serve a necessary function for or contribute to the comfort, safety or convenience of occupants of the principal use.
3. Time of Construction and Establishment. Accessory uses may be established only after the principal structure and use of the property is in place.
4. Same Lot. Accessory uses must be located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.
5. Applicable Regulations. Accessory buildings and structures are subject to the same regulations that apply to principal uses and structures on the subject lot, unless otherwise expressly stated.
6. Building Separation. Accessory buildings must be separated by a minimum distance of 10 feet from the principal building on the lot. Structures less than 30 inches in height (e.g., patios, walks, decks without railing) are not subject to building separation requirements.

B. OUTBUILDINGS

1. Definition. Outbuildings are enclosed buildings, unconnected to the principal structure except by breezeway or walkway. Outbuildings include sheds, garages, backyard cottages, poolhouses, and other buildings.
2. Number. Up to two outbuildings are permitted on any lot.
3. Maximum Size. The total footprint of the outbuildings shall be not exceed the footprint of the principal building.
4. Location. All outbuildings must be located in the rear yard. In the case of lots without a principal structure (e.g. parks, cemeteries), any outbuilding shall be located in the rear of the lot at least 50 feet from any street lot line.
5. Side and Rear Setbacks. Outbuildings shall be set back a minimum of 2.5 feet from any side or rear lot line, and no closer to the street side lot line than the principal building.

C. ACCESSORY DWELLING UNIT

Accessory dwelling units are separate dwelling units either contained wholly within the principal dwelling unit on the property (i.e., detached house) or in a separate accessory building (see [Sec. 4.08.B. Outbuildings](#)) on the lot.

1. Creation. Accessory dwelling units may be created by:
 - a. Converting existing floor area within the interior of a detached house (e.g., attic or basement) to an accessory dwelling unit;
 - b. Adding floor area to an existing detached house to accommodate an accessory dwelling unit; or
 - c. Constructing a new detached house that includes an accessory dwelling unit within the principal building.
2. Number. No more than one accessory dwelling unit is permitted on any lot where allowed.
3. Size. The floor area of an accessory dwelling unit may not exceed 30% of the gross floor area of the principal dwelling unit (excluding any garage space).

4. Number of Residents. The total number of residents that reside in the accessory dwelling unit and the principal dwelling unit, combined, may not exceed the number permitted for a household.
5. Parking. No additional parking is required for a accessory dwelling unit. Any provided parking is subject to the same regulations that apply to the principal dwelling unit.
6. Location of Entrances. Only one entrance to a detached house containing a accessory dwelling unit may be located on a facade that faces a street, unless the detached house had an additional street-facing entrance before the accessory dwelling unit was created.
7. Owner Occupancy and Rental. At least one of the dwelling units on a lot occupied by an accessory dwelling unit must be occupied by an owner with at least a 50% interest in the subject property. The owner must occupy either the principal dwelling unit or the accessory dwelling unit as their permanent residence for a majority of the time each calendar year. Accessory dwelling units may not be rented for periods of less than 90 consecutive days.

D. HOME OCCUPATIONS

1. Purpose. The home occupation regulations of this section are intended to allow residents to engage in customary home-based work activities, while also helping to ensure that neighboring residents are not subjected to adverse operational and land use impacts (e.g., excessive noise, traffic, or public safety hazards) that are not typical of residential neighborhoods.
2. Definition. Home occupations are those in which household residents use their home as a place of work, with a limited number of employees, customers or clients coming to the site.
3. Employees and Outside Clients/Customers. One non-resident employee and no more than one client or customer are permitted on the site at any given time. For groomers in any district except N2, one companion animal is permitted on site at any one time. For the purpose of this provision, the term “nonresident employee” includes an employee, business partner, co-owner or any other person affiliated with the home occupation, who does not live at the site, but who visits the site as part of the home occupation.
4. Exemptions
 - a. Group Living. Group living uses are not regulated as home occupations and are not subject to the home occupation regulations of this section. Group living is allowed as indicated in [Table 4.08\(A\)](#).
 - b. Family Day Care Homes. Family day care homes are not regulated as home occupations and are not subject to the home occupation regulations of this section. Family day care homes are allowed only as indicated in [Table 4.08\(A\)](#).
 - c. Bed & Breakfast Inn. Bed & breakfast inns are not permitted as home occupations and are not subject the home occupation regulations of this section. Bed and breakfasts are allowed only as indicated in [Table 4.08\(A\)](#).
 - d. Short-Term Rentals. Short-term rentals are not permitted as home occupations and are not subject the home occupation regulations of this section. Short-term rentals are allowed only as indicated in [Table 4.08\(A\)](#).
5. Prohibited Home Occupation Uses. The following uses are expressly prohibited as home occupations:
 - a. Any type of assembly, cleaning, maintenance or repair of vehicles or equipment with internal combustion engines or of large appliances (such as washing machines, clothes dryers or refrigerators);
 - b. Dispatch centers or other businesses where employees come to the site and are dispatched to other locations;
 - c. Equipment or supply rental businesses;
 - d. Taxi, limo, van or bus services;
 - e. Tow truck services;
 - f. Firearms sales establishment;
 - g. Eating or drinking places;
 - h. Funeral or interment services;
 - i. Animal boarding businesses, except in N3; and
 - j. Any use involving the use or storage of vehicles, products, parts, machinery or similar materials or equipment outside of a completely enclosed building.

6. Where Allowed . Home occupations are permitted as of right as an accessory use to a principal use in the household living use category.
7. General Regulations. All home occupations are subject to the following general regulations:
 - a. Home occupations must be accessory and secondary to the use of a dwelling unit for residential purposes. They may not adversely affect the character of the surrounding neighborhood. Home occupations may not, for example, produce light, noise, vibration, odor, parking demand, or traffic impacts that are not typical of a residential neighborhood. Home occupations must be operated so as not to create or cause a nuisance.
 - b. Any tools or equipment used as part of a home occupation must be operated in a manner or sound-proofed so as not to be audible beyond the lot lines of the subject property.
 - c. External structural alterations or site improvements that change the residential character of the lot upon which a home occupation is located are prohibited. Examples of such prohibited alterations include construction of parking lots or the addition of commercial-like exterior lighting.
 - d. Home occupations and all related activities, including storage (other than the lawful parking or storage of vehicles), must be conducted entirely within the dwelling unit or any permitted outbuildings.
 - e. The area devoted to the conduct of all home occupations present on the property is limited to 30 percent of the dwelling unit's floor area or 650 square feet, whichever is less.
 - f. No window display or other public display of any material or merchandise is allowed.
 - g. Refer to [Article 7](#) for signs permitted for home occupation uses. Lighting of home occupation signs is prohibited in N and NX1 districts.
 - h. Only passenger automobiles, passenger vans and passenger trucks may be used in the conduct of a home occupation. No other types of vehicles may be parked or stored on the premises. This provision is not intended to prohibit deliveries and pickups by common carrier delivery vehicles (e.g., postal service, United Parcel Service, Fed Ex, et al.) of the type typically used in residential neighborhoods.

E. OUTDOOR STORAGE

1. Applicability. The outdoor storage regulations of this section apply to the storage of goods, materials and equipment as an accessory use to commercial or industrial use types when located outside of enclosed buildings, including:
 - a. Merchandise or material in boxes, in crates, or on pallets;
 - b. Garden supplies, plants, lawn mowers, barbecues and other similar items intended for consumer sales and use;
 - c. Overnight storage of vehicles awaiting repair (not including new vehicles for sale);
 - d. Construction and contractor's equipment;
 - e. Fleet vehicles; and
 - f. Construction material such as lumber, pipe, steel and unpackaged soil, mulch, recycled material or similar items.
2. Regulations.
 - a. Fence Required. Outdoor storage shall be fenced with an opaque fence along all property lines or to block any sight lines from the street into the storage area. Fencing shall be tall enough to screen the materials from the street.
 - b. Maximum Height. Materials may not be stored outside higher than 10 feet.
 - c. Loose Materials. Loose materials must be covered or contained.

F. DRIVE-IN AND DRIVE-THROUGH

A use that offers service directly to occupants of motor vehicles. Such uses are typically associated with restaurants, banks and pharmacies. Automatic teller machine kiosks and similar drop-off or pick-up facilities that do not have on-site employees or amplified sound are not classified as drive-in or drive-through facilities if they meet the criteria for classification as an accessory use.

1. Drive-through windows are not permitted on the front facade of the building. Walk-up windows are allowed on any facade.
2. Stacking lanes for drive-throughs and drive-in businesses must be fully located on the lot, preferably in the rear yard behind the building.

G. ELECTRIC VEHICLE CHARGING STATIONS

1. General
 - a. Private (restricted-access) electric-vehicle (EV) charging stations are permitted as accessory uses in all zoning districts.
 - b. Public EV charging stations are permitted as accessory uses to allowed nonresidential uses in all zoning districts.
2. Parking
 - a. Electric vehicle charging stations may be counted toward satisfying minimum off-street parking space requirements.
 - b. Public electric vehicle charging stations must be reserved for parking and charging electric vehicles. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that apply to any other vehicle.
3. Equipment. Vehicle charging equipment must be designed and located so as to not impede pedestrian, bicycle or wheelchair movement or create safety hazards on sidewalks.
4. Posted Information
 - a. Information must be posted identifying voltage and amperage levels and any type of use, fees, or safety information related to the electric vehicle charging station.
 - b. Public electric vehicle charging stations must be posted with signs indicating that the space is reserved for electric vehicle charging purposes only. For purposes of this provision, “charging” means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment.
5. Maintenance. Electric vehicle charging stations must be maintained in all respects, including the functioning of the equipment. A phone number or other contact information must be provided on the equipment for reporting when it is not functioning or other problems are encountered.

H. SOLAR ENERGY SYSTEMS

1. General
 - a. Accessory solar energy systems must comply with all applicable building ordinance and electrical code requirements.
 - b. Owners of accessory solar energy systems are solely responsible for negotiating with other property owners for any desired solar easements to protect access to sunlight. Any such easements must be recorded with the county recorder of deeds.
2. Building-Mounted Solar Energy Systems
 - a. Building-mounted solar energy systems may be mounted on principal and accessory structures.
 - b. All applicable setback regulations apply to building-mounted solar energy systems.
 - c. Only building-integrated and/or flush-mounted solar energy system may be installed on street-facing building elevations.
 - d. Solar energy systems may not extend more than 3 feet above the applicable maximum building height limit or more than 4 feet above the highest point of the roof line, whichever is less.
3. Ground-Mounted Solar Energy Systems
 - a. In residential zoning districts, ground-mounted solar energy systems may not be located in a required street setback or street yard.
 - b. Ground-mounted solar energy systems may be located within required interior side and rear setbacks.
 - c. Ground-mounted solar energy systems are subject to applicable accessory structure height and lot coverage regulations.

ARTICLE 5. BUILDING & SITE DESIGN

5.01 BUILDING DESIGN

A. APPLICABILITY

The regulations of this section 5.01 apply to all buildings in the DX district, GX district, and any district except N1 in the Riverfront Overlay.

B. INTENT

The regulations of this section are intended to improve the physical quality of buildings, improve the long-term value and durability of buildings, enhance the pedestrian experience, and protect the character and scale of the riverfront redevelopment area and the downtown.

C. OTHER MATERIALS AND DESIGNS

Materials that are not listed in this section for its proposed application as allowed major, minor, accent/detail, or roof materials, may not be installed on any facade or roof unless approved as part of a development plan review per [Sec. 9.07](#).

1. Intent. Other materials may be allowed if the applicant demonstrates the material in its proposed application meets the intent of the facade material standards.
2. Examples. Samples and examples of successful high quality local installation and the manufacturer's warranty and industry ratings shall be provided by the applicant.
3. Other Requirements. Modifications to other design regulations in this article may be reviewed as part of the development plan review.

D. MAJOR FACADE MATERIALS

Allowed major facade materials are listed in [Table 5.01\(B\)](#). Major materials are allowed on all facades, unless otherwise stated and are intended to serve as the primary surface material on street-facing facades.

1. Side and Rear Facades. Allowed Major Materials shall continue around the corner of a building from the street facade onto the side or rear facade for no less than 30 feet along the side or rear facade. Refer to [Table 5.01\(B\)](#).

E. MINOR FACADE MATERIALS

1. Maximum Minor Materials for Surface Areas. A maximum of 35 percent of each facade surface, not including window and door areas, may be composed of minor facade materials per [Table 5.01\(C\)](#).
2. Accents and Details. Additional materials are permitted for trim, accents, and details per [Table 5.01\(E\)](#), not included in the maximum surface area.

F. PITCHED ROOF MATERIALS

Allowed pitched roof materials include dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, ceramic tile, engineered wood or slate.

G. MATERIALS INSTALLATION QUALITY

1. Intent. The intent of the materials installation quality requirements is to advance the quality of construction, durability, and aesthetics of new buildings, specifically related to application and detailing of facade materials.
2. Changes in Surface Materials. Changes in surface materials, whether major materials or minor materials, shall occur only at concave corners, minimum 8" deep. Surface materials are materials intended to cover the facade surface (such as unit materials, siding, stucco, panels) and do not include detail materials, such as but not limited to cast stone for lintels or cornices, exposed metal beams, or any material used to create a shadow line. See [Figure 5.03\(6\)](#).
3. Materials Hierarchy. Unit materials shall be elevated from the face of the building above less detailed, surface materials. For example, stucco, as a constant surface material, shall be recessed behind a bricked surface. See [Figure 5.03\(6\)](#) for an example, where Material A is brick, Material B metal panels, and Material C stucco.
4. Shadow Lines on Surfaces. Shadow lines shall be created at changes in materials with solid materials of a thickness that is greater than 2 inches, such as cast stone, masonry, or stone. For example, cast stone pieces

may be offset to create a shadow, where the convex corner of the piece is used to create the corner of the detail.

5. Appropriate Grade of Materials. Except for townhouse or rowhouse buildings, all doors, windows, and hardware shall be of commercial grade quality.



FIGURE 5.03(1). EXAMPLE OF MAJOR, MINOR, AND ACCENT/DETAIL MATERIALS ON A FACADE

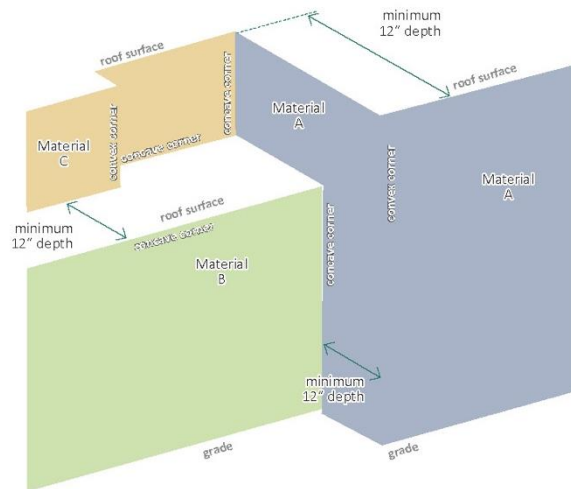


FIGURE 5.03(4). DIAGRAM OF ALLOWABLE CHANGES IN SURFACE MATERIALS

TABLE 5.01(A) ALLOWED MAJOR FACADE MATERIALS

		DISTRICTS			
		DX & GX	MX & GX2	NX2	CX
A	Brick full dimensional, economy, unit, face brick	•	•	•	•
	Concrete Masonry Units architectural, minimum 3" depth, "artisan stone" look, varied sizes, (Eschelon Masonry or approved equal), "stone" face, "hewn stone", rock cut	•	•	•	•
D	Fiber Cement Board panels, finished lap siding or shingles		•	•	•
	Stone natural, units	•	•	•	•
E	Wood painted, stained, or treated lap siding, shingles		•	•	•

KEY: 4 = allowed

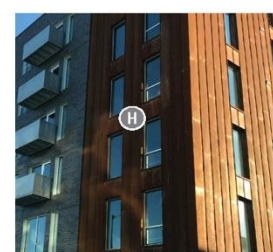
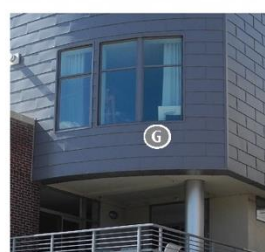
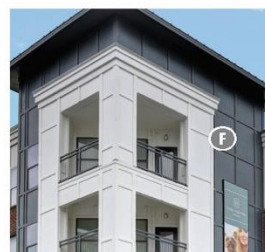
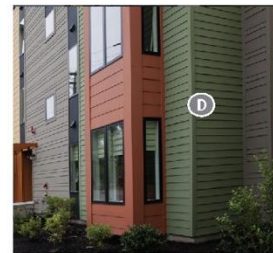
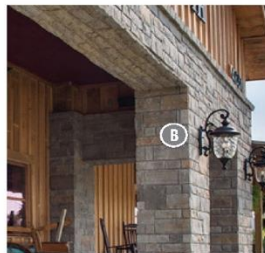


TABLE 5.01(B) MINOR FACADE MATERIALS

All allowed major facade materials may be used for minor facade materials, unless otherwise listed as prohibited in **Table 5.03(D)**.

Minor Facade Material (alphabetical)		ALLOWED ON BUILDINGS IN THESE DISTRICTS	ALLOWED FACADES	MAXIMUM AMOUNT ON EACH FACADE
F	Brick thin, veneer	All	Non-street facades only	100%
	Concrete Surfaces finished, stained, painted, treated	All	All, below first floor	20%
	Concrete Masonry Units minimum 3" depth, split-faced, burnished/ground face, glazed, or honed,	All	Non-street facades only	100%
	Fiber Cement Board, Composite finished panels	All	All, except a major material is required at grade up to 2 feet and adjacent to entrances	40%
	Glass curtain wall	DX, GX1, and NX2	All facades	20%
G	Metal architectural panel system	All	All, except a major material is required at grade up to 2 feet and adjacent to entrances	30%
	Metal, Composite aluminum composite materials (ACM) or panels (ACP)	All	Non-street facades only	30%
H	Metal, Corten panels or panel systems, not ribbed or corrugated	All	All	20%
	Stucco synthetic or with elastomeric finishes	All	Only 3rd or higher stories all facades	40%
I	Stucco cement-based, 2-3 layer hard coat		All	30%
	Terra Cotta or Ceramic tiles or panels	All	All	20%
	Vinyl Siding	Allowed only rowhouses in NX2	All	60% of street facade, 100% on other facades
J	Wood natural, aged lap siding, shingles, rainscreen system	All	All	20%
K	Wood, Composite rainscreen system	All	All	40%

TABLE 5.01(C) PROHIBITED MATERIALS

P	Concrete, Unfinished untreated, unstained, unpainted
	Fiberglass and Acrylic Panels all
	Plastic Panels
Q	all, including high-density polyethylene and polycarbonate panels
R	Stucco Mouldings or Synthetic Stucco Mouldings trim, sills, cornices, banding, columns, pilasters or other 3 dimensional details
	Vinyl Siding all vinyl except detail materials noted in Table 5.03(E)
	Wood Unfinished, untreated plywood and wood panels

TABLE 5.01(D) ALLOWED DETAIL & ACCENT MATERIALS (ALL FACADES)

All permitted major and minor facade materials may be used for details, trim, and accents.

	Concrete Details
M	precast stone ornamentation, lintels, sills, banding, columns, beams
	Fiber Cement Details trim, soffits
N	Metal Details trim, ornamentation, lintels, beams, columns
	Wood and Wood Composite Details painted/treated trim, soffits, other approved details
	Vinyl Details
O	limited to soffits, window trim; minimum .04 inches thick



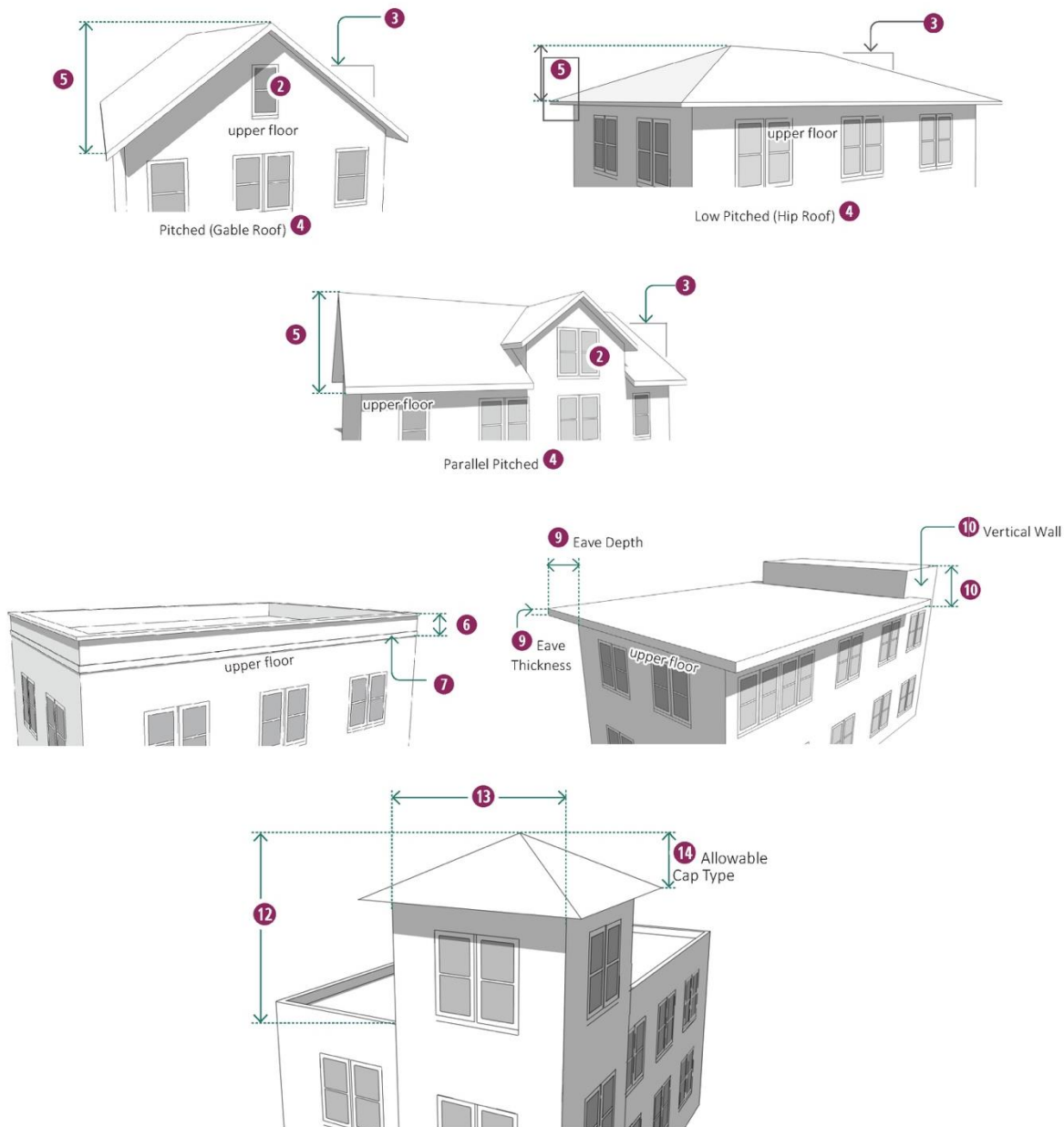
H. CAP TYPES

Refer to [Figure 5.03\(6\). illustration of Cap Types](#)

The major components of any roof shall meet one of the allowed cap type. The cap design is required where the roof is visible from any street. Roofs for bay or bow windows, entrance canopies, and dormers are not required to meet a cap type. Refer to [Sec. 5.01.Q](#) for rooftop appurtenances.

q	Habitable Space	Habitable space is not allowed in any cap except for pitched caps.
w	Terraces, green roofs, rooftop gardens, other outdoor rooftop facilities	Allowed on any roof, unless otherwise stated. Any permanently covered area is a story and when visible from any public way, the cover shall comply with a cap type. The tower may be applied to these outdoor areas.
1. Pitched Cap Type		
e	Minimum Permitted Pitch (rise:run) Maximum Permitted Pitch (rise:run)	4:12 (rise:run); 3:12 second story or higher 14:12
r	Permitted Configurations	Hipped, gabled, gambrel, and a combination of hips and gables with or without dormers are permitted.
	Ridge Line Parallel to the Front Lot Line	A gabled end or perpendicular ridge must occur at least every 100 feet of ridgeline.
t	Maximum Cap Height	Single story: no more than 1.5 times the height of the upper story 2 or more stories: no more than the height of the upper story
2. Parapet Cap Type		
y	Parapet Height (feet)	Minimum 2; maximum 6, measured from the top of the uppermost story to the top of the parapet.
u	Horizontal Divisions	A shadow line must define the parapet from the upper stories of the building and must also define the top of the parapet, for at least 80% of the width of each facade
3. Flat Cap Type		
i	Configuration	No visible slope from the street or public way with eaves required on along all street-facing facades.
o	Minimum Eave Depth (inches)	14, measured from the building facade to the outside edge of the eave
1)	Minimum Eave Thickness (inches)	8, measured at the outside edge of the eave, from the bottom of the eave to the top of the eave
1!	Interrupting Vertical Walls	One vertical wall may interrupt the eave and extend above the top of the eave with no discernible cap. No more than one-half of the front facade may consist of an interrupting vertical wall. Vertical walls may extend no more than 4 feet above the top of the eave.
4. Tower		
1 @	Configuration	A tower is a vertical element, polygonal (simple), rectilinear, or cylindrical in plan. The tower is used in addition to the cap type of the building.
1#	Maximum Tower Height	The equivalent of the height of one upper floor of the building to which the tower is applied, measured from the top of the parapet or eave to the top of the tower.
1\$	Maximum Tower Width	One-third the width of the facade length or 30 feet, whichever is less, as measured along all facades.
1%	Tower Cap	Any allowable cap types for the district (parapet, pitched, flat).

FIGURE 5.03(6). ILLUSTRATION OF CAP TYPES



I. WINDOWS

Windows on street and public way facades of all buildings shall be constructed consistent with the following requirements:

1. Amount. Each building shall meet the transparency requirements per the building and site regulations. See [Article 2](#).
2. Recessed. All windows, with the exception of ground story storefront systems and glass curtain wall systems, shall be recessed with the glass a minimum of 1 inch from the facade surface material or adjacent trim.
3. Vertically Oriented. A minimum of 70% of street facade windows may be vertically oriented.
4. Visibility Through Glass. Reflective glass and glass block are prohibited on street and public way facades. Windows shall meet the transmittance and reflectance factors established in the transparency definition (see [Sec. 10.01](#)).

5. Expressed Lintels. For masonry construction, the expression of lintels shall be included above all windows and doors by a change in brick coursing or by a separate detail or element. See [Figure 5.03\(7\)](#) for illustrations of expressed lintels.

J. AWNINGS & CANOPIES

Removable awnings and canopies attached to buildings shall be constructed consistent with the requirements of this section. See [Figure 5.03\(8\)](#) for examples of awnings.

1. Material. All awnings and canopies shall be canvas or metal. Plastic awnings are prohibited.
2. Lighting. Backlit awnings are prohibited.
3. Structures. Frames shall be metal and shall be wall mounted. Support poles from the ground are prohibited unless the awning is over 8 feet in depth and utilized for outdoor eating areas or entrances.
4. Canopies & Light Shelves. Permanent canopies, projections, or overhangs used as architectural features, light shelves, or shading devices are permitted.
5. Clearance. All portions of any awning or canopy shall provide at least 8 feet of clearance over any walkway and 15 feet of clearance over vehicular areas.
6. Signage. Refer to [Article 7](#) for signs on awnings and canopies.

K. BALCONIES

Balconies on a facade facing any street, courtyard, open space, or public way shall be consistent with the requirements of this subsection. See [Figure 5.03\(9\)](#) for examples of balconies.

1. Definition. For the purpose of this subsection, balconies shall include any roofed or unroofed platform that projects from the wall of a building above grade that is enclosed only by a parapet or railing. This definition does not include false balconies, Juliet balconies, or balconettes.
2. Balconettes. Sometimes referred to as Juliet balconies, balconettes are false balconies consisting of a rail and door, either without an outdoor platform or with an outdoor platform less than 18 inches in depth. Balconettes are permitted and do not count towards the maximum permitted amount of balcony on a street facade.
3. Size. Balconies shall be a minimum of 4 feet deep and 5 feet wide.
4. Integrated Design. Balconies are intended to be integrated with the design of the facade, avoiding tacking the balconies onto the facade after the elevation has been designed.
 - a. A minimum of 50 percent of the perimeter of each balcony shall abut an exterior wall of the building, partially enclosing the balcony.
 - b. The balcony support structure shall be integrated with the building facade; separate columns or posts supporting any balcony from the ground are prohibited.
5. Platform. The balcony platform shall be at least 3 inches thick and any underside of a balcony that is visible from any public way shall be finished.
6. Facade Coverage. A maximum of 35 percent of the street facades, calculated separately for each facade, may be covered by balconies. The balcony area is calculated by drawing a rectangle around the following: the platform or floor of the balcony; any rails, walls, columns or indentations; and any ceiling, roof, or upper balcony.
7. Build-to Zone Requirement. When the balcony is in the build-to zone, the portion of the facade behind it is exempt from meeting the build-to zone requirement.

L. PRINCIPAL ENTRYWAY

See [Figure 5.03\(10\)](#) for examples of defined principal entryways. Principal entrances to all buildings or units, except storefronts, shall be clearly delineated through one or more of the following design features:

1. Roof or Canopy. The entryway is covered by a roof or canopy differentiating it from the overall building roof type.
2. Porch. The entryway is through a porch.
3. Sidelights and Transom. Sidelights or transom windows are included around the entryway.
4. Extended Articulation. The entryway is included in a separate bay of the building that extends up at least 2 stories.



FIGURE 5.03(7). VERTICALLY ORIENTED WINDOWS WITH EXPRESSED LINTELS



Metal Awning



Canvas Awning

FIGURE 5.03(8). EXAMPLES OF AWNINGS



FIGURE 5.03(11). EXAMPLE OF BUILDING FACADE VARIETY AND ARTICULATION OF STORIES



FIGURE 5.03(9). EXAMPLES OF BALCONIES



FIGURE 5.03(10). EXAMPLES OF DEFINED PRINCIPAL ENTRYWAYS

M. BUILDING ARTICULATION

See [Figure 5.03\(11\)](#) for examples of building facade variety. Buildings 120 feet in length or greater, as measured along any street frontage shall fulfill the following requirements:

1. Increments. Each public way facade shall be varied in segments less than or equal to 60 feet.
2. Requirements. Each facade segment shall vary by at least 3 of the following:
 - a. The type of dominant material or by color, scale, or orientation of that material;
 - b. The proportion of recesses and projections within the build-to zone;
 - c. The location of the entrance and window placement, unless storefronts are utilized;
 - d. Roof type, plane, or material, unless otherwise stated in the building requirements;
 - e. Building heights.

N. GARAGE DOORS

The following requirements apply to garage doors provided on any street facade.

1. Location.
 - a. Front Facades. Garage doors are permitted on front street facades only when utilized for patio access, open air dining, or display and not utilized for vehicular access.
 - b. Street Side Facades. Garage doors may be permitted on street side facades with direct access to the street where permitted by building regulations.
 - c. Interior Lot Facades. The preferred location is on interior lot facades.
 - d. Recessed from Facades. Garage doors located on street-facing facades shall be recessed a minimum of 3 feet from the dominant facade of the principal building facing the same street.
2. Design.
 - a. Garage doors facing a street side lot line and intended to be closed during business hours shall be clad with materials consistent with the design of the building.
 - b. Carriage-style windows in the door or upgraded architectural doors are required on fully residential buildings.

O. MECHANICAL EQUIPMENT & APPURTENANCES

Mechanical equipment and appurtenances can have a negative visual impact and detract from the quality of the design of a building. The purpose of the standards of this section is to ensure that the visual impact of mechanical equipment and appurtenances is minimized.

1. Mechanical Equipment in Building. Mechanical equipment shall be located within the building, unless the applicant demonstrates that locating the equipment within the building would conflict with the equipment's function.
2. Rooftop Mechanical Equipment. Any rooftop mechanical equipment, such as but not limited to vents, ducts, condensers, and ventilators, and not including solar panels, shall be located consistent with one of the following methods:
 - a. Incorporate equipment into the roof design consistent with the applicable standards of cap types in [Sec. 5.01](#).
 - b. Set the equipment back a minimum of 10 feet from any street or public way facade.
 - c. To the extent practicable, all rooftop mechanical shall be painted to blend with the structural roof and limit its visibility.
 - d. Solar panels are permitted, subject to [Sec. 4.08](#).
3. Mechanical Equipment and Utility Appurtenances on Facades. Mechanical equipment and utility appurtenances shall not be located on a facade unless the applicant demonstrates that locating the equipment in a different location would conflict with the equipment's function. Any equipment or appurtenance approved on a facade, such as but not limited to dryer vents, gas meters, and air conditioners, shall be located consistent with the following standards:
 - a. Facade. The mechanical equipment may be located on a front facade only if the following requirements are met:
 - (i) The equipment is located on a surface perpendicular to any right-of-way;
 - (ii) The equipment extends from the facade surface no more than 3 inches; and
 - (iii) The equipment is screened from the sidewalk.

- b. Alignment. Multiple pieces of mechanical equipment shall be organized on the facade in a regular pattern and aligned. Compliance with this standard must be illustrated on the drawing elevations submitted as part of the application.
 - c. Material Coordination. To the extent practicable, facade-mounted mechanical appurtenances shall be located on a material that limits their visibility. For example, dark colored vents will be more visible on light colored stucco than a textured, darker surface such as brick.
4. Mechanical Equipment and Utility Appurtenances on Other Horizontal Surfaces. Mechanical equipment located on the ground, decks, or horizontal surfaces other than the roof, such as but not limited to electrical equipment and air conditioners, shall be located consistent with the following standards:
- a. No Encroachment. Mechanical equipment shall not extend into any borough right-of-way or easement.
 - b. Yard Location.
 - (i) No mechanical equipment shall be located in the front yard.
 - (ii) Mechanical equipment may be located in a side yard provided the side yard does not contain or abut a public way or open space.
 - c. Screening from streets and civic spaces.
 - (i) All equipment shall be screened from view from any streets, open space, or civic space with landscaping, fencing, or walls consistent with the building design, colors, and materials.
 - (ii) Where landscaping only is employed, a single row of evergreen shrubs shall fully screen the equipment within 1 year of installation. The zoning officer may require additional landscape materials.
 - (iii) Where landscaping is employed, the utility shall be located in a larger landscape area and the landscape screen shall be designed as part of the bed design.
 - d. Appurtenances located on a front street may approved only if all of the following are met:
 - (i) The applicant demonstrates that the equipment cannot be located in a rear yard, street side yard, or in a side yard.
 - (ii) No utility cabinets, boxes, or other appurtenances are within 200 feet along the same side of the street as the proposed utility appurtenance.
 - (iii) The appurtenance is fully screened in a manner that is consistent with the building design, colors, and materials and of a height that is the minimum to adequately screen the appurtenance and that does not prevent the facade from fulfilling any transparency requirements. See [Figure 5.03\(14\)](#) for examples of poorly located, unscreened equipment on front streets.
 - (iv) The appurtenance is located a minimum of 35 feet from a street intersection, measured from the intersection of the curb line, and does not impact the sight vision clearance at intersections.



FIGURE 5.03(14). ROOFTOP UTILITIES SCREENED FROM THE PUBLIC WAY BY A PARAPET ON LEFT AND PITCHED CAP ON RIGHT

Utility vents aligned and colored to match facade surface

Utility vents colored to match facade surface



Hotel room vents organized and integrated into the facade design



FIGURE 5.03(13). UTILITY APPURTENANCES LOCATED ON FACADES



FIGURE 5.03(15). EXAMPLES OF POORLY LOCATED UTILITY APPURTENANCES WITHOUT SCREENING ON FRONT STREETS: NOT PERMITTED

5.02 SITE LANDSCAPE REGULATIONS

A. STREETScape

1. Applicability. For all developments in the Riverfront Overlay, the following streetscape is required to be installed by the applicant, unless otherwise determined by the zoning officer.
2. Streetscape Location. Streetscape occupies the full pedestrian area of any street right-of-way (back of curb to the property line) and the front yard of all developments as defined by the streetscape type in 2 and 3, below. Refer to the building regulations for determination of streetscape type.
3. Streetscape Type A. For all developments designated to have streetscape type A in the building regulations, the following streetscape and landscape is required along all street frontages.
 - a. Streetscape Required. The entire area from building face to back of curb shall be designed as a combination of hardscape, tree wells, and/or planters.
 - b. Standard Specifications. Streetscape shall meet any standards defined by the borough for sidewalk, curb, access, and parkway construction, unless otherwise stated. The zoning officer, at his/her discretion, may request additional requirements or waive any requirements.
4. Streetscape Type B. For all developments designated to have streetscape type B in the building regulations, the following minimum landscape is required on all street frontages.
 - a. Parkway Planting. The parkway area between the back of curb and the sidewalk shall be planted with street trees and ground plane vegetation -6.
 - (i) Stormwater accommodations and lighting may be located in the parkway area.
 - b. Street Yards. The front and street-side yard areas shall be planted with a minimum of 40 percent planting bed. The remaining area may be grass or patio area.
5. Streetscape Design Submittal. A consistent streetscape design shall be submitted for approval with site plan approval for all new streets within the development and any existing streets adjacent to the development. At a minimum, the streetscape design submittal shall include the following:
 - a. Street Trees. Shade trees shall be included in the streetscape design with details related to tree pits, tree wells, tree accessories (grates, guards), and tree planting.
 - b. Pavement Design. Paving materials and pattern is required for each street. Pavement design shall include the minimum sidewalk widths required by the borough and any extension of the sidewalk to the back of curb and/or included on the private lot.
 - c. Street Furnishings. For developments occupying 300 feet or more of street frontage, street furnishings including such items as benches, seatwalls, planters, planter fences, tree grates, tree guards, and trash receptacles shall be specified and quantities and locations listed for each street. For each 300 linear feet of block face, a minimum of two benches and one trash receptacle is required.
 - d. Bicycle Racks. Bicycle racks shall be supplied to meet the minimum bicycle parking requirements of the blockface uses per [Sec. 6.05](#) for required bicycle parking spaces. If rear bicycle parking is utilized, a minimum of 50% of the required ground floor use bicycle parking shall be supplied within the streetscape, coordinated with the zoning officer.
 - e. Landscape Design. Ground plane vegetation shall be designated for any landscape bed areas, planter areas, and open tree wells.
 - f. Lighting. Pedestrian and vehicular lighting shall be specified and locations and quantities noted. All lighting shall meet any requirements of the borough. Cut sheets and samples shall be submitted upon request of the zoning officer.
 - g. Exception. Any of these streetscape requirements may be waived by the zoning officer when the borough is installing similar components.
6. Streetscape Extension. The approved streetscape design for each street may be utilized by the borough for the extension of any street outside the development to provide continuity, where appropriate.

B. GROUND VEGETATION

All unpaved areas of any site shall be covered by one of the following.

1. Planting Beds
 - a. Planting beds may include shrubs, ornamental grasses, ground cover, vines, annuals, or perennials.

- b. A minimum of 60 percent of the bed area shall be covered in plant material at maturity. The remaining portion of the bed shall be covered with non-living permeable materials, such as mulch.
 - c. Annual beds must be maintained seasonally, replanting as necessary.
2. Grass. Seeded, plugged, or sodded grass may be planted throughout landscaped areas. Grass shall be established within 45 days of planting or the area must be reseeded, replugged, or resodded.

C. SITE TREES

1. Applicability. For sites in the CX and I districts or districts within the riverfront overlay, yard areas greater than 4,000 square feet must include a minimum 15% of the area tree canopy cover, or minimum 1 tree, whichever is greater. Yard areas are lot areas not covered by building, structures, parking, driveways, or sidewalks per [Sec. 2.03.G](#). Treatment of Yards.
2. Measurement. The total canopy coverage for the yard area is the sum of the canopy, at maturity, of the individual trees located on the lot. Refer to [Table 5.02\(A\)](#).
 - a. Street trees located in the public right-of-way directly adjacent to the lot and parking lot trees located on the lot may be counted toward the canopy coverage for the lot.
 - b. For developments that encompass more than one lot, the percentage shall be calculated for the total canopy for the total area of all of the lots.
 - c. For developments that span multiple blocks, the percentage required shall be calculated separately for each contiguous area of the development within a block.
 - d. Credit for Existing Trees. Additional credit for canopy coverage may be granted for retaining healthy trees of appropriate species and location, subject to the approval of the zoning officer, as shown in [Table 5.02\(B\)](#).

D. PARKING LOT LANDSCAPING

For parking lot landscaping, refer to [Sec. 6.06.H](#) and [Sec. 6.06.I](#).

E. SCREENING OF REFUSE AND RECYCLING AREAS

All dumpsters, loading areas, open storage, refuse areas, mechanical equipment, and utility appurtenances visible from the street within any district shall be screened as follows.

1. Opaque Screen Fence or Wall. An opaque screen fence or wall is required per the following:
 - a. The screen shall enclose the area around at least 3 sides.
 - b. The screen shall be masonry and/or wood construction.
 - c. The height of the wall or fence shall be a minimum of 6 feet.
 - d. Visible Openings. Openings visible from the street shall be gated.
2. Landscape. If the area is located within a larger paved area, such as a parking lot, the following applies:
 - a. Landscape Area. A landscape buffer shall be located along all 3 sides.
 - b. In the CX and I districts, one shade tree shall be provided within the landscape buffer.
 - c. Ornamental grasses, shrubs, or similar landscape material shall line a minimum of 50% of the screen wall.

TABLE 5.02(A) CANOPY COVERAGE BY TREE SIZE	
TREE SIZE	CANOPY SIZE
Large	1,000 square feet
Medium	700 square feet
Small	300 square feet

TABLE 5.02(B) EXISTING TREE CANOPY CREDITS	
TREE DIAMETER AT 4.5 FEET ABOVE GROUND	ADDITIONAL CANOPY CREDIT
≥ 10 inches	300 square feet

≥ 20 inches	700 square feet
≥ 30 inches	1,000 square feet

5.03 GENERAL PERFORMANCE STANDARDS

All buildings and uses shall comply with the requirements of this section. .

A. CONSULTANT SERVICES

In order to determine whether a proposed use will conform to the requirements of this ordinance, the council, zoning officer, or zoning hearing board may require the opinion of a qualified consultant, whose cost for services shall be borne by the applicant.

B. FIRE PROTECTION

Fire protection and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

1. All activities and all storage of flammable and explosive material at any point, shall be provided with adequate safety devices against the hazards of fire and explosion, and adequate fire-fighting and fire-suppression equipment and devices as detailed and specified by the Department of Labor and Industry and the Laws of the Commonwealth of Pennsylvania.
2. All buildings, structures and activities within such buildings and structures shall conform to the fire protection regulations of the borough. Maximum 500 pounds of explosives stored in magazine.

C. ELECTRICAL DISTURBANCES AND RADIOACTIVITY

No activities are permitted which result in radioactivity beyond the property line. No activity shall cause electrical disturbance adversely affecting radio or television equipment in the vicinity.

D. NOISE

Noise which is determined to be objectionable because of volume, frequency, or beat shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes shall be exempt from this requirement.

E. VIBRATIONS

Vibrations detectable without instruments on neighboring property in any district shall not be permitted.

F. ODORS

No malodorous gas or matter shall be permitted which shall be obnoxious, toxic, or offensive to a non-allergenic person of ordinary sensitivity or any adjoining lot or property.

G. AIR POLLUTION

No pollution of air by fly ash, dust, smoke, vapors, or other substance shall be permitted which is harmful to health, animals, vegetation, or other property.

H. GLARE

1. Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.
2. No excessive direct or sky-reflected glare shall be permitted, whether from floodlights or other sources which shall be visible from adjoining public streets or highways or roads or adjacent lots when viewed by a person standing on ground level, or driving a motor vehicle.

I. GRADING AND EROSION

All grading, excavating, removal or destruction of the natural topsoil, trees, or other vegetative cover shall follow the Erosion and Sedimentation Guidelines established by the Department of Environmental Resources. Failure to abide by the guidelines stated shall cause all borough zoning and building permits applicable to the particular development to be immediately suspended. Reissuance of any permit shall be made only by the zoning hearing board after their review determines the compliance to the guidelines stated.

J. WATER POLLUTION

Water pollution shall be subject to the standards established by the Department of Environmental Resources.

K. MANUFACTURING PROCESSES

All manufacturing processes shall be conducted entirely within enclosed structures.

L. PUBLIC HEALTH

No outdoor display or storage of food or merchandise on public sidewalks or road right-of-way.

M. STORAGE

Any article or material stored temporarily outside an enclosed building as an incidental part of the primary commercial or industrial operation, shall be so screened by opaque ornamental fencing, walls or evergreen planting, that it cannot be seen from adjoining public streets or adjacent lots, when viewed by a person standing on the ground level. All organic rubbish or storage shall be contained in air-tight, vermin-proof containers which shall also be screened from public view.

ARTICLE 6. PARKING

6.01 GENERAL

A. PURPOSE

The parking regulations of this article are intended to help ensure that off-street parking facilities are provided to meet the basic day-to-day needs of shoppers, employees, visitors and residents while also avoiding the negative impacts that can result from requiring excessive quantities of off-street parking.

The provisions of this article are also intended to help protect the public health, safety and general welfare by:

1. Promoting economically viable and beneficial use of land; and
2. Providing flexible methods of responding to the transportation and access demands of various land uses in different areas of the borough.

B. APPLICABILITY

1. General. Off-street parking must be provided and maintained in accordance with the provisions of this article. Unless otherwise expressly stated, the regulations apply to all zoning districts and uses.
2. New Uses and Development. The parking regulations of this article apply to all new buildings constructed and all new uses established in all zoning districts.
3. Change of Use. If a new use of a building or structure requires more off-street parking than the use that most recently occupied the building or structure, the new use must comply with the parking requirements of this article.
4. Enlargements and Expansions
 - a. The parking regulations of this article apply whenever an existing building or use is enlarged or expanded to include additional dwelling units, floor area, seating capacity or other units of measurement used in establishing off-street parking requirements.
 - b. In the case of enlargements or expansions that trigger requirements for additional parking, additional spaces are required only to serve the enlarged or expanded area, not the entire building or use. There is no requirement to address parking deficits associated with existing, lawfully established buildings or uses.
5. Damage or Destruction. When a use that has been damaged or destroyed is re-established, off-street parking or loading facilities must also be re-established or continued in operation in an amount equal to the number maintained at the time of such damage or destruction. It is not necessary, however, to restore or maintain parking or loading facilities in excess of those required by this zoning ordinance.
6. Maintenance. Off-street parking spaces required by this zoning ordinance must be maintained for the life of the principal use.

C. EXISTING NONCONFORMING PARKING

Refer to [Sec. 9.10.H](#) for existing sites that do not conform with this article.

D. ZONING PERMIT

All applications for a zoning permit must be accompanied by a fully dimensioned and scaled plan showing parking, driveway and loading facilities provided to comply with this zoning ordinance.

E. ACCESSIBLE PARKING

Accessible parking facilities (for persons with disabilities) must be provided in accordance with all applicable state and federal regulations.

F. OTHER USES OF OFF-STREET PARKING AREAS

1. Required off-street parking spaces are intended to serve residents, tenants, patrons, employees, or guests of the principal use. Required off-street parking areas may be used solely for the temporary parking of licensed motor vehicles in operating condition.
2. Required off-street parking spaces may not be used for the storage, display or sale of goods equipment or materials.
3. No motor vehicle repair work of any kind is permitted in a required parking space.
4. Required spaces may be used for electric vehicle charging.

6.02 PARKING RATIOS

A. OFF-STREET PARKING REQUIREMENTS

1. DX District. No minimum off-street parking ratios apply to uses in the DX district.
2. Existing Buildings. No minimum off-street parking ratios apply to uses in all buildings existing at the time of adoption of this zoning ordinance (see [1.03](#)).
3. All Other Districts. For all new buildings constructed after the time of adoption of this zoning ordinance (see [1.03](#)) in all districts other than DX, off-street parking spaces must be provided in accordance with the minimum ratios established in [Table 6.02\(A\)](#).

TABLE 6.02(A) PARKING RATIOS		
USE CATEGORY	MOTOR VEHICLES	BICYCLES (APPLIES ONLY IN THE RIVERFRONT OVERLAY)
Use Subcategory	Minimum Number of Spaces Required	
Specific Use Type		
RESIDENTIAL USES		
Household Living		
One to Five Household Units	1 per dwelling unit	No minimum
Six or More Household Units	1.5 per dwelling unit	1 per 3 dwelling units
Group Living	1 per 4 driving-age residents; minimum 2 spaces	1 per 2 employees
PUBLIC, CIVIC, INSTITUTIONAL USES		
Assembly	1 per 5 seats	1 per 20 seats
Club or Lodge	1 per 500 sq.ft	1 per 2,000 sq.ft
College or University	As established per Sec. 6.03.E	As established per Sec. 6.03.E
Hospital	1 per 2 employees + 1 per 4 beds	1 per 15 beds
Library, Museum, or Cultural Exhibit	1 per 600 sq.ft.	1 per 2,000 sq.ft.
Parks and Recreation Facilities	As established per Sec. 6.03.E	As established per Sec. 6.03.E
Police and Fire	1 per 2 employees	As established per Sec. 6.03.E
School	1 per employee and 1 per 6 students	1 per 5 students
COMMERCIAL USES		
Consumer Service, except as below	1 per 400 sq.ft. customer area	1 per 2,000 sq.ft.
Daycare	1 per 10 enrollees	No minimum

TABLE 6.02(A) PARKING RATIOS

USE CATEGORY	MOTOR VEHICLES	BICYCLES (APPLIES ONLY IN THE RIVERFRONT OVERLAY)
Use Subcategory	Minimum Number of Spaces Required	
Specific Use Type		
Funeral or Mortuary Service	1 per 50 sf of non-storage or building service space, 1 per 3 employees	No minimum
Assembly and Entertainment	1 per 5 seats	1 per 20 seats
Lodging		
Bed & Breakfast	1 per guest room	No minimum
Short- Term Rental	As required per household dwelling unit	No minimum
Hotel	1 per guest room + plus spaces required for any restaurant or conference space	1 per 5 guest rooms
Retail Sales	1 per 500 sq.ft. customer area	1 per 2,000 sq.ft.
Adult-Oriented Business	1 per 500 sq.ft. customer area	1 per 2,000 sq.ft.
Vehicle Sales and Service		
Fueling Station	1 per 400 sq.ft.	No minimum
Vehicle Sales	1 per 600 sq.ft. of indoor sales, rental/customer service area	No minimum
Vehicle Rental		No minimum
Vehicle Maintenance & Repair, Minor	1 per 2 employees + 2 per service bay	No minimum
Vehicle Maintenance & Repair, Major		No minimum
Vocational or Trade School	1 per employee and 1 per 6 students	1 per 15 students
OFFICE & EMPLOYMENT		
Office	1 per 400 sq.ft.	No minimum
Fabrication and Production	1 per 2 employees	No minimum
Industrial Service		No minimum
Storage, Distribution and Wholesaling		No minimum
Junk or Salvage Yard		No minimum
INFRASTRUCTURE		
Parking, Non-accessory	No minimum	No minimum
Utilities and Public Service Facilities		

TABLE 6.02(A) PARKING RATIOS

USE CATEGORY	MOTOR VEHICLES	BICYCLES (APPLIES ONLY IN THE RIVERFRONT OVERLAY)
Use Subcategory	Minimum Number of Spaces Required	
Specific Use Type		
Minor	No minimum	No minimum
Major	1 per 2 employees	No minimum
Wireless Communication Facility	No minimum	No minimum
Wireless Support Structure	1 per 2 employees	No minimum

6.03 CALCULATION OF REQUIRED PARKING

In determining the number of parking spaces required, the following calculation rules apply:

A. MULTIPLE USES

Lots containing more than one use or tenant must provide parking in an amount equal to the total aggregate number of spaces required for each use or tenant on the lot except when a shared parking arrangement is approved in accordance with [Sec. 6.04.E](#).

B. ROUNDING

When calculating off-street parking requirements, any fractional result of less than one-half is rounded down to the whole number and any fractional result of one-half or more is rounded up to the whole number.

C. OCCUPANCY- OR CAPACITY-BASED STANDARDS

For the purpose of computing parking requirements based on employees, students, members, residents or occupants, calculations must be based on the average number of persons working on any single shift, the average enrollment or membership or the building code-rated capacity, whichever is applicable.

D. UNLISTED USES

Upon receiving a development application for a use not specifically listed in the off-street parking schedule, the zoning officer is authorized to apply the off-street parking ratio specified for the listed use that is deemed most similar to the proposed use or establish a minimum off-street parking requirement for the proposed use in accordance with [Sec. 6.03.E](#).

E. ESTABLISHMENT OF OTHER PARKING RATIOS

The zoning officer is authorized to establish required minimum parking ratios for unlisted uses and in those instances where authority to establish a requirement is expressly granted. Such ratios must be established on the basis of (1) a similar use/parking determination (as described in [Sec. 6.03.D](#)), (2) parking data provided by the applicant or (3) other information available to the zoning officer. Parking data and studies must include estimates of parking demand based on reliable data collected from comparable local uses or on external data from credible research organizations, such as the Urban Land Institute (ULI) and the Institute of Transportation Engineers (ITE). Comparability will be determined by density, scale, bulk, area, type of activity and location. Parking studies must document the source of all data used to develop recommended requirements.

6.04 PARKING REDUCTIONS AND CREDITS

A. ALTERNATE PARKING RATIOS

The motor vehicle parking ratios of this section are not intended to be a barrier to development or redevelopment or to make development and redevelopment economically impractical or negatively impact the viability of businesses. In order to allow for flexibility in addressing the actual expected parking demand of specific uses, alternatives to the motor vehicle parking requirements of this section may be approved through a special exception per [Sec. 9.09](#), provided that:

1. The required motor vehicle parking ratios do not accurately reflect the actual day-to-day parking demand that can reasonably be anticipated for the proposed use;
2. The allowed parking credits and reduction alternatives of this section are infeasible or do not apply; and
3. The reduced parking ratios proposed are not likely to cause adverse impacts on traffic safety or on the general welfare of property owners and residents in the area.

B. OFF-SITE PARKING AGREEMENT

An agreement providing for the location of off-site parking spaces on a separate lot from the use, executed by the parties involved, shall be reviewed and may be approved by the zoning officer during review of the zoning permit.

1. Off-site parking allowance shall be permitted on the site only as long as the agreement remains in force.
2. If the agreement is no longer in force, then parking must be provided as otherwise required in this section.

C. PUBLIC PARKING

Nonresidential uses are credited for parking spaces within a nearby public parking lot or public parking garage, as follows:

1. Minimum parking requirements for the use are reduced by one parking space for every 4 parking spaces within the public parking lot or garage, not to exceed a total reduction of more than 25 spaces;
2. The nearest pedestrian entrance to the public parking lot or garage must be located within 1,500 feet of the lot on which the subject use is located; and
3. The parking facility must be open to the general public from at least 6:00 a.m. to 10 p.m.

D. ON-STREET PARKING

Nonresidential uses are credited for on-street parking spaces on public street rights-of-way adjacent to the subject property. One on-street parking space credit may be taken for each on-street parking space existing on the abutting street.

E. SHARED PARKING SPACES

Shared parking refers to the practice of 2 or more users who need parking at different times to agree to make use of the same parking spaces.

1. Intent. Shared parking is encouraged as a means of conserving scarce land resources, reducing stormwater runoff, reducing the heat island effect caused by large paved areas, and improving community appearance.
2. Eligibility. The zoning officer is authorized to approve shared parking for nonresidential uses that have different periods of parking demand. Required residential parking spaces and accessible parking spaces (for people with disabilities) may not be shared.

6.05 BICYCLE PARKING

A. APPLICABILITY

The bicycle parking requirements are applicable to development within the Riverfront Overlay only.

B. PURPOSES

1. Short-term Bicycle Parking. Short-term bicycle parking is generally intended to serve the needs of cyclists who park their bicycles for short time periods, including customers, clients, students and other short-term visitors.
2. Long-term Bicycle Parking. Long-term bicycle parking is generally intended to serve the needs of cyclists who park their bicycles for long time periods, primarily employees and residents.

C. SPACES REQUIRED

1. Short-term Bicycle Parking. Short-term bicycle parking spaces must be provided in accordance with the minimum bicycle parking ratios of [Table 6.02\(A\)](#).
2. Long-term Bicycle Parking. Long-term bicycle parking and storage is not required, but is encouraged at a rate of 1 per dwelling unit or 1 per 3 employees.

D. LOCATION AND DESIGN

1. Short-Term Bicycle Parking Spaces
 - a. Location. Short-term bicycle parking spaces must be at least as conveniently located as the most convenient non-disabled motor vehicle parking provided for the subject use. If no motor vehicle parking is provided, short-term bicycle parking spaces must be located within 150 feet of a building entrance. Short-term bicycle parking

must be located on the subject lot. Public bicycle parking spaces may be credited toward meeting short-term bicycle parking requirements if such bicycle parking spaces comply with the location requirements of this paragraph.

- b. Design. Required short-term bicycle parking spaces must:
 - (i) Consist of bike racks or lockers that are anchored so that they cannot be easily removed;
 - (ii) Be of solid construction, resistant to rust, corrosion, hammers, and saws;
 - (iii) Allow both the bicycle frame and the wheels to be locked with the bicycle in an upright position;
 - (iv) Facilitate easy locking without interference from or to adjacent bicycles; and
 - (v) Have minimum dimensions of 2 feet in width by 6 feet in length, with a minimum overhead vertical clearance of 7 feet.

6.06 PARKING AREA LAYOUT AND DESIGN

A. APPLICABILITY

The parking layout and design regulations of this section apply to all off-street parking lots for motor vehicles, whether containing required or non-required parking spaces.

B. INGRESS AND EGRESS

All parking areas must be designed to allow vehicles to enter and exit a street and cross public sidewalks in a forward motion, except that this requirement does not apply when motor vehicle access is to a local street.

C. PARKING LOT GEOMETRICS

Parking areas must be designed in accordance with [Table 6.06\(A\)](#), which shows minimum dimensions for various parking layouts (angles). Requirements for layouts or angles not shown in [Table 6.06\(A\)](#) may be interpolated from the layouts shown, as approved by the borough engineer.

TABLE 6.06(A) PARKING LOT GEOMETRICS			
A Stall Angle	B Stall Width	C Stall Length	D Aisle Width
0°	9	20	12
45°	9	18	11
60°	9	18	15
75°	9	18	20
90°	9	18	22

D. VERTICAL CLEARANCE

All required parking spaces must have overhead vertical clearance of at least 7 feet.

E. MARKING

The location of each parking space must be identified by surface markings at least 4 inches in width and be maintained so as to be readily visible at all times.

F. SURFACING AND DRAINAGE

All off-street parking areas and access drives must be surfaced and maintained with an asphaltic or Portland cement binder pavement or such other hard, dust-free surfaces approved by the borough engineer.

1. Non-required parking areas located in the rear yard of lots occupied by one- or 2-unit residential buildings are exempt from the parking area surfacing requirements of this section.
2. Pavement areas are limited to only necessary drives, walkways and parking spaces; all other areas must be landscaped.

3. Pavement areas shall be graded for proper positive drainage.

G. CURBS AND BARRIERS

Curbs or similar barriers approved by the zoning officer must be provided to prevent motor vehicles from encroaching into required setbacks and landscape areas, as follows:

1. All open off-street parking areas must provide a 6-inch curb or approved wheel barrier when abutting required setbacks, landscape areas and adjoining property lines.
2. Wheel barriers must be located at least 2 feet from the edge of pavement or the area to be protected from encroachment.

H. INTERIOR PARKING LOT LANDSCAPE

Parking lot interior is defined as the area dedicated to parking on a given parcel as measured from edge of pavement to edge of pavement, and including any islands or medians.

1. Intent. To provide shading and screening, and to improve the appearance of parking lots.
2. Applicability. All off-street surface parking lots in all districts with more than 10 spaces or more than one drive aisle.
3. Existing Vegetation. Existing vegetation may be credited toward these requirements as approved by the zoning officer.
4. Landscape Islands. Landscape islands are required at the terminal ends of freestanding rows or bays of parking. Freestanding rows or bays of parking are those not abutting the parking lot perimeter or building face, and may have a single or double row of parking.
5. Row Islands. For more than 2 rows of parking and 20 spaces, a landscape island is required for every ninth parking space with result of no more than 8 continuous parking spaces in a row without a landscape island.
6. Island Size. The minimum width for an island is five feet and minimum length is 17 feet.
7. Island Trees. A minimum of one single-trunk, shade tree is required within each island.

I. PERIMETER PARKING LOT AND LOADING AREA LANDSCAPE

1. Intent. To lessen the visual impact of on-site vehicular parking, loading, and other activities from the street or open space.
2. Applicability. Applies to lots where parking lots, drive-through lanes, or loading areas abut a street frontage. Vehicle sales or rental areas and outdoor storage of goods may be required to apply perimeter landscape to sites based upon conditional or special exception approval.
3. Location. Buffer is required on the perimeter of the applicable area between the area and the street. Perimeter buffers may be required along the rear or side lot line based upon conditional use or special exception approval.
4. Buffer Depth. The required buffer area shall be a minimum 5 feet in depth, measured from the street-facing lot line.
5. Existing Vegetation. Existing vegetation may be credited toward buffer requirements as approved by the zoning officer.
6. Shade Trees. Shade trees are required at one shade tree for every 40 linear feet of perimeter buffer.
7. Shrubs. A continuous shrub planting is required on the street side of the fence. The shrub planting shall consist of a single row of shrubs with a minimum mature width of 24 inches each, spaced no more than 36 inches on center, and height maintained no more than 48 inches within one year of installation.
8. Optional Fence. A continuous fence is allowed, located 2 feet from the back of curb or edge of the vehicular area into the buffer. One pedestrian opening, maximum 4 feet in width, is permitted for every 30 linear feet of fence.
 - a. Fence Materials. The fence shall be black, gray, or dark green steel or PVC, or natural or painted wood slats, minimum 30% and maximum 50% opaque.
 - b. Fence Height. The fence shall be between 30 and 42 inches in height. Additional height may be approved for security fences.

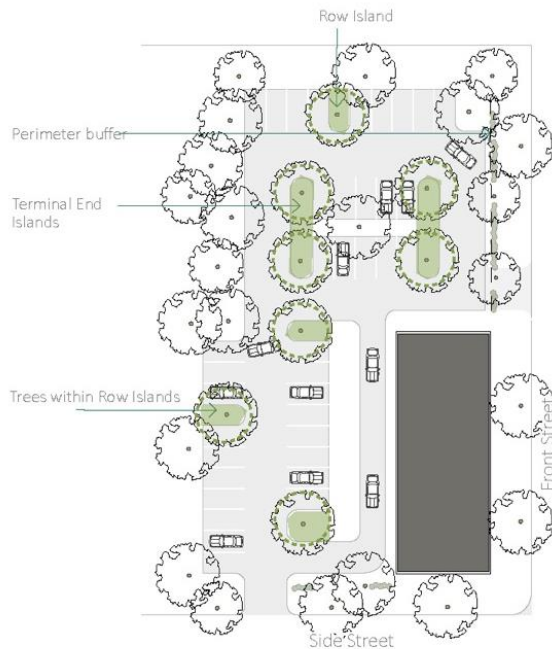


FIGURE 6.07(2). INTERIOR PARKING LOT LANDSCAPING

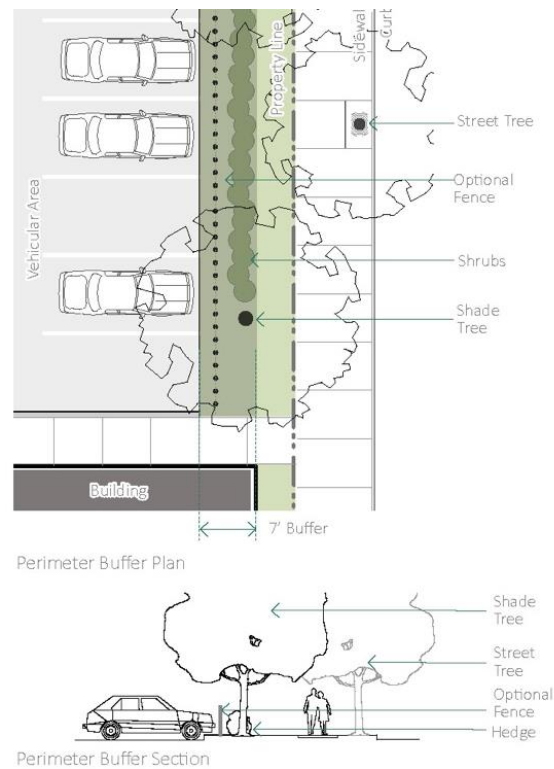


FIGURE 6.07(3). PERIMETER PARKING LOT LANDSCAPING

J. PEDESTRIAN WALKWAY

A minimum 4-foot wide, continuous sidewalk shall connect any public sidewalk along streets to all public doors of the building. Crossings at vehicular areas may count as continuing the sidewalk as long as the sidewalk surface material continues through the vehicular area to signal pedestrian priority. The principal pedestrian access to the entrance of the use from a public sidewalk may not cross the drive-through facility stacking lane.

K. SHOPPING CART STORAGE

Any establishment which furnishes carts or mobile baskets as an adjunct to shopping, shall provide defined areas within the required parking lot or adjacent to the building for storage of carts. Each designed storage area shall be clearly marked for storage of shopping carts.

L. DRIVEWAYS AND CURB CUTS

1. Intent. Driveways must be minimized to the extent practical and located to have the least impact on pedestrian and non-motorized transportation accessibility, safety, and comfort.
2. Number and Location of Driveways. The number of allowed driveways is established by the building regulations for the district. The hierarchy of drive locations is as follows:
 - a. Alley. Where an alley exists, driveways must be accessed from the alley.
 - b. Side Street. Where no alley exists, driveways must be accessed from the side street.
 - c. Front Street. Where no alley and no side street exists, driveway may be accessed from a front street.
 - d. Shared Driveways. Shared driveways between abutting lots are encouraged.
3. Dimensions & Design. The following widths apply to all driveways at any street or alley entrance:
 - a. Maximum Width. Maximum driveway width shall be 22 feet, measured at the right-of-way and not including curb radii or aprons, unless otherwise approved by the borough engineer.
 - b. N and NX Districts. Driveways serving one- and 2-unit buildings in N and NX1 districts must be at least 8 feet in width and no wider than 14 feet within any front yard.
 - (i) More than 2-Units. Driveways serving buildings with more than 2 units must be at least 8 feet in width and no wider than 18 feet in any front yard.

- c. All Other Districts. Driveways serving all other districts must be at least 10 feet in width if one-way and 22 feet in width if 2-way.
- d. Distance Between Curb Cut and Intersections. For corner lots, the minimum distance permitted between any curb cut and the intersection of the two right-of-way lines shall be 40 feet, unless otherwise approved by the borough engineer.
- e. Distance Between Two Curb Cuts. The minimum distance between 2 curb cuts shall be 10 feet.
- f. Intersection with Sidewalks. Where sidewalks cross driveways, the sidewalk pavement scoring, pattern, and color, shall continue through the driveway, prioritizing the pedestrian path over the vehicular path.

6.07 LOADING

- 1. All uses engaged in receiving or shipping goods by large trucks or large delivery vehicles must provide loading and unloading facilities or locations.
- 2. Loading spaces may not be located on a front facade.
- 3. Except as expressly allowed in borough-designated commercial loading zones, vehicle maneuvering areas and loading and unloading activities must occur on-site, not within the public right-of-way.
- 4. All loading areas and access drives must be surfaced and maintained with an asphaltic or Portland cement binder concrete or other dustless, all-weather surface approved by the borough engineer.
- 5. All off-street loading areas adjacent to N or NX zoning districts must be completely screened from with the perimeter landscape buffer per [Sec. 6.06.I](#).

ARTICLE 7. SIGNS

7.01 GENERAL REQUIREMENTS

A. INTENT

This chapter regulates both permanent signage and temporary signage, and specifies which signs are exempt from regulation or prohibited.

1. Purpose. The general purpose of this chapter is to:
 - a. Balance the rights of individuals to convey their messages through signs with the right of the public to be protected against the unrestricted proliferation of signs;
 - b. Create a sense of place at the scale of humans, that addresses both the pedestrian experience and the need to inform drivers of destinations;
 - c. Protect public health, safety, and welfare;
 - d. Reduce traffic and pedestrian hazards;
 - e. Protect property values by minimizing the possible adverse effects and visual blight caused by sign clutter;
 - f. Promote economic development; and
 - g. Ensure the fair and consistent enforcement of sign regulations.
2. Definition of Signs. Any object, device, structure or part thereof used to advertise, identify, advocate, display or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or images on a lot. Signs as defined herein do not include temporary holiday decorations, representational flags, or landscape features that display no words or symbols.

B. APPLICABILITY

These standards shall apply to all signs and sign structures within the borough under the following situations:

1. Newly Constructed or Substantially Altered Signage. These standards apply to all new signs and substantially altered signs. Substantially altered signs includes any structural changes, changes in shape, changes in size, changes in location, and changes in any major component of the sign (sign box, pole, base).
2. Not Applicable. The following activities, shall not be considered a substantial alteration and shall not require a permit:
 - a. The changing of facial panels or letters on an existing sign and/or outdoor advertising sign.
 - b. The changing of painted and/or printed window signs, and/or changeable letter panels, specifically designed for the use of replaceable copy.
 - c. The painting, repainting, cleaning, and/or normal maintenance and/or repair of a sign, sign structure, and/or outdoor advertising sign except when structural changes occur.

C. CONTENT NEUTRALITY

1. Any sign allowed under this ordinance may contain, in lieu of any other message or copy, any lawful noncommercial message that does not direct attention to a business operated for profit, or to a product, commodity or service for sale or lease, or to any other commercial interest or activity, as long as the sign complies with all size, height, location and other applicable regulations of this article.
2. Any sign name (e.g. "drive-through sign") is designated to describe sign format, location, or timing and not sign content.

D. EXISTING SIGNS

As of the effective date of this ordinance ([Sec. 1.03](#)), all lawfully existing signs and/or outdoor advertising signs shall be maintained in all respects, but shall not for any reason be enlarged and/or substantially altered except as permitted by [Sec. 9.10.G](#).

E. ABANDONED SIGNS

1. A sign which is not a temporary sign shall be deemed to be abandoned when one of the following occurs:
 - a. The business, service, product, or activity being advertised has ceased to exist for a period of 6 months or more;
 - b. The sign has not been utilized for a period of 6 months or more; or

- c. The sign is a nonconforming sign and the owner has been notified by the zoning officer of the need to conform to these regulations.
2. Abandoned signs shall be completely removed and the site of such sign shall be restored within 90 days of the date the zoning officer gives notice of such designation to the property owner.
3. Panels for signs where the business has ceased to exist and the sign structure is not abandoned per above shall be replaced with a new panel within 90 days of the business ceasing to operate.

F. SIGN LOCATION

Unless otherwise specified, signs shall only be located within the boundaries of the lot and not in the right-of-way or on public property, and meeting one of the sign types defined in this article.

1. Off-Premises Signs. Signs shall be located upon the lot where the activity is taking place approved by the property owner, unless otherwise allowed in this article and approved as part of a sign permit.
2. Extension into Right-of-Way. Certain sign types may extend beyond a property line into the right-of-way or public property per the sign type regulations, [Sec. 7.06](#) through [Sec. 7.14.](#), approved during the sign permit process.
3. Utility Appurtenances. No sign shall be attached to or painted upon a standpipe, gutter, drain, light standard, traffic control device, or other utility structure.
4. Landscape and Streetscape Site Furnishings. No sign shall be attached to or painted upon any streetscape or landscape item, such as a bench, seat, seatwalls, landscape retaining walls, trash receptacle, or other site or street furnishing, not including dumpsters or recycling bins.
5. Natural Elements. No sign shall be attached to or painted upon any tree, rock, or other natural feature.
6. Ingress/Egress. Signs shall be erected so as to permit free ingress to or egress from any door, window, roof, or any other exitway required by the building code or by fire department regulations.
7. Visibility Requirements. Signs shall be located in a manner which does not obstruct, or substantially interfere with, the sight lines used by pedestrians and/or motorists, to cross streets, proceed safely through intersections, or to enter or exit from public or private rights-of-way.
8. Traffic Signs. No sign shall be erected or maintained in such a manner as to obstruct free and clear vision of, interfere with, or be confused with any authorized traffic sign, signal, or device.

G. ILLUMINATION

All signs may be illuminated according to the following provisions unless otherwise stated.

1. Signs may be illuminated only by steady, stationary light sources directed solely at the sign or internal to it.
2. When an external artificial light source is used to illuminate a sign, the lamp (or bulb) shall be located, shielded, and directed so as to not be visible from any public street or private residence.
 - a. Shielding of the light source is required to prevent light from projecting to the sky.
 - b. No receptacle or device housing a permitted light source which is attached to the sign itself shall extend more than 18 inches from the face of the sign.
 - c. Gooseneck reflectors and lights are allowed on permanent freestanding sign, wall signs, projecting signs and roof signs, provided that any such reflectors or lights shall be installed only in a manner such that the direct rays of such reflectors or lights are concentrated on the sign and are directed, shielded or otherwise constructed so as to avoid any glare on the adjacent street or adjacent properties.
 - d. If ground lighting is used to illuminate a sign, the receptacle or device should not extend more than 12 inches above ground and must be fully screened and housed. In no case, shall electrical wiring, bulbs exceeding 15 watts, and other internal components be exposed to the view or access by the public.
3. Illumination Level. The light from every illuminated sign shall be shaded, shielded or directed so that direct or indirect illumination, measured at any lot line adjacent to a residential district, will not exceed 0.1 foot candles. Except for electronic displays per [Sec. 7.15](#), in no case shall the lighting intensity of any sign exceed 150 foot Lamberts measured with a light meter having an accuracy rating determined by the code enforcement or zoning officer.

H. CONSTRUCTION, DESIGN, & MAINTENANCE STANDARDS

1. All signs shall meet the construction, design standards, and maintenance requirements of all applicable building codes, as adopted by the borough.

2. Sign Maintenance Requirements

- a. All signs and sign structures shall be kept in good repair and in safe condition. The owner of the premises on which a sign is erected or located shall be directly responsible for keeping such sign and premises in a safe and neat condition.
- b. Signs shall have clean surfaces so that the sign's message does not become illegible or have missing, torn, or defective parts in any portion of such sign or supporting structure.
- c. No waste, debris, or other refuse shall be allowed to accumulate on or about the area on which a sign is located.

7.02 EXEMPT SIGNS

A. GENERAL REQUIREMENTS

Permitted exempt signs meeting the standards of this section [Sec. 7.02](#), are subject to the following:

1. Definition. Exempt signs are permanently attached fixtures, i.e. plaques, signs, that are minor and incidental in relation to other site signs.
2. All Districts. Exempt signs are permitted in all districts, unless otherwise specified in this section.
3. No Sign Permit Required. Exempt signs do not require a sign permit for installation, unless otherwise specified in this section.
4. No Sign Type Standards. Exempt signs are not required to meet any sign type standards, except those specified in this section.
5. Maximum Quantity of Signage. Except as specified in this section, exempt signs are not counted in the determination of the total permitted area of signage on a lot per the requirements of [Table 7.05\(B\). Maximum Total Quantity of Signs Permitted by District](#).

B. EXEMPT SIGNS PERMITTED

The following are permitted exempt signs.

1. Incidental Signs. The following signs are allowed:
 - a. In N1, N2, and NX1, one incidental sign with a maximum area of 1 square foot is permitted per street-facing building entrance.
 - b. In N1, N2, and NX1, in addition to the sign per entrance, one incidental lighted sign with a maximum area of 2 square foot or one incidental unlighted sign with a maximum area of 3 square feet is allowed per building, mounted on the building.
 - c. On all lots other N1, N2, and NX1, two incidental signs with a total maximum area of 3 square feet are permitted per street-facing building entrance.
2. Official Signs. Any official sign erected by the borough, county, state, or country, or required by a valid and applicable federal, state, or local law, regulation, or ordinance, by order of a court of competent jurisdiction, or for the safety and welfare of the public.
3. Signs Inside Buildings. Any sign which is located completely within an enclosed building, when such sign is not readable from 10 feet or more outside the building.
4. Driveway and Parking Signs. Driveway signs are located adjacent to vehicular driveways on all lots in districts other than N1, N2, and NX1. These signs shall meet the following requirements:
 - a. No more than 2 driveway signs are permitted for each lot per right-of-way frontage, not to exceed 18 inches in height and 1 square foot.
 - b. One parking lot sign per lot per right-of-way frontage is permitted, not to exceed 3 feet in height.
 - c. Signs shall be set back a minimum of 2 feet from property lines and are not permitted to overhang any property line.
5. Drive-Through Signs. Drive-through signs are permitted on the site of any allowed drive-through use, subject to the following:
 - a. Permit. A sign permit is required for all drive-through signs.
 - b. Location. Drive-through signs must be located within 10 feet of a drive-through lane in a side or rear yard.
 - c. Number Permitted.

- (i) One major drive-through sign is allowed per order station up to a maximum of 2 primary drive-through signs per lot.
 - (ii) One minor drive-through sign is allowed per lot.
- d. Dimensions.
 - (i) Major drive-through sign must not exceed 36 square feet in area and 6 feet in height.
 - (ii) Minor drive-through sign must not exceed 15 square feet in area or 4 feet in height.
- e. Residential Separation. Drive-through signs must be set back at least 25 feet from residential (N) district lots.

7.03 TEMPORARY SIGNS

A. GENERAL REQUIREMENTS

Permitted temporary signs meeting the standards of this section [Sec. 7.03](#) are subject to the following:

1. Definition. Temporary signs are signs intended to serve for a limited time with no permanent attachment to a structure or the ground.
2. All Districts. Temporary signs are permitted in all districts, unless otherwise specified in this section.
3. Sign Permit Required. A sign permit is required for all signs over 6 square feet, displayed for more than 5 days, unless otherwise specified in this [Sec. 7.03](#).
4. No Sign Type Standards. Temporary signs are not required to meet any sign type standards, except those specified in this section.
5. Time Sensitive Events. Temporary signs installed related to any time sensitive events shall be removed within one week after the completion of the event.
6. Maximum Quantity of Signage. Except as specified in this section, temporary signs are not counted in the determination of the total permitted area of signage on a lot per the requirements of [Table 7.05\(B\). Maximum Total Quantity of Signs Permitted by District](#).
7. Location. The following regulations apply to locating temporary signs.
 - a. Temporary signs are allowed in all districts, unless otherwise specified.
 - b. Temporary signs must be located on private property and shall not be posted, attached or placed on any tree, utility pole, street sign post, light post, or any official traffic control sign or signal post in the public right-of-way.
 - c. Temporary signs located within the public right-of-way may be removed by the borough.
 - d. In N1, N2, and NX1 districts, temporary signs shall be set back a minimum of 5 feet from any property line, except where the front yard is less than 5 feet.
8. Maintenance & Materials. All temporary signs must be properly maintained and of a material able to withstand the elements.

B. TEMPORARY YARD SIGNS

Temporary yard signs are lightweight, freestanding signs placed in a street yard.

1. Applicable to All Lots.
 - a. Each lot is permitted temporary yard signs for a maximum period of 60 days.
 - b. Once removed, temporary yard signs shall not be reinstalled on the lot until after the expiration of an interim period of 30 days, provided.
2. N1, N2, and NX1 Lots.
 - a. Any number of temporary yard signs must not exceed a total of 9 square feet on any lot at any time.
 - b. A temporary sign permit is not required for temporary yard signs on N1, N2, and NX1 Lots lots.
3. Lots Other Than N1, N2, and NX1 Lots.
 - a. Any number of temporary yard signs must not exceed a total of 12 square feet per 120 feet of street frontage of the lot at any time. Signs shall be calculated and located per each 120 feet of street frontage, as opposed to totalling for the whole lot and locating the temporary signs all in one location.
 - b. One temporary sign permit is allowed per lot for each 90 day increment of allowable signs.

C. ADDITIONAL TEMPORARY SIGNS

Additional temporary signs are allowed on each lot, lot, or portion of a lot that is actively being marketed for sale, rental or lease, or is under construction.

1. Districts. Additional temporary signs are permitted in all districts.
2. Permitted Display Time. Additional temporary signs are permitted for the period during which the property is actively marketed for sale, rental, or lease or under construction.
3. Size on N1, N2, and NX1 Lots. Additional temporary signs shall not exceed 8 square feet in area and 6 feet in height on all N1, N2, and NX1 lots.
4. Size on All Lots Except N1, N2, and NX1 Lots. For lots in all districts except N1, N2, and NX1, any number of Additional temporary signs shall not exceed 24 square feet in total per frontage and shall not exceed 8 feet in height.

D. SPECIAL EVENT SIGNS

Special event signs are allowed on lots on which a business or organizational special event is actively occurring.

1. Districts. Special event signs are permitted on all lots except N1, N2, and NX1 lots.
2. Sign Types. Special events signs include all sign types, including balloons and feather flags.
3. Quantity and Permitted Display Time. Special events signs may be displayed for no more than consecutive 30 days. Special event signs are permitted twice per calendar year per lot.
4. Size. Any number of special event signs shall not exceed 24 square feet in total area, in total for the lot.

E. TEMPORARY WINDOW SIGNS

Temporary window signs are signs located on any lots except N1, N2, and NX1 lots that do not exceed 2 square foot in size, are located wholly in the window of a building, and are composed of paper or other temporary materials not specified in [Table 7.11\(A\)](#), pertaining to permanent window signs.

1. Multiple Signs. Multiple temporary window signs are considered one sign for the purposes of computing the quantity of temporary signs on a lot.
2. Permit. No permit shall be required.
3. Quantity. The combined total of permanent and temporary window signs shall not exceed the allowed quantity for permanent window signs per [Table 7.11\(A\). Window Sign Requirements](#).

F. SANDWICH BOARD SIGNS

A sandwich board is a set of 2 signs set up in a triangular shape and hinged along the top or a T-frame or I-frame sign.

1. Permitted Display Time. Sandwich boards are not restricted to any display time restriction except as follows:
 - a. Signs shall only be displayed during business hours and must be removed by close of business each day.
 - b. Signs shall not be displayed when winds exceed 20 miles per hour.
2. Location. Sandwich board signs may be located in the right-of-way in the DX, MX, and CX districts where the pedestrian walkway is at least 6 feet in width and shall not be placed within 10 feet of an intersection or crosswalk. Such sign location is subject to approval by the zoning officer.
 - a. Sandwich board signs shall be located within 15 feet of the entrance to the business.
 - b. Signs shall not be attached to the sidewalk or to borough-owned property, including but not limited to electric light poles and traffic signs.
 - c. A clear zone is required on the sidewalk, minimum 5 feet in width continuously.
3. Size. Signs shall not be greater than 3 feet in height and no more than 6 square feet in area per sign face.
4. Quantity. No more than one sandwich board sign is permitted per tenant space and no more than one per 60 feet of sidewalk length.
5. Materials. Signs shall be constructed of wood, metal, or other durable materials to withstand the elements. Signs shall not be reflective.

G. BANNERS.

A sign made of fabric or other similar non-rigid material with no enclosing framework or electrical components that is supported or anchored on 2 or more edges or at all 4 corners.

1. Districts. Temporary banners are permitted in all districts except N1, N2, and NX1.
2. Location. Banners must be mounted to the face of a building and may not cover any window or other building opening. The temporary banner shall be mounted above 8 feet and no more than 25 feet above average grade below the banner.
3. Quantity. One temporary banner is allowed per lot greater than 80 square feet.
4. Size. The temporary banner may not exceed 24 square feet in area.
5. Time Limit. The temporary banner may remain in place for no more than 60 days total in any calendar year.
- ~~6. Permit. A sign permit shall be required for all banners. Deleted via Ordinance 754~~

7.04 PROHIBITED SIGNS

A. GENERAL REQUIREMENTS

Prohibited signs shall not be permanently constructed or temporarily installed in any district.

B. PROHIBITED SIGNS

The following signs are prohibited.

1. Animated, Wind, or Moving Signs. Signs not erected by bona fide public traffic officials which move or give the appearance of movement, including but not limited to signs which flutter, undulate, swing, rotate, oscillate, or otherwise move by natural or artificial means. Moving signs shall not include pole flags, signs displaying time and temperature, and electronic display signs as permitted in this article.
2. Flashing Lights. Flashing signs, flashing or moving lights on signs, and reflective pennants are prohibited, except that signs that exhibit time, temperature, date or other similar information are permitted.
3. Similarity to Traffic Control Signs. Signs that include words such as "Stop", "Danger", "Warning", "Caution", or "Go Slow," unless such language is part of the name of the business, or any other words, phrases, symbols, or characters that imitate any authorized traffic sign by shape, color, or character or employs any red, yellow, green, or other colored lamps or lights in such a manner as to interfere with, mislead, or confuse traffic.
4. Vehicles as Signs. Any sign attached to or placed on a vehicle or trailer parked on public or private property that is prominently visible from public streets, except during the following conditions:
 - a. The primary purpose of such a vehicle or trailer is not the display of signs.
 - b. The vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets, and actively used or available for use in the daily function of the business to which such signs relate.
5. Portable or Wheeled Signs. Any sign permanently mounted on wheels.
6. Inflatable or Balloon Signs. Temporary or permanent signs that are inflatable or balloon-like are not permitted, except as allowed in temporary special events signs per [Sec. 7.03.D.](#)
7. Off-Site Advertising. Signs utilized to market, promote, or draw attention to an activity, business, person, entity, or thing not located or offered on the site on which the sign is located, are prohibited.
8. Signs with Sound. Signs that emit or utilize in any manner any sound capable of being detected from any public right-of-way by a person with normal hearing.
9. Rope Lighting. Rope lighting, or other similar linear lighting with small lights (usually incandescent bulbs or light emitting diodes (LEDs)) covered in heavy-duty plastic tubing, and installed to outline signs, merchandise, windows, buildings, or building elements, where such lighting is intended to be visible from the exterior of the building, is prohibited.
10. Feather Flags. Feather flags are vertically oriented flags in the shape of a feather, attached to a pole or stand, except as allowed in temporary special signs per [Sec. 7.03.D.](#)
11. Other Signs. Signs not addressed in this article shall not be permitted unless reviewed and approved by the Zoning Hearing Board through the appeal or development standard variance process defined in article 9 of the zoning ordinance.

7.05 PERMITTED TYPES & QUANTITY OF LOT SIGNAGE

A. PERMITTED SIGN TYPES BY DISTRICT

[Table 7.05\(A\)](#) establishes the sign types permitted by district.

1. Exempt/Temporary Signs. Exempt and temporary signs are permitted in all districts per [Sec. 7.02](#) and [Sec. 7.03](#), unless otherwise specified.
2. Prohibited Signs. In addition to the signs listed in [Sec. 7.04](#), when a sign type is not listed as permitted or permitted with conditions in the district on [Table 7.05\(A\)](#), the sign is prohibited in the district.
3. Organization of Multiple Signs on a Facade. Multiple signs on a facade shall be organized in a coherent way and located in a space on the facade designated for signs. The application of signs to a facade without any reference to architectural features or alignment of signs is not permitted.

B. MAXIMUM QUANTITY OF SIGNS PERMITTED BY DISTRICT

[Table 7.05\(B\)](#) establishes the overall maximum amount of signage of all types permitted on a lot within each district. The quantity and size of signage shall be calculated per [Sec. 7.05.C](#).

1. Exempt/Temporary Signs. [Table 7.05\(B\)](#) does not apply to exempt (see [Sec. 7.02](#)) or temporary signs (see [Sec. 7.03](#)), unless otherwise specified.
2. Front Facade. Front facades are those facades of the business with a public entrance facing a street.
3. Window Signs. Window signs shall not count towards a lot's maximum permitted amount of signage. Refer to [Sec. 7.11](#).
4. Through-Lots and Visible Side /Rear Signage. In addition to the maximum amount of signage permitted per lot, through-lots and rear and/or side facades visible facing a street may incorporate an additional 30 square feet of signage permitted for the lot located in either the rear yard or along the rear facade, provided the rear does not face an N1, N2, or NX1 district.
5. Corner Lots. In addition to the maximum amount of signage permitted per lot, corner lots may incorporate an additional 1.5 square feet per 1 linear foot of street-side lot length with a maximum of 100 square feet, with the exception of residential uses.

C. COMPUTATION

The following standards generally apply to computing the area and height of signs by type and by building lot.

1. Sign Area. Refer to the sign types [Sec. 7.06](#) through [Sec. 7.14](#) for calculation of sign area per sign type.
 - a. Exempt and temporary signs are not included in the maximum signage area calculations, unless otherwise specified.
 - b. Front or Primary Building Facade Length. Where the sign area is determined by the building facade length, measure the length of the building facade that is parallel to the front of the lot.
 - (i) If the lot is a corner lot, measure the facade parallel to the front lot line as determined by the zoning officer, based upon the location of the front door or principal entrance of the building and/or the dominance of one street over the other.
 - (ii) On corner lots, if front doors exist on street facades facing more than one street, the zoning officer may allow those facades or portions of facades to be treated as frontage on a front lot line.
 - c. Street Frontage Length. Where the sign area is determined by the street frontage length, measure the length of the lot line that is parallel to the street along the front of the lot.
2. Sign Height
 - a. The height of a sign shall be measured as the vertical distance from the grade at the adjacent public sidewalk (or back of curb if no sidewalk exists) to the top of the highest component of the sign.
 - b. The ground clearance of a sign under these regulations shall be measured as the vertical distance from the grade at the base of the sign to the top of the lowest component of the sign.

TABLE 7.05(A) PERMITTED SIGN TYPES BY DISTRICT								
	SIGN TYPES	DISTRICTS						Reference
		N1, N2, NY4	NX2	GX1, GX2, D1	DX, MY	CX	I-1, I-2	
BUILDING MOUNTED	Wall Sign			●	●	●	●	Sec. 7.06
	Projecting Sign			●	●	●	●	Sec. 7.07
	Projecting Marquee			●	●	●		Sec. 7.08
				allows manually changeable copy, limited to assembly and entertainment uses				
	Awning Sign		●	●	●	●	●	Sec. 7.09
	Window Sign				●	●		Sec. 7.10
	Canopy-Mounted Sign		●	●	●	●	●	Sec. 7.11
FREESTANDING	Monument Sign		●	● ; allows manually changeable copy	●	●	●	Sec. 7.12
	Small-Scale Pole-Mounted Sign	● for approved home occupation businesses		●	●	●	●	Sec. 7.13
	Pole Sign			●		●; allows manually changeable copy & electronic display		Sec. 7.14
	● = Permitted, subject to the conditions of this article ● = Amended via Ordinance 754							

TABLE 7.05(B) MAXIMUM TOTAL QUANTITY OF SIGNS PERMITTED BY DISTRICT						
	DISTRICTS					
	N1, N2, NY4	NX2	GX1, GX2, P1	DX, MX	CX	I-1, I-2
MAXIMUM QUANTITY OF BUILDING MOUNTED SIGNS	none permitted	max. 40 s.f. per building; max. 30 s.f. for any one sign.	1.5 s.f. per linear foot of front building facade length; max. 60 s.f. for any one sign	2 s.f. per linear foot of front building facade length; max. 80 s.f. for any one sign	2 s.f. per linear foot of front building facade length; max. 100 s.f. for any one sign	
ADDITIONAL BUILDING- or SITE-WIDE SIGN	maximum 6 s.f. for approved home occupation	1 freestanding sign, max. 30 s.f. per sign face	1 freestanding sign, max. 100 s.f.	1 additional sign (max. 100 s.f.) for each min. 100-foot length of building facade	1 additional sign (max. 100 s.f.) for each min. 100-foot long building facade OR 1 additional s.f. of freestanding sign per linear foot of street frontage (max. 100 s.f.)	

7.06 WALL SIGN

A. DESCRIPTION

Wall signs, also known as flat or band signs, are mounted directly to the building face to which the sign is parallel. Refer to [Figure 7.06\(2\)](#) for an example illustration.

B. GENERAL REQUIREMENTS

Wall signs shall be developed according to the standards in [Table 7.06\(A\)](#).

1. Building Openings. Wall Signs shall not cover windows or other building openings.
2. Architectural Features. Wall Signs shall not cover significant architectural building features, such as sculptural elements, windows or door trim, cornices, or other details.

C. COMPUTATION

The area of a wall sign is calculated using the following information.

1. Wall Signs. Area is calculated by drawing the smallest possible square or rectangle around the largest letters and/or graphic elements, as is illustrated in [Figure 7.06\(3\)](#).
 - a. Area Credit. All areas that utilize individual alphanumeric characters or logos may adjust the total sign area provided to 95 percent of the calculation as outlined above.

TABLE 7.06(A) WALL SIGN REQUIREMENTS	
PERMITTED DISTRICTS	Refer to Table 7.05(A). Permitted Sign Types by District
SIGN AREA	Refer to Table 7.05(B). Maximum Total Quantity of Signs Permitted by District for maximum per lot.
HEIGHT	2 ft. maximum letter or 3 ft. maximum element or logo height
LOCATION ON THE BUILDING	Permitted on all facades.
PLACEMENT ON THE BUILDING	1 foot maximum projection from building face; shall not project above the roofline
QUANTITY	1 per tenant per building frontage; 1 per tenant per side or rear facade on a parking lot
INTERNAL ILLUMINATION	Permitted for individual letters and logos only
PERMITTED MATERIALS	Finished (painted or sealed) solid wood, metal, and masonry; plastic & synthetics permitted only as separate alphanumeric characters or logos.



FIGURE 7.06(2). EXAMPLE OF WALL SIGN



FIGURE 7.06(3). AREA CALCULATION FOR WALL SIGN

7.07 PROJECTING OR SUSPENDED SIGN

A. DESCRIPTION

A projecting sign is attached to and projects from a building face or hangs from a support structure attached to the building face. Sign faces are typically perpendicular to the building face, but may be at an angle greater than 45 degrees from the facade. The sign may be vertically or horizontally oriented. Refer to Figure 7.07(2) for an example illustration.

B. GENERAL REQUIREMENTS

Projecting signs shall be developed according to the standards in Table 7.07(A).

C. COMPUTATION

The area of a projecting sign is equal to the area of one of the sign's faces. Refer to Figure 7.07(3).

TABLE 7.07(A) PROJECTING SIGN REQUIREMENTS

Permitted Districts	Refer to Table 7.05(A). Permitted Sign Types by District
Sign Area	Maximum size for each projecting sign is 9 sf per face. Refer to Table 7.05(B). Maximum Total Quantity of Signs Permitted by District for maximum per lot.
Height	6 ft. maximum sign length; 8 feet minimum clearance to walk required
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	Shall not project more than 3 ft. from building face or closer than 3 ft. from back of curb; sign and structural supports shall not extend above the eave or parapet.
Quantity	1 per building per street frontage; 1 additional projecting sign permitted per tenant, maximum 4 sq ft. for each tenant sign
Internal Illumination	Not permitted
Materials	Finished (painted or sealed) solid wood, metal, and masonry; plastic & synthetics permitted only as separate alphanumeric characters or logos

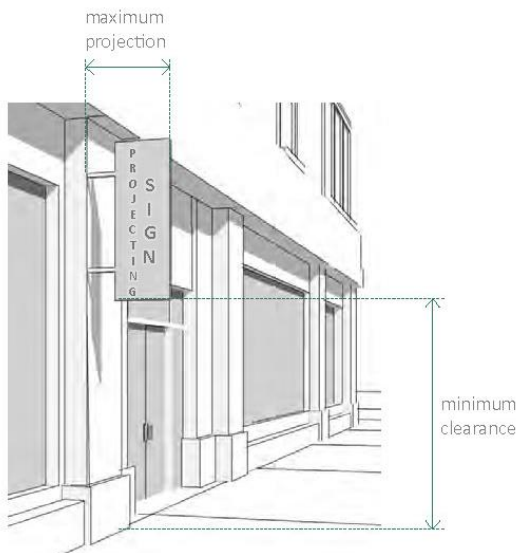


FIGURE 7.07(2). EXAMPLE OF PROJECTING SIGN

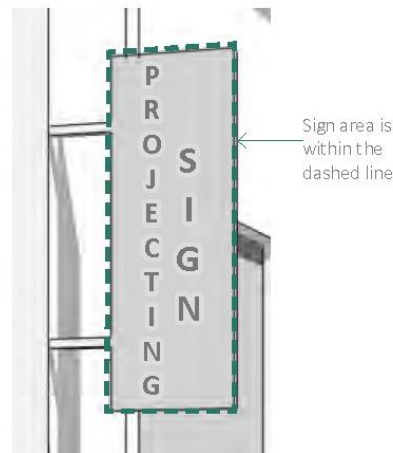


FIGURE 7.07(3). AREA CALCULATION FOR PROJECTING SIGN

7.08 PROJECTING MARQUEE SIGN

A. DESCRIPTION

A projecting marquee sign is a projecting sign designed to have manually changeable copy and 2 to 3 sign faces. Refer to Figure 7.08(2) for an example illustration.

B. GENERAL REQUIREMENTS

Projecting Marquee Signs shall be developed according to the standards in Table 7.07(A).

1. Manually Changeable Copy Boards. Manually Changeable Copy Boards are permitted on this sign type, provided the following conditions are met:
 - a. The area shall not be greater than 30% of the total sign area or 32 square feet, whichever is less.
 - b. One sign of any type containing a Manually Changeable Copy Board is permitted per lot.

C. COMPUTATION

The sign area is calculated by combining the area of all exposed sign faces and the cabinet or structure surrounding them.

TABLE 7.08(A) PROJECTING MARQUEE SIGN REQUIREMENTS	
Permitted Districts	Refer to Table 7.05(A). Permitted Sign Types by District
Sign Area	Maximum area for each marquee sign is 32 sf per face with 2 or more faces, or 1 curved face, maximum 60 sf per sign. Refer to <u>Table 7.05(B). Maximum Total Quantity of Signs Permitted by District</u> for maximum per lot.
Height	8 ft. minimum clearance to walk required
Location on the Building or Site	Front and street-side facades only
Placement on the Building or Site	Maximum projection from building is 6 ft; Shall not project closer than 3 ft. from back of curb.
Quantity	1 per lot
Internal Illumination	Permitted for individual letters and logos and permitted for Manually Changeable Copy Boards
Materials	Finished (painted or sealed) solid wood, metal, masonry & neon glass; plastic synthetics for Manually Changeable Copy Boards.

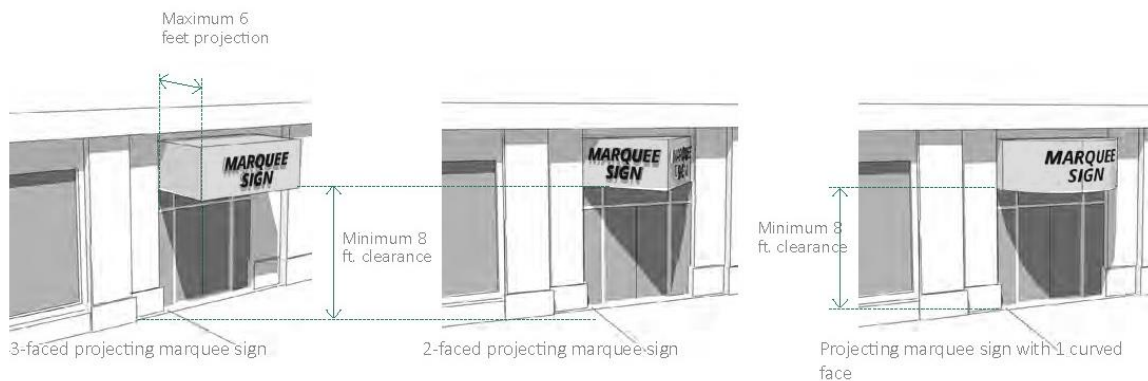


FIGURE 7.08(2). EXAMPLES OF PROJECTING MARQUEE SIGNS

7.09 AWNING SIGN

A. DESCRIPTION

A sign that is mounted, painted, or otherwise applied on or attached to an awning or canopy. Refer to Figure 7.09(2) for an example illustration.

B. GENERAL REQUIREMENTS

Awning Signs shall be developed according to the standards in Table 7.09(A).

C. COMPUTATION

The area of an awning sign is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements of the sign portion of the awning, as is illustrated in Figure 7.09(3).

TABLE 7.09(A) AWNING SIGN REQUIREMENTS	
Permitted Districts	Refer to Table 7.05(A). Permitted Sign Types by District
Sign Area	Maximum area for each awning sign is 50 sq ft, and no more than 30% of the awning may be used for signage; Refer to Table 7.05(B). Maximum Total Quantity of Signs Permitted by District for maximum per lot.
Height	8 ft. minimum clearance to walk required; maximum letter or logo height is 2 ft. Shall not project above the second story floor or window sill, or roof line, whichever is closer to the ground plane.
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	Maximum projection from building is 6 ft; shall not project closer than 2 ft. from back of curb; shall not block any window, door, or the building roof.
Quantity	1 per tenant per street frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Not permitted
Materials	Cloth, canvas, metal, or wood; all supports shall be made of metal or wood



FIGURE 7.09(2). EXAMPLE OF AWNING SIGN

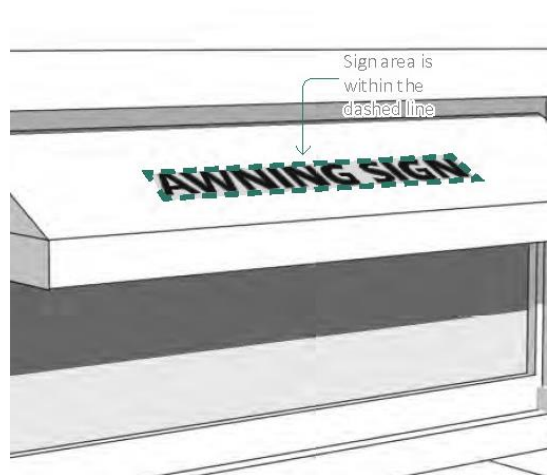


FIGURE 7.09(3). AREA CALCULATION FOR AWNING SIGN

7.10 CANOPY-MOUNTED SIGN

A. DESCRIPTION

A sign with individual alphanumeric characters and/or logos that is mounted on top of a permanent canopy. Refer to [Figure 7.10\(2\)](#) for an example illustration.

B. GENERAL REQUIREMENTS

Canopy-Mounted Signs shall be developed according to the standards in Table 7.10(A).

C. COMPUTATION

The area of a Canopy-Mounted Sign is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements of the sign portion of the Canopy-Mounted Sign, as is illustrated in [Figure 7.10\(3\)](#).

TABLE 7.10(A) CANOPY-MOUNTED SIGN REQUIREMENTS	
Permitted Districts	Refer to Table 7.05(A). Permitted Sign Types by District
Sign Area	Maximum area for each canopy-mounted sign is 30 sq ft; Refer to Table 7.05(B). Maximum Total Quantity of Signs Permitted by District for maximum per lot.
Height	2 ft. maximum letter or element height; cannot project more than 2.5 ft. above second story floor or window sill, or roof line, whichever is closer to the ground plane.
Location on the Building or Site	Permitted on all facades; prohibited on the principal roof of the building
Placement on the Building or Site	Shall not project beyond the front edge of the canopy; shall not block any window, door, or the building roof.
Quantity	1 per tenant per street frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Permitted for individual letters and logos
Materials	Finished (painted or sealed) solid wood or metal; plastic & synthetics permitted only as separate alphanumeric characters or logos



FIGURE 7.10(2). EXAMPLE OF CANOPY-MOUNTED SIGN

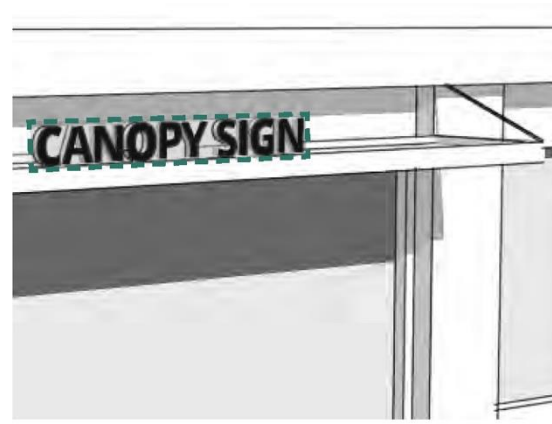


FIGURE 7.10(3). AREA CALCULATION FOR CANOPY-MOUNTED SIGN

7.11 WINDOW SIGN

A. DESCRIPTION

A Window Sign is painted, placed, or affixed in or on a window exposed for public view or is a sign hung inside the building facing the window for public view. Figure 7.11(2) for an example illustration.

B. GENERAL REQUIREMENTS

Window Signs shall be developed according to the standards in Table 7.07(A). Refer to Sec. 7.03.D for allowed additional temporary special events signs.

C. COMPUTATION

A series of windows that are separated by frames or supporting material of less than 6 inches in width shall be considered a single window for the purposes of computation.

1. Measurement. To measure sign area percentage, divide the total sign area, by the total window area, as illustrated in Figure 7.11(3).
 - a. Sign area is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements.
2. Maximum Allowance. Window Signs are not counted toward a lot's maximum signage allowance per Table 7.05(B), Maximum Total Quantity of Signs Permitted by District.
3. Temporary Window Signs. Temporary Window Signs must be included in the total percentage of signage per window calculation per Table 7.07(A). Refer also to Sec. 7.03.E for temporary window signs.

TABLE 7.11(A) WINDOW SIGN REQUIREMENTS

Permitted Districts	Refer to Table 7.05(A). Permitted Sign Types by District
Sign Area	Up to 30% of a set of continuous windows may be covered with signs; no more than 50% of any one window panel may be covered with signs; no more than 10% of the square footage of windows on any facade may be covered with signs.
Height	No maximum
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	Ground or upper story windows; may be affixed to window or hung/mounted behind glass
Quantity	Ground story: no maximum quantity, limit is based on window sign area. Upper Story: 1 per tenant per floor
Internal Illumination	Not permitted, except on neon or similarly illuminated window signs
Materials	Drawn or painted on the glass; wood, metal, neon glass, plastic, or other similar materials also permitted placed in window or affixed to glass. LED ropes or similar lights are prohibited.

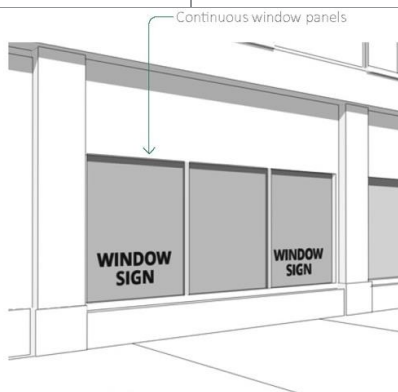


FIGURE 7.11(2). EXAMPLE OF WINDOW SIGN

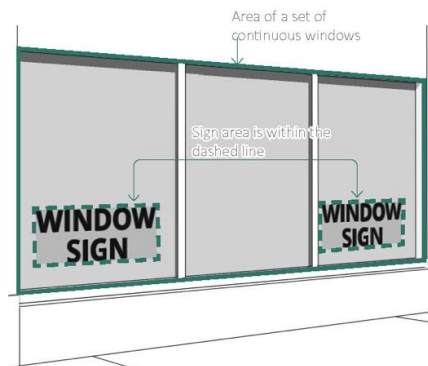


FIGURE 7.11(3). AREA CALCULATION FOR WINDOW SIGN

7.12 MONUMENT SIGN

A. DESCRIPTION

A monument sign is freestanding, located in a front or side yard of a lot. Refer to Figure 7.12(2) for an example illustration.

B. GENERAL REQUIREMENTS

Monument signs shall be developed according to the standards in Table 7.12(A).

1. Multiple Tenants. Multiple tenant buildings on a lot with a width of greater than 300 feet, measured across the front property line, may have signage with the following parameters:
 - a. Up to 2 monument signs on one frontage.
 - b. Signs shall be at least 150 feet apart.
2. Pole-Mounted Signs. Monument signs may not be pole-mounted.
3. Manually Changeable Copy. The area of any Manually Changeable Copy Board cannot equal greater than 50% of the area of the sign face on which it is located or 20 square feet, whichever is less.

C. COMPUTATION

Sign area is calculated per sign face. This measurement includes the sign, any cabinet in which it is enclosed and any changing sign portions, but excludes the base of the sign. Refer to Figure 7.12(3).

1. Measuring Height. Height shall include the sign face, base, cabinet, and ornamental cap and is measured from the closest public sidewalk elevation.

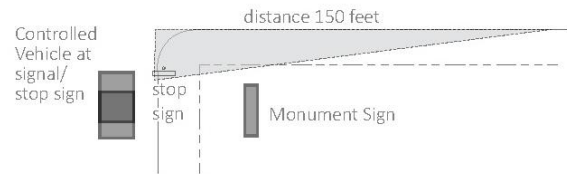


FIGURE 7.12(4). SIGHT VISIBILITY TRIANGLE FOR MONUMENT SIGNS

TABLE 7.12(A) MONUMENT SIGN REQUIREMENTS

Permitted Districts	Refer to Table 7.05(A). Permitted Sign Types by District
Sign Area	Maximum area for each monument sign is 60 sq ft. per face; Refer to Table 7.05(B). Maximum Total Quantity of Signs Permitted by District for maximum per lot.
Height	Maximum height 5'-6" 6 feet Amended via Ordinance 754
Location on the Building or Site	Front or Side Yards
Placement on the Building or Site	10 ft. setback from driveways and side property line; 3 ft. setback from all other property lines. Monument signs shall not be located within any sight triangle located at the intersection of any 2 streets or a street and driveway per Figure 7.12(4).
Quantity	1 per street frontage
Internal Illumination	Permitted for individual letters and logos; refer to section 7.15 for electronic display. Amended via Ordinance 754
Materials	Finished (painted or sealed) solid wood, metal & masonry; plastic & synthetics permitted on sign face. Foundation shall be of concrete, masonry, or similar opaque and sturdy materials that permanently attach sign to the ground.

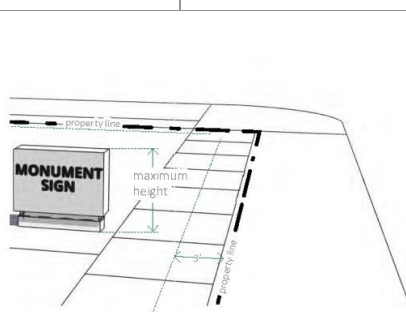


FIGURE 7.12(2). EXAMPLE OF MONUMENT SIGN

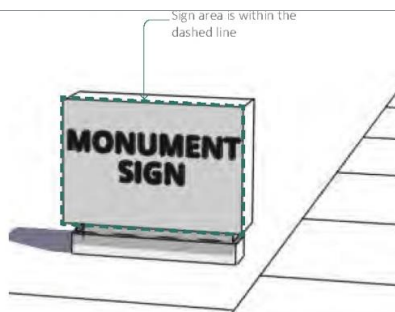


FIGURE 7.12(3). AREA CALCULATION FOR MONUMENT SIGN

7.13 PED-SCALE POLE-MOUNTED SIGN

A. DESCRIPTION

A Ped-Scale Pole-Mounted Sign is freestanding and may be mounted on 1 or 2 poles. Three configurations are permitted. Refer to Figure 7.13(3) for an example illustration.

1. A sign mounted onto a double set of poles.
2. A sign mounted on a single pole.
3. A sign hanging from a single pole.

B. GENERAL REQUIREMENTS

Ped-Scale Pole-Mounted Signs shall be developed according to the standards in Table 7.13(A).

C. COMPUTATION

The area of a Pole-Mounted Sign is equal to the area of one sign face. Refer to Figure 7.13(2).



FIGURE 7.13(2). AREA CALCULATION FOR PED-SCALE POLE-MOUNTED SIGN

TABLE 7.13(A) PED-SCALE POLE-MOUNTED SIGN REQUIREMENTS

Permitted Districts	Refer to Table 7.05(A). Permitted Sign Types by District Not allowed for lots primarily containing residential or lodging uses, except for multi-unit dwellings.
Sign Area	Maximum area for each sign is 8 sq ft. per sign face. Refer to Table 7.05(B). Maximum Total Quantity of Signs Permitted by District for maximum per lot.
Height	8 ft. maximum height for sign mounted or hanging on a single pole; 5 ft. for sign mounted on double set of poles; each pole shall have a maximum diameter or dimension of 3 inches.
Location on the Building or Site	Front or corner yards with minimum average depth of 10 feet
Placement on the Building or Site	2 ft. setback from front and corner property lines; cannot overhang property lines
Quantity	1 per lot
Internal Illumination	Permitted for individual letters and logos
Materials	Finished (painted or sealed) solid wood, metal & masonry; plastic & synthetics permitted on sign face

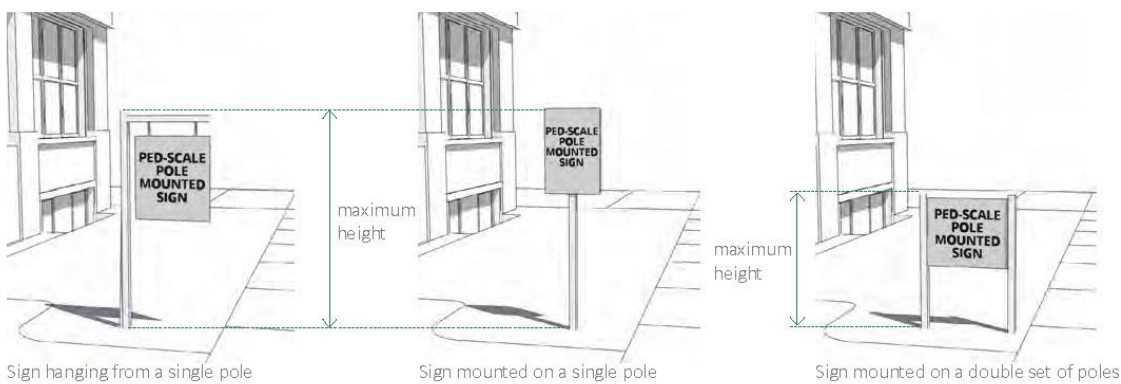


FIGURE 7.13(3). EXAMPLES OF PED-SCALE POLE-MOUNTED SIGNS

7.14 POLE SIGN

A. DESCRIPTION

A pole sign is a freestanding sign mounted on top of one or two poles, where the one or two-faced sign panel is located above the ground. Refer to Figure 7.14(1). for an example illustration of the following permitted configurations:

1. A sign mounted onto a double set of poles.
2. A sign mounted on a single pole.
3. A sign hanging from a single pole.

B. GENERAL REQUIREMENTS.

Pole-mounted signs shall be developed according to the standards in Table 7.13(D).

1. Manually Changeable Copy or Electronic Display. The area of any manually changeable copy or electronic display cannot equal greater than 50% of the area of the sign face on which it is located.

C. COMPUTATION

The area of a pole sign is equal to the area of 1 sign face, including the electronic displays.

TABLE 7.14(A) POLE SIGN REQUIREMENTS	
Permitted Districts	Refer to Table 7.05(A). Permitted Sign Types by District Allowed only for retail businesses.
Sign Area	Maximum area for each sign is 80 sq ft. per sign face. Refer to Table 7.05(B). Maximum Total Quantity of Signs Permitted by District for maximum per lot.
Height & Size	18 ft. maximum overall height; 7 ft. 6 ft. minimum clearance from bottom of sign to ground; each pole max. diameter of 6 inches. Amended via Ordinance 754
Location on the Building or Site	Front or corner yards with minimum average depth of 15 feet 7.5 feet. Amended via Ordinance 754
Placement on the Building or Site	2 ft. setback from front and corner property lines; shall not overhang property lines
Quantity	1 per lot
Internal Illumination	Permitted for individual letters and logos, and cabinet; refer to Sec. 7.15 for electronic displays.
Materials	Finished (painted or sealed) solid wood, metal & masonry; burnished, glazed, and/or honed concrete masonry units; plastic & synthetics permitted on sign face

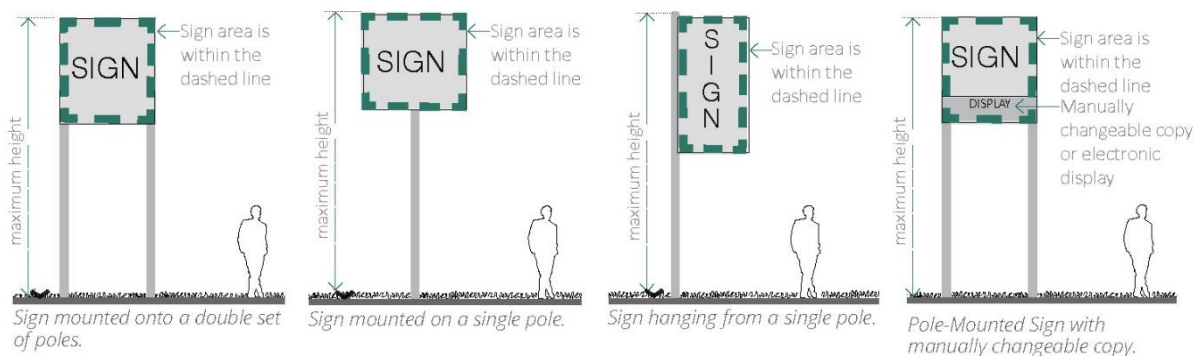


FIGURE 7.14(1). EXAMPLE OF POLE SIGNS

7.15 ELECTRONIC DISPLAYS

A. APPLICABILITY

The regulations of this division apply to electronic displays, also referred to as digital signage.

B. SIGN TYPE AND AREA

Electronic display is permitted only on the Pole ~~Signs and Monument Signs type~~. Refer to Sec. 7.14 for additional regulations for their use. **Amended via Ordinance 754**

C. DISPLAY TYPE

Signs may not display full-motion video or otherwise use multiple pictures or graphics in a series of frames to give the illusion of motion or video. This provision is intended to prohibit television screens, plasma screens, LED screens and holographic displays and other technology used to display video images.

D. DWELL TIME

The images and messages displayed on electronic displays are intended to be essentially static and must have a minimum dwell time of at least 60 seconds before changing to the next image or message. This dwell time regulation supersedes any more restrictive regulation applicable to a previously approved electronic display.

E. TRANSITION

The transition or change from one message to another must occur in one second or less and involve no animation or special effects.

F. ILLUMINATION

1. The brightness of any electronic display may not exceed a maximum illumination of 5,000 candelas per square meter (nits) during daylight hours and a maximum illumination of 500 candelas per square meter (nits) between dusk to dawn, as measured from the brightest element on the sign's face.
2. Electronic displays must be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.

G. SEPARATION FROM RESIDENTIAL

1. Electronic displays are prohibited within ~~100~~ 50 feet of any DX, N1, N2, and NX1 district. **Amended via Ordinance 754**
2. These separation distance requirements do not apply if the electronic display is not visible from the referenced district, area or lot.
3. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign face to the nearest point of the protected district or lot.

H. FUTURE AMENDMENTS

Regulations governing dynamic displays are subject to ongoing monitoring and future modification in the exercise of the borough's police powers. No vested right is ever created in an existing electronic display. If regulations governing operational aspects of electronic displays (e.g., dwell time, transitions, illumination/brightness, etc.) are modified by the borough, then sign owners and operators are required to bring electronic display advertising signs into compliance with all applicable regulations.

7.16 ADMINISTRATION OF SIGNS

A. GENERAL SIGN PERMIT PROCEDURES

1. Applicability. When compliance with this article is required, an applicant must submit an application for a sign permit except where expressly exempt from such application by this chapter. Refer to Sec. 7.02.
2. Sign Permit Required. Subject to the provisions of this chapter, signs shall be constructed, erected, installed, reconstructed, relocated, enlarged, illuminated, and/or substantially altered, only upon the issuance of a valid permit by the borough.
3. Permit Application. An application for construction, creation, or installation of a new sign, or for modification of an existing sign, shall be accompanied by detailed drawings to show the dimensions all signs and relevant building

façades, including percent of façade covered, total area of each proposed sign, colors, materials, design, structure, and dimensioned location of each particular sign on a site map of the development.

4. Consultant. If deemed necessary by the zoning officer, a consultant may be procured by the borough to provide assistance in the review of sign permits. Application fees may be established to cover the costs incurred by the consultant.
5. Final Inspection. A final inspection will be conducted after construction, erection, or installation with 48 hour notice.

B. VIOLATIONS

Any of the following shall be a violation of this ordinance, and shall be subject to the enforcement remedies and penalties provided by this ordinance:

1. Install, create, or erect a sign without a sign permit.
2. Install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the lot on which the sign is located.
3. Fail to remove any sign that is installed created, erected, or maintained in violation of this ordinance.
4. Each sign installed, created, erected, or maintained in violation of this ordinance shall be considered a separate violation when applying the penalty portions of this ordinance. Each day the violation continues is a separate violation.

C. ENFORCEMENT AND REMEDIES

As permitted, any sign in violation of this ordinance may be removed or abated by the borough. Remedies shall include, but not be limited to the following:

1. Removal of sign or any part of the sign structure.
2. Removal of any vehicle that is parked or used in a conspicuous manner as a sign.
3. Issue a stop-work order for any and all work on any sign or sign structure.
4. In the case of a sign that poses an immediate danger to the public health or safety, the borough may take such measures as are available under the applicable provisions of Borough ordinances and building code for such circumstances, including removal of such sign or sign structure.
5. Enforcement of this article shall conform to Article 9 of this zoning ordinance.

ARTICLE 8. FLOODPLAIN

8.01 AUTHORITY

The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry. Therefore, the Council of the borough of Ford City does hereby order as follows.

8.02 GENERAL PROVISIONS

A. INTENT

The intent of this ordinance is to:

1. Promote the general health, welfare, and safety of the community.
2. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
3. Minimize danger to public health by protecting water supply and natural drainage.
4. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.
5. Comply with federal and state floodplain management requirements.

B. APPLICABILITY

1. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within the borough of Ford City unless a permit has been obtained from the floodplain administrator.
2. A Permit shall not be required for minor repairs to existing buildings or structures. Section 8.02. . Abrogation and Greater Restrictions

C. ABROGATION AND GREATER RESTRICTIONS

This ordinance supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this ordinance, the more restrictive shall apply.

D. SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the ordinance, which shall remain in full force and effect, and for this purpose the provisions of this ordinance are hereby declared to be severable.

E. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection sought by the provisions of this ordinance is considered reasonable for regulatory purposes and is based on accepted engineering methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that areas outside any identified floodplain areas, or that land uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the borough or any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

8.03 ADMINISTRATION

A. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

1. The building permit officer/zoning officer is hereby appointed to administer and enforce this ordinance and is referred to herein as the floodplain administrator. The floodplain administrator may:
 - a. Fulfill the duties and responsibilities set forth in these regulations,

- b. Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees, or
 - c. Enter into a written agreement or written contract with another agency or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.
2. In the absence of a designated floodplain administrator, the floodplain administrator duties are to be fulfilled by the borough manager until a new floodplain administrator has been designated.

B. PERMITS REQUIRED

A permit shall be required before any construction or developments undertaken within any area of the borough.

C. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

1. The floodplain administrator shall issue a Permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.
2. Prior to the issuance of any permit, the floodplain administrator shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, Section 404, 33, U.S.C. 1344. No permit shall be issued until this determination has been made.
3. In the case of existing structures, prior to the issuance of any Development/Permit, the floodplain administrator shall review the history of repairs to the subject building, so that any repetitive loss concerns can be addressed before the permit is issued.
4. During the construction period, the floodplain administrator or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. He/she shall make as many inspections during and upon completion of the work as are necessary.
5. In the discharge of his/her duties, the floodplain administrator shall have the authority to enter any building, structure, premises or development in the identified floodplain area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this ordinance.
6. In the event the floodplain administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the floodplain administrator shall revoke the Permit and report such fact to the Council for whatever action it considers necessary.
7. The floodplain administrator shall maintain in perpetuity all records associated with the requirements of this ordinance including, but not limited to, finished construction elevation data, permitting, inspection and enforcement.
8. The floodplain administrator is the official responsible for submitting a biennial report to FEMA concerning community participation in the National Flood Insurance Program.
9. The responsibility, authority and means to implement the commitments of the floodplain administrator can be delegated from the person identified. However, the ultimate responsibility lies with the person identified in the floodplain ordinance as the floodplain administrator/manager.
10. The floodplain administrator shall consider the requirements of the 34 PA Code and the 2009 IBC and the 2009 IRC or latest revisions thereof.

D. APPLICATION PROCEDURES AND REQUIREMENTS

1. Application for such a Permit shall be made, in writing, to the floodplain administrator on forms supplied by the borough of Ford City. Such application shall contain the following:
 - a. Name and address of applicant.
 - b. Name and address of owner of land on which proposed construction is to occur.
 - c. Name and address of contractor.

- d. Site location including address.
 - e. Listing of other permits required.
 - f. Brief description of proposed work and estimated cost, including a breakout of flood-related cost and the market value of the building before the flood damage occurred where appropriate.
 - g. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.
2. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for Permits shall provide all the necessary information in sufficient detail and clarity to enable the floodplain administrator to determine that:
 - a. all such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
 - b. all utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage;
 - c. adequate drainage is provided so as to reduce exposure to flood hazards;
 - d. structures will be anchored to prevent flotation, collapse, or lateral movement;
 - e. building materials are flood-resistant;
 - f. appropriate practices that minimize flood damage have been used; and
 - g. electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and located to prevent water entry or accumulation.
 3. Applicants shall file the following minimum information plus any other pertinent information as may be required by the floodplain administrator to make the above determination:
 - a. A completed Permit Application Form.
 - b. A plan of the entire site, clearly and legibly drawn at a scale of 1 inch being equal to 100 feet or less, showing the following:
 - (i) north arrow, scale, and date;
 - (ii) topographic contour lines, if available;
 - (iii) the location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and development;
 - (iv) the location of all existing streets, drives, and other access ways; and
 - (v) the location of any existing bodies of water or watercourses, identified floodplain areas, and, if available, information pertaining to the floodway, and the flow of water including direction and velocities.
 - c. Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:
 - (i) the proposed lowest floor elevation of any proposed building based upon North American Vertical Datum of 1988;
 - (ii) the elevation of the base flood;
 - (iii) supplemental information as may be necessary under 34 PA Code, the 2009 IBC or the 2009 IRC.
 - d. The following data and documentation:
 - (i) if available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood; and Floodway Area (See [Sec. 8.04.](#)) when combined with all other existing and anticipated development, will not increase the base flood elevation at any point.
 - (ii) documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within an AE Area/District without floodway (see [Sec. 8.04.](#)) when combined with all other existing and anticipated development, will not increase the base flood elevation more than 1 foot at any point within the community.
 - (iii) a document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood.
 - (iv) Such statement shall include a description of the type and extent of flood proofing measures which have been incorporated into the design of the structure and/or the development.
 - (v) detailed information concerning any proposed flood proofing measures and corresponding elevations.

- (vi) detailed information needed to determine compliance with [Sec. 8.05.](#)[Sec. 6](#) Storage, and [Sec. 8.05.](#), Development Which May Endanger Human Life, including:

the amount, location and purpose of any materials or substances referred to in [Sec. 8.05.](#) and [Sec. 8.05.](#) which are intended to be used, produced, stored or otherwise maintained on site.

a description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in [Sec. 8.05.](#) during a base flood.

- (vii) the appropriate component of the Department of Environmental Protection's "Planning Module for Land Development."

- (viii) where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection, to implement and maintain erosion and sedimentation control.

- 4. Applications for Permits shall be accompanied by a fee, payable to the municipality based upon the estimated cost of the proposed construction as determined by the floodplain administrator.

E. REVIEW BY COUNTY CONSERVATION DISTRICT

- 1. A copy of all applications and plans for any proposed construction or development in any identified floodplain area to be considered for approval shall be submitted by the floodplain administrator to the County Conservation District for review and comment prior to the issuance of a Permit. The recommendations of the Conservation District shall be considered by the floodplain administrator for possible incorporation into the proposed plan.
- 2. Review of Application by Others. A copy of all plans and applications for any proposed construction or development in any identified floodplain area to be considered for approval may be submitted by the floodplain administrator to any other appropriate agencies and/or individuals (e.g. planning commission, municipal engineer, etc.) for review and comment.

F. CHANGES

After the issuance of a Permit by the floodplain administrator, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the floodplain administrator. Requests for any such change shall be in writing, and shall be submitted by the applicant to floodplain administrator for consideration.

G. PLACARDS

In addition to the Permit, the floodplain administrator shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the Permit, the date of its issuance, and be signed by the floodplain administrator.

H. START OF CONSTRUCTION

Work on the proposed construction or development shall begin within 180 days after the date of issuance of the development permit. Work shall also be completed within 12 months after the date of issuance of the permit or the permit shall expire unless a time extension is granted, in writing, by the floodplain administrator. The issuance of development permit does not refer to the zoning approval.

The actual start of construction means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds. not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first, alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Time extensions shall be granted only if a written request is submitted by the applicant, who sets forth sufficient and reasonable cause for the floodplain administrator to approve such a request and the original permit is compliant with the ordinance & FIRM/FIS in effect at the time the extension is granted.

I. ENFORCEMENT

- 1. Notices. Whenever the floodplain administrator or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this ordinance, or of any

regulations adopted pursuant thereto, the floodplain administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall:

- a. be in writing;
 - b. include a statement of the reasons for its issuance;
 - c. allow a reasonable time not to exceed a period of 30 days for the performance of any act it requires;
 - d. be served upon the property owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of, this State;
 - e. contain an outline of remedial actions which, if taken, will effect compliance with the provisions of this ordinance.
2. Penalties. Any person who fails to comply with any or all of the requirements or provisions of this ordinance or who fails or refuses to comply with any notice, order of direction of the floodplain administrator or any other authorized employee of the municipality shall be guilty of a misdemeanor and upon conviction shall pay a fine to the borough of Ford City, of not less than 25 dollars nor more than 300 dollars plus costs of prosecution. In addition to the above penalties all other actions are hereby reserved including an action in equity for the proper enforcement of this ordinance. The imposition of a fine or penalty for any violation of, or noncompliance with this ordinance shall not excuse the violation or noncompliance or permit it to continue. All such persons shall be required to correct or remedy such violations and noncompliance within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered, or relocated, in noncompliance with this ordinance may be declared by the borough to be a public nuisance and abatable as such.

J. APPEALS

Any person aggrieved by any action or decision of the floodplain administrator concerning the administration of the provisions of this ordinance, may appeal to the Zoning Hearing Board. Such appeal must be filed, in writing, within 30 days after the decision, determination or action of the floodplain administrator.

Upon receipt of such appeal the Zoning Hearing Board shall consider the appeal in accordance with the Municipal Planning Code and any other local ordinance.

Any person aggrieved by any decision of the Zoning Hearing Board may seek relief therefrom by appeal to court, as provided by the laws of this State including the Pennsylvania Flood Plain Management Act.

8.04 IDENTIFICATION OF FLOODPLAIN AREAS

A. IDENTIFICATION

The identified floodplain area shall be any areas of the borough of Ford City, classified as Special Flood Hazard Areas (SFHAs) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) dated February 17, 2016 and issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study and,

The above referenced FIS and FIRMs, and any subsequent revisions and amendments are hereby adopted by the borough of Ford City and declared to be a part of this ordinance.

B. DESCRIPTION AND SPECIAL REQUIREMENTS OF IDENTIFIED FLOODPLAIN AREAS

The identified floodplain area shall consist of the following specific areas:

1. The Floodway Area shall be those areas identified in the FIS and the FIRM as floodway and which represent the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation by more than 1 foot at any point. This term shall also include floodway areas which have been identified in other available studies or sources of information for those Special Flood Hazard Areas where no floodway has been identified in the FIS and FIRM.
 - a. Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

- b. Within any floodway area, no new construction or development shall be allowed, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.
- 2. The Area shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided.
 - a. The AE Area adjacent to the floodway shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided and a floodway has been delineated.
 - b. AE Area without floodway shall be those areas identified as an AE zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided but no floodway has been determined.
 - (i) No permit shall be granted for any construction, development, use, or activity within any AE Area without floodway unless it is demonstrated that the cumulative effect of the proposed development would not, together with all other existing and anticipated development, increase the BFE more than 1 foot at any point.
 - (ii) No new construction or development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.

C. CHANGES IN IDENTIFICATION OF AREA

The Identified Floodplain Area may be revised or modified by the borough Council where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change to the Special Flood Hazard Area, approval must be obtained from FEMA. Additionally, as soon as practicable, but not later than 6 months after the date such information becomes available, a community shall notify FEMA of the changes to the Special Flood Hazard Area by submitting technical or scientific data. See [Sec. 8.05. .2\)](#) for situations where FEMA notification is required.

D. BOUNDARY DISPUTES

Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the borough of Ford City and any party aggrieved by this decision or determination may appeal to the borough Council. The burden of proof shall be on the appellant.

E. JURISDICTIONAL BOUNDARY CHANGES

Prior to development occurring in areas where annexation or other corporate boundary changes are proposed or have occurred, the community shall review flood hazard data affecting the lands subject to boundary changes. The community shall adopt and enforce floodplain regulations in areas subject to annexation or corporate boundary changes, which meet or exceed those in CFR 44 60.3.

8.05 TECHNICAL PROVISIONS

A. GENERAL

- 1. Alteration or Relocation of Watercourse
 - a. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the municipality, and until all required permits or approvals have first been obtained from the Department of Environmental Protection Regional Office.
 - b. No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood carrying capacity of the watercourse in any way.
 - c. In addition, FEMA and the Pennsylvania Department of Community and Economic Development, shall be notified prior to any alteration or relocation of any watercourse.
 - d. The applicant shall be responsible for providing all technical or scientific data, as well as all fees associated with processing Letters of Map Change, to the community for submission of this data to FEMA and the Pennsylvania Department of Community and Economic Development
- 2. When a community proposes to permit the following encroachments:
 - a. any development that causes a rise in the base flood elevations within the floodway; or
 - b. any development occurring in Zones AI-30 and Zone AE without a designated floodway, which will cause a rise of more than one foot in the base flood elevation; or
 - c. alteration or relocation of a stream (including but not limited to installing culverts and bridges), the applicant shall (as per 44 CFR Part 65.12):

- d. apply to FEMA for conditional approval of such action prior to permitting the encroachments to occur.
 - e. Upon receipt of the Administrator's conditional approval of map change and prior to approving the proposed encroachments, a community shall provide evidence to FEMA of the adoption of floodplain management ordinances incorporating the increased base flood elevations and/ or revised floodway reflecting the post-project condition.
 - f. Upon completion of the proposed encroachments, a community shall provide as- built certifications. FEMA will initiate a final map revision upon receipt of such certifications in accordance with 44 CFR Part 67.
3. Any new construction, development, uses or activities allowed within any identified floodplain area shall be undertaken in strict compliance, with the provisions contained in this ordinance and any other applicable codes, ordinances and regulations.

B. ELEVATION AND FLOOD PROOFING REQUIREMENTS

1. Residential Structures
 - a. In AE, AI-30, and AH Zones, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation (i.e. the base flood elevation plus 1 ½ foot).
 - b. In A Zones, where there are no Base Flood Elevations specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation determined in accordance with [Sec. 8.04.3](#) of this ordinance.
 - c. In AO Zones, any new construction or substantial improvement shall have the lowest floor (including basement) at or above the highest adjacent grade at least as high as the depth number specified on the FIRM.
 - d. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 PA Code (Chapters 401-405 as amended) shall be utilized, where they are more restrictive.
2. Non-residential Structures
 - a. In AE, AI-30 and AH Zones, any new construction or substantial improvement of a non-residential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation, or be designed and constructed so that the space enclosed below the regulatory flood elevation:
 - (i) is flood proofed so that the structure is watertight with walls substantially impermeable to the passage of water and,
 - (ii) has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy:
 - b. In A Zones, where no Base Flood Elevations are specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated or completely flood proofed up to, or above, the regulatory flood elevation determined in accordance with [Sec. 8.04. _](#) of this ordinance.
 - c. In AO Zones, any new construction or substantial improvement shall have their lowest floor elevated or completely flood proofed above the highest adjacent grade to at least as high as the depth number specified on the FIRM.
 - d. Any non-residential structure, or part thereof, made watertight below the regulatory flood elevation shall be flood proofed in accordance with the WI or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972, as amended March 1992) or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.
 - e. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 PA Code (Chapters 401-405 as amended) shall be utilized, where they are more restrictive.
3. Space below the lowest floor
 - a. Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.

- b. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - (i) a minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space.
 - (ii) the bottom of all openings shall be no higher than 1 foot above grade.
 - (iii) openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- 4. Historic Structures. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this ordinance, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.
- 5. Accessory structures. Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:
 - a. the structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.
 - b. floor area shall not exceed 200 square feet.
 - c. The structure will have a low damage potential.
 - d. the structure will be located on the site so as to cause the least obstruction to the flow of flood waters.
 - e. power lines, wiring, and outlets will be elevated to the regulatory flood elevation.
 - f. permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers, etc. are prohibited.
 - g. sanitary facilities are prohibited.
 - h. the structure shall be adequately anchored to prevent flotation, collapse, and lateral movement and shall be designed to automatically provide for the entry and exit of floodwater for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - (i) a minimum of two openings having a net total area of not less than 1 square inch for every square foot of enclosed space.
 - (ii) the bottom of all openings shall be no higher than 1 foot above grade.
 - (iii) openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

C. DESIGN AND CONSTRUCTION STANDARDS

The following minimum standards shall apply for all construction and development proposed within any identified floodplain area:

- 1. Fill. If fill is used, it shall:
 - a. extend laterally at least 15 feet beyond the building line from all points;
 - b. consist of soil or small rock materials only - Sanitary Landfills shall not be permitted;
 - c. be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
 - d. be no steeper than 1 vertical to 2 horizontal feet unless substantiated data justifying steeper slopes are submitted to, and approved by the floodplain administrator; and
 - e. be used to the extent to which it does not adversely affect adjacent properties.
- 2. Drainage Facilities. Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall ensure proper drainage along streets, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.
- 3. Water and Sanitary Sewer Facilities and Systems
 - a. All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.

- b. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
 - c. No part of any on-site waste disposal system shall be located within any identified floodplain area except in strict compliance with all State and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
 - d. The design and construction provisions of the UCC and FEMA #348, "Protecting Building Utilities From Flood Damages" and "The International Private Sewage Disposal Code" shall be utilized.
4. Other Utilities. All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
5. Streets. The finished elevation of all new streets shall be no more than 1 foot below the Regulatory Flood Elevation.
6. Storage. All materials that are buoyant, flammable, explosive, or in times of flooding, could be injurious to human, animal, or plant life, and not listed in [Sec. 8.05.](#), Development Which May Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation or floodproofed to the maximum extent possible.
7. Placement of Buildings and Structures. All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water.
8. Anchoring
 - a. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
 - b. All air ducts, large pipes, storage tanks, and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.
9. Floors, Walls and Ceilings
 - a. Wood flooring used at or below the Regulatory Flood Elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.
 - b. Plywood used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.
 - c. Walls and ceilings at or below the regulatory flood elevation shall be designed and constructed of materials that are "water-resistant" and will withstand inundation.
 - d. Windows, doors, and other components at or below the regulatory flood elevation shall be made of metal or other "water-resistant" material.
10. Paints and Adhesives
 - a. Paints and other finishes used at or below the regulatory flood elevation shall be of "marine" or "water-resistant" quality.
 - b. Adhesives used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.
 - c. All wooden components (doors, trim, cabinets, etc.) used at or below the regulatory flood elevation shall be finished with a "marine" or "water-resistant" paint or other finishing material.
11. Electrical Components
 - a. Electrical distribution panels shall be at least 3 feet above the base flood elevation.
 - b. Separate electrical circuits shall serve lower levels and shall be dropped from above.
12. Equipment. Water heaters, furnaces, air conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the regulatory flood elevation.
13. Fuel Supply Systems. All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.
14. Uniform Construction Code Coordination. The Standards and Specifications contained 34 PA Code (Chapters 401-405), as amended and not limited to the following provisions shall apply to the above and other sections and sub-sections of this ordinance, to the extent that they are more restrictive and supplement the requirements of this ordinance.
 - a. International Building Code (IBC) 2009 or the latest edition thereof: Secs. 801, 1202, 1403, 1603, 1605, 1612, 3402, and Appendix G.

- b. International Residential Building Code (IRC) 2009 or the latest edition thereof: Secs. R104, R105, R109, R322, Appendix E, and Appendix J.

D. DEVELOPMENT WHICH MAY ENDANGER HUMAN LIFE

1. In accordance with the Pennsylvania Flood Plain Management Act, and the regulations adopted by the Department of Community and Economic Development as required by the Act, any or substantially improved structure which:
 - a. will be used for the production or storage of any of the following dangerous materials or substances; or,
 - b. will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or,
 - c. will involve the production, storage, or use of any amount of radioactive substances;

shall be subject to the provisions of this section, in addition to all other applicable provisions. The following list of materials and substances are considered dangerous to human life:

- d. Acetone
 - e. Ammonia
 - f. Benzene
 - g. Calcium carbide
 - h. Carbon disulfide
 - i. Celluloid
 - j. Chlorine
 - k. Hydrochloric acid
 - l. Hydrocyanic acid
 - m. Magnesium
 - n. Nitric acid and oxides of nitrogen
 - o. Petroleum products (gasoline, fuel oil, etc.)
 - p. Phosphorus
 - q. Potassium
 - r. Sodium
 - s. Sulphur and sulphur products
 - t. Pesticides (including insecticides, fungicides, and rodenticides)
 - u. Radioactive substances, insofar as such substances are not otherwise regulated.
2. Within any Floodway Area, any structure of the kind described in Subsection A., above, shall be prohibited. Where permitted within any Identified Floodplain Area, any new or substantially improved residential structure of the kind described in [Sec. 8.05.1](#), above, shall be elevated to remain completely dry up to at least 1 ½ feet above base flood elevation and built in accordance with [Sec. 8.05.](#), [Sec. 8.05.](#) and [Sec. 8.05.](#)
 3. Where permitted within any Identified Floodplain Area, any new or substantially improved non-residential structure of the kind described in [Sec. 8.05.1](#) above, shall be built in accordance with [Sec. 8.05.](#), [Sec. 8.05.](#) and [Sec. 8.05.](#) including:
 - a. elevated, or designed and constructed to remain completely dry up to at least 1 ½ feet above base flood elevation, and
 - b. designed to prevent pollution from the structure or activity during the course of a base flood.

Any such structure, or part thereof, that will be built below the regulatory flood elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication "Flood-Proofing Regulations (U.S. Army Corps of Engineers, June 1972 as amended March 1992), or with some other equivalent watertight standard.

E. SPECIAL REQUIREMENTS FOR SUBDIVISIONS AND DEVELOPMENT

All subdivision proposals and development proposals containing at least 50 lots or at least 5 acres, whichever is the lesser, in Identified Floodplain Areas where base flood elevation data are not available, shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for a Conditional Letter of Map Revision and Letter of Map Revision. Submittal requirements and processing fees shall be the responsibility of the applicant.

F. SPECIAL REQUIREMENTS FOR MANUFACTURED HOMES

1. Where permitted within any Identified Floodplain Area, all manufactured homes, and any improvements thereto, shall be:
 - a. elevated so that the lowest floor of the manufactured home is at least 1 ½ feet above base flood elevation;
 - b. and anchored to resist flotation, collapse, or lateral movement.
 - c. and have all ductwork and utilities including HVAC/heat pump elevated to the Regulatory Flood Elevation.
2. Installation of manufactured homes shall be done in accordance with the manufacturers' installation instructions as provided by the manufacturer. Where the applicant cannot provide the above information, the requirements of Appendix E of the 2009 "International Residential Building Code" or the "U.S. Department of Housing and Urban Development's Permanent Foundations for Manufactured Housing," 1984 Edition, draft or latest revision thereto and 34 PA Code Chapter 401-405 shall apply.
3. Consideration shall be given to the installation requirements of the 2009 IBC, and the 2009 IRC or the most recent revisions thereto and 34 PA Code, as amended where appropriate and/or applicable to units where the manufacturers' standards for anchoring cannot be provided or were not established for the proposed unit(s) installation.

G. SPECIAL REQUIREMENTS FOR RECREATIONAL VEHICLES

Recreational vehicles in Zones A, AI-30, AH and AE must either:

1. be on the site for fewer than 180 consecutive days, and
2. be fully licensed and ready for highway use, or
3. meet the permit requirements for manufactured homes in [Sec. 8.05.F.](#)

8.06 ACTIVITIES REQUIRING SPECIAL PERMITS**A. GENERAL**

In accordance with the administrative regulations promulgated by the Department of Community and Economic Development to implement the Pennsylvania Flood Plain Management Act, the following activities shall be prohibited within any Identified Floodplain Area unless a Special Permit has been issued by the borough of Ford City:

1. The commencement of any of the following activities; or the construction, enlargement, or expansion of any structure used, or intended to be used, for any of the following activities:
 - a. Hospitals
 - b. Nursing homes
 - c. Jails or prisons
2. The commencement of, or any construction of, a new manufactured home park or manufactured home subdivision, or substantial improvement to an existing manufactured home park or manufactured home subdivision.

B. APPLICATION REQUIREMENTS FOR SPECIAL PERMITS

Applicants for Special Permits shall provide five copies of the following items:

1. Written request including a completed Permit Application Form.
2. A small scale map showing the vicinity in which the proposed site is located.
3. A plan of the entire site, clearly and legibly drawn at a scale of 1 inch being equal to 100 feet or less, showing the following:
 - a. north arrow, scale and date;
 - b. topography based upon the North American Vertical Datum (NAVD) of 1988, showing existing and proposed contours at intervals of 2 feet;
 - c. all property and lot lines including dimensions, and the size of the site expressed in acres or square feet;
 - d.
 - e. the location of all existing streets, drives, other access ways, and parking areas, with information concerning widths, pavement types and construction, and elevations;
 - f. the location of any existing bodies of water or watercourses, buildings, structures
 - g. and other public or private facilities, including railroad tracks and facilities, and any other natural and man-made features affecting, or affected by, the proposed activity or development;

- h. the location of the floodplain boundary line, information and spot elevations concerning the base flood elevation, and information concerning the flow of water including direction and velocities;
 - i. the location of all proposed buildings, structures, utilities, and any other improvements; and
 - j. any other information which the municipality considers necessary for adequate review of the application.
4. Plans of all proposed buildings, structures and other improvements, clearly and legibly drawn at suitable scale showing the following:
- a. sufficiently detailed architectural or engineering drawings, including floor plans, sections, and exterior building elevations, as appropriate;
 - b. for any proposed building, the elevation of the lowest floor (including basement) and, as required, the elevation of any other floor;
 - c. complete information concerning flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the base flood;
 - d. detailed information concerning any proposed floodproofing measures;
 - e. cross section drawings for all proposed streets, drives, other accessways, and parking areas, showing all rights-of-way and pavement widths;
 - f. profile drawings for all proposed streets, drives, and vehicular accessways including existing and proposed grades; and
 - g. plans and profiles of all proposed sanitary and storm sewer systems, water supply systems, and any other utilities and facilities.
5. The following data and documentation:
- a. certification from the applicant that the site upon which the activity or development is proposed is an existing separate and single parcel, owned by the applicant or the client he represents;
 - b. certification from a registered professional engineer, architect, or landscape architect that the proposed construction has been adequately designed to protect against damage from the base flood;
 - c. a statement, certified by a registered professional engineer, architect, landscape architect, or other qualified person which contains a complete and accurate description of the nature and extent of pollution that might possibly occur from the development during the course of a base flood, including a statement concerning the effects such pollution may have on human life;
 - d. a statement certified by a registered professional engineer, architect, or landscape architect, which contains a complete and accurate description of the effects the proposed development will have on base flood elevation and flows;
 - e. a statement, certified by a registered professional engineer, architect, or landscape architect, which contains a complete and accurate description of the kinds and amounts of any loose buoyant materials or debris that may possibly exist or be located on the site below the base flood elevation and the effects such materials and debris may have on base flood elevation and flows;
 - f. the appropriate component of the Department of Environmental Protection's "Planning Module for Land Development;"
 - g. where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control;
 - h. any other applicable permits such as, but not limited to, a permit for any activity regulated by the Department of Environmental Protection under Section 302 of Act 1978-166; and
 - i. an evacuation plan which fully explains the manner in which the site will be safely evacuated before or during the course of a base flood.

C. APPLICATION REVIEW PROCEDURES

Upon receipt of an application for a Special Permit by the borough of Ford City the following procedures shall apply in addition to those of Article III:

- 1. Within 3 working days following receipt of the application, a complete copy of the application and all accompanying documentation shall be forwarded to the County Planning Commission by registered or certified mail for its review and recommendations. Copies of the application shall also be forwarded to the borough Planning Commission and Borough engineer for review and comment.
- 2. If an application is received that is incomplete, the borough shall notify the applicant in writing, stating in what respect the application is deficient.

3. If the borough decides to disapprove an application, it shall notify the applicant, in writing, of the reasons for the disapproval.
4. If the borough approves an application, it shall file written notification, together with the application and all pertinent information, with the Department of Community and Economic Development, by registered or certified mail, within 5 working days after the date of approval.
5. Before issuing the Special Permit, the borough shall allow the Department of Community and Economic Development 30 days, after receipt of the notification by the Department, to review the application and decision made by the borough.
6. If the borough does not receive any communication from the Department of Community and Economic Development during the 30 day review period, it may issue a Special Permit to the applicant.
7. If the Department of Community and Economic Development should decide to disapprove an application, it shall notify the borough and the applicant, in writing, of the reasons for the disapproval, and the borough shall not issue the Special Permit.

D. SPECIAL TECHNICAL REQUIREMENTS

1. In addition to the requirements of Article V of this ordinance, the following minimum requirements shall also apply to any proposed development requiring a Special Permit. If there is any conflict between any of the following requirements and those in Article V of this ordinance or in any other code, ordinance, or regulation, the more restrictive provision shall apply.
2. No application for a Special Permit shall be approved unless it can be determined that the structure or activity will be located, constructed and maintained in a manner which will:
 - a. Fully protect the health and safety of the general public and any occupants of the structure. At a minimum, all new structures shall be designed, located, and constructed so that:
 - (i) the structure will survive inundation by waters of the base flood without any lateral movement or damage to either the structure itself, or to any of its equipment or contents below the BFE.
 - (ii) the lowest floor (including basement) will be elevated to at least 1 ½ feet above base flood elevation.
 - (iii) the occupants of the structure can remain inside for an indefinite period of time and be safely evacuated at any time during the base flood.
 - b. Prevent any significant possibility of pollution, increased flood levels or flows, or debris endangering life and property.

All hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc. shall be submitted in sufficient detail to allow a thorough technical review by the borough of Ford City and the Department of Community and Economic Development.

8.07 EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS

A. EXISTING STRUCTURES

The provisions of this ordinance do not require any changes or improvements to be made to lawfully existing structures. However, when an improvement is made to any existing structure, the provisions of [Sec. 8.07.](#) shall apply.

B. IMPROVEMENTS

The following provisions shall apply whenever any improvement is made to an existing structure located within any Identified Floodplain Area:

1. No expansion or enlargement of an existing structure shall be allowed within any Floodway Area that would cause any increase in BFE.
2. No expansion or enlargement of an existing structure shall be allowed within AE Area/District without floodway that would, together with all other existing and anticipated development, increase the BFE more than 1 foot at any point.
3. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure to an extent or amount of 50% or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this ordinance.

4. The above activity shall also address the requirements of the 34 PA Code, as amended and the 2009 IBC and the 2009 IRC.
5. Within any Floodway Area (see [Sec. 8.04.](#)), no new construction or development shall be allowed, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office
6. Within any AE Area without Floodway (see [Sec. 8.04.](#)), no new construction or development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.
7. Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of “repetitive loss” shall be undertaken only in full compliance with the provisions of this ordinance.

8.08 VARIANCES

A. GENERAL

If compliance with any of the requirements of this ordinance would result in an exceptional hardship to a prospective builder, developer or landowner, the borough may, upon request, grant relief from the strict application of the requirements.

B. VARIANCE PROCEDURES AND CONDITIONS

Requests for variances shall be considered by the borough in accordance with the procedures contained in [Sec. 8.03.J](#) and the following:

1. No variance shall be granted for any construction, development, use, or activity within any Floodway Area/District that would cause any increase in the BFE.
2. No variance shall be granted for any construction, development, use, or activity within any AE Area/District without floodway that would, together with all other existing and anticipated development, increase the BFE more than 1 foot at any point.
3. Except for a possible modification of the regulatory flood elevation requirement involved, no variance shall be granted for any of the other requirements pertaining specifically to development regulated by Special Permit (or Prohibited Activities) ([Sec. 8.06](#)) or to Development Which May Endanger Human Life ([Sec. 8.05.](#)).
4. If granted, a variance shall involve only the least modification necessary to provide relief.
5. In granting any variance, the borough shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objectives of this ordinance.
6. Whenever a variance is granted, the borough shall notify the applicant in writing that:
 - a. The granting of the variance may result in increased premium rates for flood insurance.
 - b. Such variances may increase the risks to life and property.
7. In reviewing any request for a variance, the borough shall consider, at a minimum, the following:
 - a. That there is good and sufficient cause.
 - b. That failure to grant the variance would result in exceptional hardship to the applicant.
 - c. That the granting of the variance will
 - (i) neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense,
 - (ii) nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.
8. A complete record of all variance requests and related actions shall be maintained by the borough. In addition, a report of all variances granted during the year shall be included in the annual report to the FEMA.

Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the 1% annual chance flood.

8.09 DEFINITIONS

A. GENERAL

Unless specifically defined below, words and phrases used in this ordinance shall be interpreted so as to give this ordinance its' most reasonable application.

B. SPECIFIC DEFINITIONS

1. Accessory use or structure - a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
2. Base flood - a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood" or 1% annual chance flood).
3. Base flood discharge - the volume of water resulting from a Base Flood as it passes a given location within a given time, usually expressed in cubic feet per second (cfs).
4. Base flood elevation (BFE) - the elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, AI-30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.
5. Basement - any area of the building having its floor below ground level on all sides.
6. Building - a combination of materials to form a permanent structure having walls and a roof. Included shall be all manufactured homes and trailers to be used for human habitation.
7. Development - any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.
8. Existing manufactured home park or subdivision - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
9. Expansion to an existing manufactured home park or subdivision - the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
10. Flood - a temporary inundation of normally dry land areas.
11. Flood Insurance Rate Map (FIRM) - the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
12. Flood Insurance Study (FIS) - the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.
13. Floodplain area - a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.
14. Floodproofing - any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
15. Floodway - the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
16. Highest Adjacent Grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
17. Historic structures - any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - c. Individually listed on a state inventory of historic places in states which have been approved by the Secretary of the Interior; or
 - d. Individually listed on a local inventory of historic places in communities with historic preservation that have been certified either:
 - (i) By an approved state program as determined by the Secretary of the Interior or
 - (ii) Directly by the Secretary of the Interior in states without approved programs.
18. Identified Floodplain Area- This term is an umbrella term that includes all of the areas within which the community has selected to enforce floodplain regulations. It will always include the area identified as the Special Flood Hazard Area on the Flood Insurance Rate Maps and Flood Insurance Study, but may include additional areas identified by the community. See [Sec. 8.04.](#) and [Sec. 8.04.](#) for the specifics on what areas the community has included in the Identified Floodplain Area.
 19. Lowest floor - the lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this ordinance.
 20. Manufactured home - a structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.
 21. Manufactured home park or subdivision - a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
 22. Minor repair - the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping, electric wiring, mechanical or other work affecting public health or general safety.
 23. New construction - structures for which the start of construction commenced on or after February 17, 2016 and includes any subsequent improvements to such structures. Any construction started before February 17, 2016 is subject to the floodplain management ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.
 24. New manufactured home park or subdivision - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
 25. Person - an individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.
 26. Post-FIRM Structure - is a structure for which construction or substantial improvement occurred after December 31, 1974 or on or after the community's initial Flood Insurance Rate Map (FIRM) dated March 29, 1974, whichever is later, and, as such, would be required to be compliant with the regulations of the National Flood Insurance Program.
 27. Pre-FIRM Structure - is a structure for which construction or substantial improvement occurred on or before December 31, 1974 or before the community's initial Flood Insurance Rate Map (FIRM) dated March 29, 1974, whichever is later, and, as such, would not be required to be compliant with the regulations of the National Flood Insurance Program.

28. Recreational vehicle - a vehicle which is:
 - a. built on a single chassis;
 - b. not more than 400 square feet, measured at the largest horizontal projections;
 - c. designed to be self-propelled or permanently towable by a light-duty truck,
 - d. not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
29. Regulatory flood elevation - the base flood elevation (BFE) or estimated flood height as determined using simplified methods plus a freeboard safety factor of one and 1 ½ feet.
30. Repetitive loss - flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood level, on average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.
31. Special permit - a special approval which is required for hospitals, nursing homes, jails, and new manufactured home parks/ subdivisions and substantial improvements to such existing parks, when such development is located in all, or a designated portion of a floodplain.
32. Special flood hazard area (SFHA) - means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, AI-A30, AE, A99, or, AH.
33. Start of construction - includes substantial improvement and other proposed new development and means the date the Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days after the date of the permit and shall be completed within 12 months after the date of issuance of the permit unless a time extension is granted, in writing, by the floodplain administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
34. Structure - a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.
35. Subdivision - the division or re-division of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs, or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.
36. Substantial damage - damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent or more of the market value of the structure before the damage occurred.
37. Substantial improvement - any reconstruction, rehabilitation, addition, or other improvement of a structure, of which the cost equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" or "repetitive loss" regardless of the actual repair work performed. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.
38. Uniform Construction Code (UCC) - The state\vide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third party or the Department of Labor and Industry. Applicable to residential and commercial buildings, The Code adopted The International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction

standard applicable with the State floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.

- 39. Variance- A grant of relief by a community from the terms of a floodplain management regulation.
- 40. Violation- means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CPR §60.3(b)(5), (c)(4), (c)(IO), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

ARTICLE 9. ADMINISTRATION & PROCEDURES

9.01 BOARDS AND COMMISSIONS

A. PLANNING COMMISSION

1. Appointment. The council may appoint a planning commission consisting of 5 members pursuant to the Pennsylvania Municipalities Planning Code (MPC), Act 24.
2. Power and Duties. The planning commission shall perform and may exercise the all powers and functions in accordance with the provisions of the Pennsylvania Municipalities Planning Code:
 - a. Prepare the comprehensive plan for the development of the borough, and present it for the consideration of the council.
 - b. Maintain and keep on file records of actions.
 - c. Make recommendations to the council concerning the adoption or amendment of an official map.
 - d. Prepare and present to the council a zoning ordinance, and make recommendations to the council on proposed amendments to it.
 - e. Prepare, recommend, and administer subdivision and land development, and planned residential development regulations.
 - f. Prepare and present to the council a building code and a housing code and make recommendations concerning proposed amendments.
 - g. At the request of council, perform other duties, surveys, or studies, as may be necessary to fulfill the duties and obligations per the MPC.
 - h. Submit to the council a recommended capital improvements program.
 - i. Promote public interest in, and understanding of, the comprehensive plan and planning.
 - j. Make recommendations to governmental, civic and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals.
 - k. Hold public hearings and meetings.
 - l. Present testimony before any board.
 - m. Require from other departments and agencies of the municipality such available information relates to the work of the planning commission.
 - n. In the performance of its functions, enter upon any land to make examinations and surveys with the consent of the owner.
 - o. Review the zoning ordinance, subdivision and land development ordinance, official map, provisions for planned residential development, and such other ordinances and regulations governing the development of land no less frequently than it reviews the comprehensive plan.

B. ZONING HEARING BOARD

1. Appointment. The council shall appoint a zoning hearing board consisting of 3 members pursuant to the Pennsylvania Municipalities Planning Code (MPC).
2. Power and Duties. The zoning hearing board shall perform all duties, and may exercise all powers and functions in accordance with the provisions of the Pennsylvania Municipalities Planning Code (MPC), Act 24.
 - a. Substantive challenges to the validity of any land use ordinance, except those brought before the council pursuant to sections 609.1 and 916.1(a)(2) of the MPC.
 - b. Appeals from the determination of the zoning officer, including, but not limited to, the granting or denial of any permit, or failure to act on an application, the issuance of any cease and desist order, or the registration or refusal to register any nonconforming use, structure or lot.
 - c. Appeals from a determination by a municipal engineer or the zoning officer with reference to the administration of any flood plain or flood hazard ordinance or such provisions within a land use ordinance.
 - d. Applications for variances from the terms of the zoning ordinance and flood hazard ordinance.
 - e. Applications for special exceptions under the zoning ordinance or flood plain or flood hazard ordinance or such provisions within a land use ordinance, pursuant to section 912.1.
 - f. Appeals from the zoning officer's determination regarding the validity of the ordinance, substantive questions, per section 916.2 of the MPC.
 - g. Appeals from the determination of the zoning officer or municipal engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and storm water

management, related to development not involving subdivision or riverfront overlay development plan (consistent with Articles V and VII of the MPC).

9.02 ENFORCEMENT

A. ZONING OFFICER

The council shall appoint a zoning officer to enforce the provisions of the zoning ordinance and the penal provisions of the Pennsylvania Municipalities Planning Code (MPC). The zoning officer shall administer the zoning ordinance in accordance with its literal terms and shall not have the power to permit any construction or any use or change of use which does not conform to the zoning ordinance.

B. VIOLATIONS

In case any building, structure or land is or is proposed to be erected, constructed, reconstructed, altered, converted, maintained or used in violation of this zoning ordinance, the zoning officer is authorized to issue compliance orders to landowners or order landowners to cease and desist, or may institute civil enforcement proceedings before the district magistrate, in order to prevent, restrain, correct or abate such building, structure or land or to prevent, in or about such premises, any act, conduct, business or use constituting a violation.

Actions in the Court of Common Pleas shall be instituted only with approval of the council, except for appeals, which the solicitor may file to preserve appeal rights pending authorization or confirmation by the council.

9.03 SUMMARY OF PROCEDURES

[Table 9.03\(A\)](#) provides a summary of review and decision-making authority. In the event of conflict between this summary table and the written procedures contained elsewhere in this article, the written procedures govern.

TABLE 9.03(A) SUMMARY OF REVIEW AND DECISION-MAKING AUTHORITY					
Reference	Procedure	Zoning Officer	Planning Commission	Zoning Hearing Board	Borough Council
Sec. 9.05	Text and/or Map Amendments	Review	Review	–	Decision, <i>Public Hearing</i>
Sec. 9.06	Zoning Permit	Decision	–	–	–
Sec. 9.07	Development Plan Review	Review	Review	–	Decision, <i>Public Hearing</i>
Sec. 9.08	Conditional Use Permit	Review	Review	–	Decision, <i>Public Hearing</i>
Sec. 9.09.A	Appeals of Administrative Decisions	–	–	Decision	–
Sec. 9.09.B	Special Exceptions	Review	–	Decision, <i>Public Hearing</i>	–
Sec. 9.09.C	Variances	Review	–	Decision, <i>Public Hearing</i>	–
KEY	“Review” = review and recommending authority “Decision” = review and final decision-making authority “Public Hearing” = body holding the required public hearing				

9.04 GENERAL PROCEDURES

A. PREAPPLICATION MEETINGS

1. Purpose. Preapplication meetings provide an early opportunity for staff and applicants to discuss the procedures, standards and regulations required for approval under this zoning ordinance.
2. Applicability. Preapplication meetings are required whenever the provisions of this zoning ordinance expressly state that they are required. They are encouraged in all cases.
3. Scheduling. Preapplication meetings must be scheduled with the zoning officer.

B. APPLICATIONS, NOTICES, AND FEES

1. Eligible Applicants. When the procedures of this article allow an application to be filed by an “eligible applicant,” such application must be submitted by, or on behalf of, a person, firm, corporation or organization that has one or more of the following interests that are specifically enforceable in the land that is subject to the application:
 - a. A freehold interest;
 - b. A possessory interest entitled to exclusive possession;
 - c. A contractual interest that may become a freehold possessory interest; or
 - d. Any exclusive possessory interest.

ADMINISTRATION & PROCEDURES

2. Form of Application. Applications required under this zoning ordinance must be submitted in a form and in such numbers as required by the zoning officer. Applications must include materials and information to assist authorized review and decision-making bodies in their consideration of the application, including at least the following:
 - a. A list of the names and addresses of all owners of record of the property that is the subject of the application; and
 - b. Maps, plats, surveys, dimensioned site plans, engineering documents, environmental reports, traffic studies, and other materials and information, as required by this zoning ordinance or by application checklists established by the zoning officer.
 - c. Fees and Notification Costs. All applications filed by property owners must be accompanied by the application fee that has been established by the council. Application filing fees are intended to cover the cost of providing public hearing notices and other costs related to reviewing and processing applications. Such fees are nonrefundable and may include late fees, penalties, and fees for expedited processing.

C. COMPLETENESS, ACCURACY AND SUFFICIENCY

An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information, and is accompanied by the required application filing and notification fees.

1. The zoning officer is authorized to refuse acceptance of an incomplete application.
2. Applications deemed complete will be placed in the first available application processing cycle and will be reviewed by staff and other review and decision-making bodies in accordance with applicable review and approval procedures of this zoning ordinance.
3. The zoning officer may require that applications or plans be revised before being placed on an agenda for possible action if the zoning officer determines that:
 - a. The application or plan contains one or more significant inaccuracies or omissions that hinder timely or competent evaluation of the application's compliance with regulations;
 - b. The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the application's compliance with regulations; or
 - c. The decision-making body does not have legal authority to approve the application.

D. PUBLIC HEARINGS

Public hearings shall be held as required and defined with the Pennsylvania ~~Municipal Planning Code, Act 24~~ Municipalities Planning Code, 53 P.S. §§ 10101-11202, as amended. Amended via Ordinance 754

1. Notice. A public hearing for any procedure shall be noticed as follows:
 - a. Notice shall be published once each week for 2 successive weeks in a newspaper of general circulation in the municipality. Such notice may not be published more than 30 days from the date of the hearing or fewer than 7 days from the date of the hearing. All public notices must state the time and place of the hearing and the particular nature of the matter to be considered at the hearing.
 - b. Written notice must be provided to the applicant, any person who has requested notification, and ~~any persons within 2 blocks of the property affected by the application~~ adjacent property owners as required by the MPC. Amended via Ordinance 754
 - c. Written notice of the hearing must be conspicuously posted on the affected property at least 1 week prior to the hearing.
2. Timeline. The first public hearing shall be held within 60 days from the date of receipt of the application, and each subsequent hearing, as needed, shall be within 45 days of the prior hearing, unless otherwise agreed to in writing or on the record by the applicant
3. Action. The decision-making body shall render a decision within 45 days of the last public hearing.

9.05 TEXT AND MAP AMENDMENTS TO THE ZONING ORDINANCE

A. REQUESTS FOR AMENDMENTS

1. By Council. The council may amend, supplement, change, modify, or repeal this ordinance, including the Zoning Map, in a manner in accordance with the provisions of the Municipalities Planning Code (MPC).
2. By Citizen. Zoning permit applications may be filed with the zoning officer by an applicant, consistent with [Sec. 9.04](#).

B. PROCESS

1. Zoning Officer. The zoning officer shall review and make a recommendation to the planning commission and council on any amendments to the zoning ordinance text or map.
2. Referral to the Planning Commission. The council shall submit any amendment to the planning commission for review and recommendation at least 30 days prior to the public hearing.
3. Public Hearing. A public hearing on any proposed amendment shall be held and noticed per [Sec. 9.04.D](#).
4. Review Criteria and Standards. The council shall review the amendment based on consistency with the comprehensive plan and promotion of the public health, safety, and general welfare, giving due consideration to existing conditions, conservation of property values, building development, and providing the best advantage to the borough and the current use of property.
5. Decision. After the public hearing, council shall approve, approve with conditions, or disapprove the text and/or map amendment.

9.06 ZONING PERMIT

A. APPLICABILITY

A zoning permit shall be required:

1. Prior to the erection or construction of any structure which requires the issuance of a building permit;
2. Prior to the erection, structural alteration or occupancy of any building;
3. Prior to the demolition of any building, or portion thereof, except for emergency demolitions;
4. Prior to a change of use of a building or land or
5. Prior to the construction of any driveway or off-street parking area.

B. PROCESS

1. Application. Zoning permit applications may be filed with the zoning officer by an applicant, consistent with [Sec. 9.04](#).
2. Decision. The zoning officer shall review the zoning permit based on the zoning regulations, and approve, approve with conditions, or deny the application.

C. TIME LIMIT

1. A zoning permit shall become invalid if the authorized work is not commenced within 1 year after the issuance of the permit or if the authorized work is suspended or abandoned for a period of six months after the time of commencing the work.
2. If the zoning officer finds the time limits specified above have been exceeded, the zoning officer shall notify the landowner, in writing, of the expiration of the zoning permit and that a new permit under the current ordinance must be secured prior to commencement or continuation of the previously authorized work.

D. OCCUPANCY PERMIT

No structure shall be occupied or used until a certificate of occupancy is issued by the appropriate issuing authority. In cases where improvements are required under the zoning ordinance, the certificate of occupancy shall not be issued until the zoning permit is approved.

E. PLANNING COMMISSION REPORT

The zoning officer shall provide a biannual report to the planning commission of approved and denied applications.

9.07 DEVELOPMENT PLAN REVIEW

The development plan shall be consistent with the regulations of the Pennsylvania Municipalities Planning Code (MPC), specifically Article VII-A - Traditional Neighborhood Development and Article VII - Planned Residential Development, as referenced in Article VII-A.

A. APPLICABILITY

A development plan permit is required for any development within the Riverfront Overlay.

B. PRE-SUBMITTAL MEETING

An informal pre-submittal meeting is required with the borough's zoning officer and any other borough staff or representatives. The applicant may present a sketch plan for discussion purposes only.

C. APPLICATION

The following submittal requirements are required and shall illustrate compliance with article 6 and the zoning ordinance and other applicable requirements, as determined by the zoning officer.

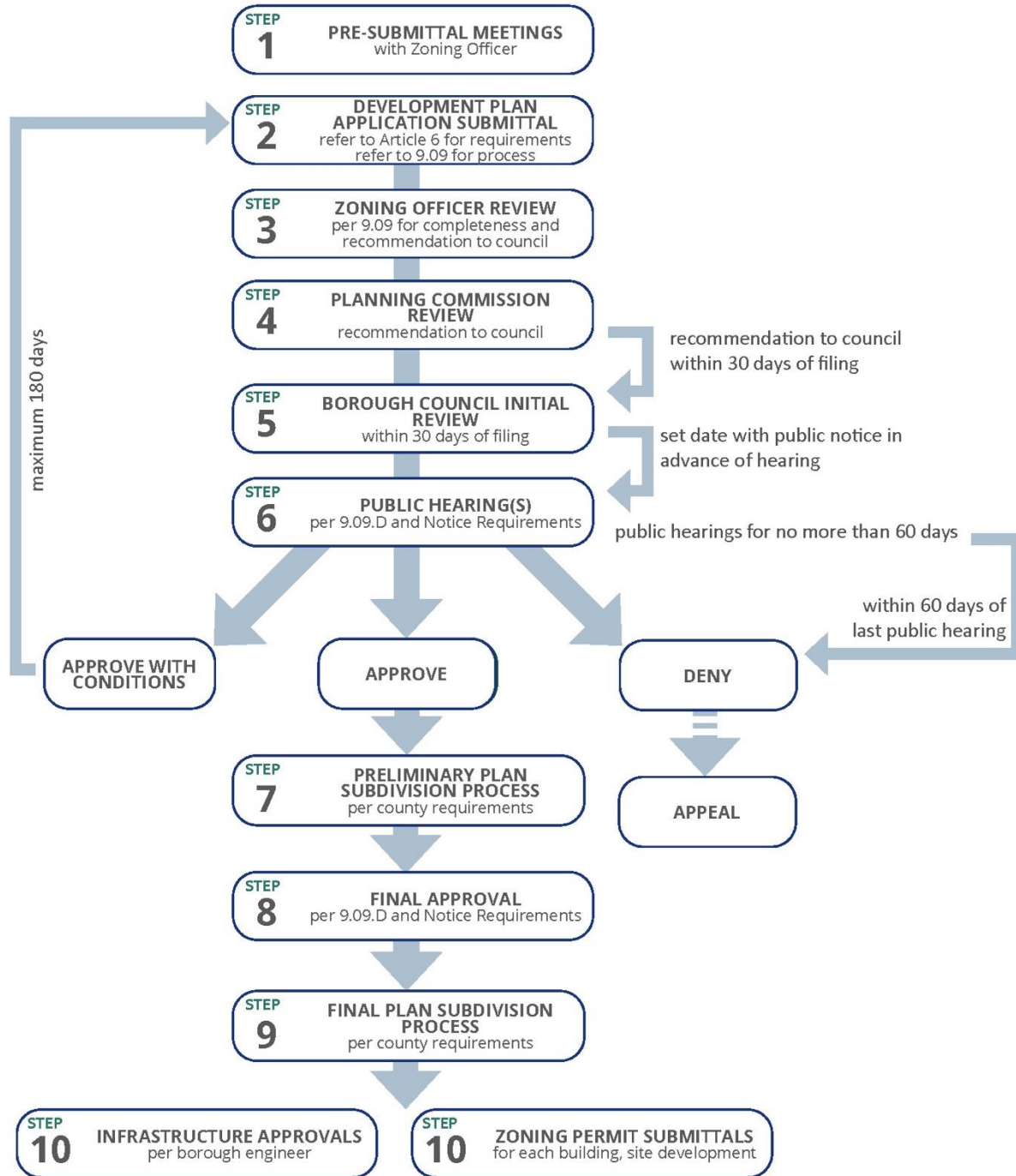
1. Application. Development Plan Review applications may be filed with the zoning officer by an applicant, consistent with [Sec. 9.04.](#)
2. Applicable Area. The development plan shall include all properties in the overlay as shown on the zoning map; however, the project implementation may be phased and constructed separately. The intent of this step is to anticipate connectivity and other interactions potential between adjacent sites.
3. The application, at a minimum, shall include:
 - a. Narrative Information. A project narrative shall be provided including the total area in development project, legal description, ownership and contact information, Intent of development discussing how the development fulfills the goals of the comprehensive plan.
 - b. Project Phasing. Description and mapping of project timing and phasing, including all components (such as utilities, streets, parking, civic spaces, landscaping, uses, buildings).
 - c. Plans and Details. A regulating plan, illustrating compliance with the zoning ordinance, and specifically [Article 3.](#)

D. TENTATIVE DEVELOPMENT PLAN APPROVAL

For developments with new streets or multiple zone districts within the Riverfront Overlay, an application shall be submitted for review and tentative approval of the development plan in conjunction with subdivision platting and rezoning. Refer to [Figure 9.10\(1\)](#) for a flow chart of the process.

1. Zoning Officer. The zoning officer shall forward copies of the application and any zoning officer recommendations to the council and to the planning commission for review and approval.
2. Planning Commission Recommendation.
 - a. The planning commission shall review the complete application and the zoning officer recommendation and will make a recommendation of approval, approval with conditions, or disapproval based upon the requirements of this ordinance, specifically the [Article 3](#), Riverfront Overlay.
 - b. The planning commission shall forward its recommendation in writing to the council within 30 days unless the petitioner agrees in writing to a time extension.
 - c. Failure of the planning commission to act within the allotted time shall be deemed a favorable recommendation.
3. Public Hearing. A public hearing on the development plan shall be held and noticed per [Sec. 9.04.D.](#)
 - a. The council may continue the public hearing; however, all hearings shall be concluded within 60 days after the date of the first public hearing.
4. Council Review. Within 60 days following the conclusion of the public hearings or within 180 days of the filing of the application, whichever occurs first, the council shall communicate in writing per [Sec. 9.07.E](#), below, to the landowner to either:
 - a. Grant tentative approval of the development plan as submitted;
 - b. Grant tentative approval subject to specified conditions not included in the development plan as submitted; or
 - c. Deny tentative approval to the development plan.
5. Failure to Act. Failure of the council to act within the time periods established in this section [Sec. 9.07](#) shall be deemed a grant of tentative approval of the development plan as submitted.
6. Refusal of Conditions. Within 30 days of the written communication in [Sec. 9.07.D.4](#) above, the applicant may refuse any conditions of the tentative approval defined by the council and the development plan shall be deemed denied.

FIGURE 9.10(1). DEVELOPMENT PLAN REVIEW PROCESS FLOW CHART



E. WRITTEN COMMUNICATION OF TENTATIVE APPROVAL OR DENIAL

Upon council review of the application, the following shall be included in the written communication to the applicant.

1. Findings of Fact. The written communication shall also include a findings of fact setting forth the reasons for the grant, conditions, or denial, including the following:
 - a. How the development plan is or is not consistent with the comprehensive plan.
 - b. Any exceptions to any regulations approved and why those are deemed to be in the public interest.
 - c. If denied or if exceptions are denied, why the development is development or the exceptions are not deemed to be in the public interest.
 - d. Whether or not the purpose, location and amount of the common open space (civic space types), and the maintenance and conservation of that space is adequate.
 - e. How the physical design does or does not make adequate provision for public services, control over vehicular traffic, and further amenities of light and air, recreation and visual enjoyment.
 - f. How the development benefits or adversely affects the adjacent neighborhoods.
 - g. Whether or not the phasing terms and conditions for the development are sufficient to protect the interests of the public and the future residents of the development.
2. Timing upon tentative approval. Council shall include in the written communication of the tentative approval the time within which an application for final approval of each phase shall be filed. The timing shall not be less than 3 months, or when multiple phases are defined, 12 months. Refer to Sec. 710 of the MPC for status of plan after tentative approval.
3. Certification. The official written communication shall be certified by the borough secretary or clerk of the council and kept on file in their office. A certified copy shall be mailed to the landowner.

F. PRELIMINARY PLATTING

Based upon tentative development plan approval, the preliminary platting process is required for all new public and private streets, any required easements, and new lots within the development.

1. The process established in county subdivision regulations is required.
2. Private un-dedicated streets, where permitted by the borough, require separate parcels equivalent to the right-of-way width defined in the base street types in [Sec. 3.03](#).
3. Civic open space shall meet the requirements of [Sec. 3.03.F](#). Open space shall either be dedicated or an easement/deed restriction established.
4. Implementation of the development may be phased, submitted as separate plats.

G. VARIATIONS TO TENTATIVE APPROVAL

Where variations to the tentatively approved development plan are necessary, the applicant shall either re-submit for tentative approval, or submit for final approval, noting the variations. When submitting for final approval with variations, council shall require a public hearing.

H. APPLICATION FOR FINAL APPROVAL

Prior to any development occurring on the site, the applicant shall submit for final development plan approval.

1. The application for final approval may be for part or all of the tentatively approved development plan, phased in separate approvals.
2. The application shall include the following:
 - a. An approved preliminary plat including all lots, required utility easement, open space, street rights-of-way, easements, any other land dedications.
 - b. Drawings illustrating all site and building requirements of this ordinance, including site plans, building plans, building elevations, parking plans, and landscape plans.
 - c. Any covenants, maintenance plans, and funding plans for common areas.
 - d. Financial security shall be posted consistent with MPC, Section 509.
3. If the application is complete, consistent with the tentatively approved development plan, and submitted within the timeframe established, the council shall grant final approval within 45 days of the next regularly scheduled council meeting after the date the application was filed.

4. If the application is not consistent with the tentatively approved development plan, the council shall notify the applicant in writing within 45 days after the first council meeting, where the application is first reviewed, after the application is filed, provided that first council meeting occurs no more than 30 days after the filing date. If the first council meeting occurs more than 30 days after the filing, the notification letter shall be issued within 75 days of the filing date.
 - a. The letter shall advise the applicant that they may refile their application without the variations objected, or they may file a written request with the council to hold a public hearing on the application for final approval.
 - b. The applicant may take either action within the timeframe established in [Sec. 9.09.E.2.](#) or, if the timeframe lapsed during the council review time, within 30 days of notification letter.
 - c. The public hearing shall be consistent with the requirements of [Sec. 9.09.D.3.](#)

I. FINAL PLATTING

Upon approval of the development plan, a final subdivision plan shall be submitted, approved, and recorded for final plan consistent with the county subdivision regulations prior to any development occurring.

J. REZONING

1. The tentative approval of a development plan shall be deemed an amendment to the zoning map, effective upon final approval, and shall be noted on the zoning map.
2. Once the final plat is approved, any new lot and street lines shall be added to the zoning map and the zoning districts applied to the map.

K. INFRASTRUCTURE IMPLEMENTATION

The process for approval and implementation of grading, street, and utility improvements is required per the borough regulations, approved by the municipal engineer.

L. ZONING PERMIT APPROVALS.

Upon final development plan approval and final plat approvals, each building development may be built as a matter-of-right when it meets all of the standards of the zoning district. Zoning permits, in addition to any other permits required by the borough, are required for each building per [Sec. 9.06.](#)

9.08 CONDITIONAL USE PERMIT

A. APPLICABILITY

Uses that require conditional use approval per [Table 4.08\(A\)](#) require a conditional use permit per this section [Sec. 9.08.](#)

B. REVIEW CRITERIA

A conditional use shall be approved only if it is found to meet the following criteria in addition to any other conditional use regulations of this ordinance or applied by zoning hearing board to the application:

1. Neighborhood Conditions. The conditional use shall not be detrimental to the neighborhood, taking into consideration the physical relation-ship of the proposed use to the surrounding properties, the probable hours of operation, the activities to be conducted, and the number of people to be assembled or to use the premises at any one time.
2. Site Design. The building siting, building orientation, height, yard, and other open space requirements shall consistent with the ordinance or as defined by conditions to prevent injury to and shall mitigate any potential issues or future impacts on adjacent properties and interests associated with the use.
3. Special Standards. The proposed use meets all special standards which may apply to its conditional use as set forth in this ordinance, or any other applicable laws.
4. Performance Standards. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with the performance standards of [Sec. 5.03.](#)
5. Harmonious Relationship. The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
6. Neighborhood Environment. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
7. The use will not

8. Vehicular Access and Parking. The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.
9. Any general use and use specific conditions prescribed in [Article 4](#).
10. All other applicable borough regulations unless excepted.
11. The proposed use shall preserve the intent of this ordinance and shall be consistent with the Comprehensive Plan.
12. Additional conditions and safeguards the zoning hearing board may impose to protect the best interests of the surrounding property or neighborhood, such as the landscaping, screening and fencing, access and circulation requirements (other than off-site transportation or road improvements), location of parking and loading space.

C. PROCESS

The following shall be considered by the zoning hearing board for approval of a conditional use permit:

1. Application. Conditional use applications may be filed with the zoning officer by an applicant, consistent with [Sec. 9.04](#).
2. Zoning Officer. The Zoning Officer shall forward copies of the application and any zoning officer recommendations to the planning commission and council.
3. Planning Commission Recommendation.
 - a. The planning commission may review the complete application and the zoning officer recommendation and make a recommendation of approval, approval with conditions, or disapproval based upon the requirements of this ordinance.
 - b. The planning commission shall forward any recommendation in writing to the council within 30 days unless the petitioner agrees in writing to a time extension.
 - c. Failure of the planning commission to act within the allotted time shall be deemed a favorable recommendation.
4. Public Hearing. A public hearing shall be held and noticed per [Sec. 9.04.D](#).
5. Council Review. The council shall consider the application, any recommendations by the zoning officer any testimony from the public hearing, and all review criteria to approve with conditions or disapprove the conditional use permit. The council may attach additional conditions deemed necessary for approval of the conditional use.
6. Decision. The council shall approve, approve with conditions, or disapprove consistent with the timeline set forth in [Sec. 9.04.D](#).
7. The approved site plan and all attached conditions shall be provided in writing and mailed to the petitioner within 30 days of final approval with conditions or disapproval. All development, construction, and use shall be in accordance with the approved plan, unless a revised plan is submitted, approved, and recorded. Any development contrary to the approved plan shall constitute a violation of this ordinance.

9.09 VARIANCES, SPECIAL EXCEPTIONS, AND APPEALS

The following processes shall be heard and decided by the zoning hearing board consistent with the Pennsylvania Municipalities Planning Code (MPC), Act 24.

A. APPEALS OF ZONING OFFICER INTERPRETATIONS AND DECISIONS

1. Filing of Written Notice. The applicant may appeal any interpretation or final decision of the zoning officer related to the zoning permit procedures of this section ([Sec. 9.07](#)) by filing a written notice of and reasons for the appeal with the zoning officer no later than 30 days after the date of the action from which the appeal is sought.
2. Timeline. All appeals of interpretations or final decisions of the zoning officer related to the zoning permit of section [Sec. 9.06](#) must be placed on the agenda of the zoning hearing board within 30 days of the date that written notice of the appeal was filed unless the applicant agrees to an extension of time for plan commission action.
3. Public Hearing. A public hearing shall be held and noticed per [Sec. 9.04.D](#).
4. Decision. The zoning hearing board shall render its decision consistent with the timeline set forth in [Sec. 9.04.D](#).

B. SPECIAL EXCEPTIONS

Special exceptions are intended to provide relief from zoning ordinance requirements as specifically allowed throughout the ordinance.

ADMINISTRATION & PROCEDURES

1. Application. Special exception applications may be filed with the zoning officer by an applicant, consistent with [Sec. 9.04.](#)
2. Authority. The zoning hearing board is authorized to grant special exceptions as specifically allowed throughout this ordinance, in accordance with the variance procedures of section 912.1 of the MPC.
3. Review Criteria. The zoning hearing board shall consider the following when reviewing special exceptions:
 - a. Consistency with the comprehensive plan.
 - b. Any effects on surrounding properties and consistency with character and design of surrounding properties.
 - c. Any additional criteria defined in this ordinance specific to the special exception.
4. In granting a special exception, the board may attach such reasonable conditions and safeguards, in addition to those expressed in the ordinance, as it may deem necessary to implement the purposes of the MPC and the zoning ordinance.
5. Decision. The zoning hearing board shall render its decision consistent with the timeline set forth in [Sec. 9.04.D.](#)

C. VARIANCES

Zoning variances are intended to provide relief from hardships resulting from strict application of zoning ordinance requirements.

1. Application. Variance applications may be filed with the zoning officer by an applicant, consistent with [Sec. 9.04.](#)
2. Authority. The zoning hearing board is authorized to grant variances to this zoning ordinance in accordance with the variance procedures of section 910.2 of the MPC.
3. Public Hearing. A public hearing shall be held and noticed per [Sec. 9.04.D.](#)
4. Findings. The zoning hearing board may grant a variance, provided that all of the following findings are made where relevant in a given case:
 - 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.
 - e. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
5. Decision. The zoning hearing board shall render its decision consistent with the timeline set forth in [Sec. 9.04.D.](#)
6. Written Decision. The zoning hearing board must provide in writing a findings of fact and act to approve the requested variance, approve the variance with modifications and/or conditions, or deny the variance request based on the review criteria.
7. Transferability. Approved variances run with the land and are not affected by changes of tenancy, ownership, or management.
8. Appeals. Appeals to the decision of the zoning hearing board may be made to a court of competent jurisdiction, filed within 30 days after notice of determination is issued.
9. Final Notice. The written findings shall be mailed to the applicant immediately following the decision. To any other person requesting notification prior to the final hearing, a brief notice of the decision and the location where to view the full findings shall be provided by mail or other digital format.

D. APPEALS TO THE VALIDITY OF THE ORDINANCE

An applicant may appeal the validity of the zoning ordinance and map to the zoning hearing board per the MPC, section 916.1.

9.10 NONCONFORMITIES

The regulations of this article govern nonconformities, which are lots, uses and structures that were lawfully established but—because of the adoption of new or amended regulations—no longer comply with one or more provisions of this zoning ordinance.

A. INTENT

The regulations of this article are intended to clarify the effect of this “nonconforming” status and avoid confusion with “illegal” buildings and uses (i.e., those established in violation of applicable zoning regulations). The regulations of this article are also intended to:

1. Recognize the interests of landowners in continuing to use their property for uses and activities that were lawfully established;
2. Promote maintenance, reuse and rehabilitation of existing buildings; and
3. Place reasonable limits on nonconformities that have the potential to adversely affect surrounding properties.

B. DETERMINATION OF NONCONFORMITY STATUS

The burden of proving a nonconformity was lawfully established and that the situation has not lost its nonconforming status rests with the subject landowner.

1. The zoning officer is authorized to determine whether adequate proof of nonconforming status has been provided by the subject landowner.
2. Building permits, lawfully recorded plats, lawfully recorded instruments of conveyance, aerial photography owned by a governmental agency, and other official government records that indicate lawful establishment of the use, lot, or structure constitute conclusive evidence of nonconforming status. If such forms of conclusive evidence are not available, the zoning officer is authorized to consider whether other forms of evidence provided by the subject owner are reliable and adequate to document nonconforming status. Common examples of evidence that may be determined to be reliable and adequate include utility billing records; rent records; advertisements in dated publications; listings in telephone or business directories; and notarized affidavits affirming the date of lawful establishment of the use or structure.
3. Appeals of the zoning officer’s decision on nonconforming status determinations may be appealed in accordance with the appeal procedures of Article IX of the Municipalities Planning Code (MPC).

C. AUTHORITY TO CONTINUE

Any nonconformity that existed on the effective date specified in [Sec. 1.03](#) or any situation that becomes nonconforming upon adoption of any amendment to this zoning ordinance may be continued in accordance with the regulations of this article unless otherwise expressly stated.

1. Change of Tenancy or Ownership. Nonconforming status runs with the land and is not affected by changes of tenancy, ownership or management.

D. NONCONFORMING LOT

A nonconforming lot is a lot lawfully created prior to the effective date of this ordinance and recorded in the office of Armstrong County Recorder of Deeds and held continually since then in separate ownership different from the ownership of adjoining lots, that does not comply with applicable minimum lot area or minimum lot width regulations of this zoning ordinance.

1. A single dwelling unit and allowed accessory structures may be constructed on a nonconforming lot in any zoning district that permits detached houses by-right, subject to compliance with all applicable setback and building regulations.
2. Nonconforming lots in districts that do not permit detached houses by-right, may be used in accordance with the use regulations that apply in the subject zoning district, provided buildings may be erected, subject to compliance with all applicable building regulations.

E. NONCONFORMING STRUCTURES

A nonconforming structure is any building or structure, other than a sign, that was lawfully established but no longer complies with the lot and building regulations of the zoning district in which it is located.

1. General. Nonconforming structures may remain, subject to the regulations of this section.

ADMINISTRATION & PROCEDURES

2. Single-Household Buildings. Single-unit residential buildings existing at the effective date of this ordinance are considered conforming structures, but may not be enlarged to decrease yard areas below the minimum permitted by this ordinance or to increase building height above the maximum permitted by this ordinance.
3. Alterations and Expansions. Nonconforming structures shall not be expanded or extended except as permitted by the zoning hearing board. Consideration shall be given to any deleterious effects on neighboring properties, in addition to the effect of the expansion on the borough as a whole. The zoning hearing board may allow limited enlargement and extension of the structure based on normal growth characteristics and borough development goals and objectives.
4. Use. A nonconforming structure may be used for any use allowed in the zoning district in which the structure is located.
5. Replacement.
 - a. Any nonconforming structure damaged by fire, flood, explosion, or other casualty up to 50 percent of its assessed value or bulk may not be reconstructed except in conformity with the district regulations in which it was located.
 - b. N1, N2, or NX1 District. Any nonconforming structure damaged by fire, flood, explosion, or other casualty may be reconstructed within the same building footprint and envelope as existed prior to the occurrence.
 - c. Intentional Destruction. When a nonconforming structure is intentionally destroyed, razed or dismantled by a deliberate act of the owner or the owner's agent, reconstruction is permitted only in conformity with the zoning regulations.
6. Repairs and Maintenance. Repairs and routine property maintenance that do not increase the extent of nonconformity and that are necessary to keep a nonconformity in sound condition are permitted unless otherwise expressly prohibited by this zoning ordinance.
7. Safe Condition. Nothing in this article is intended to prevent nonconformities from being structurally strengthened or restored to a safe condition in accordance with an order from a duly authorized borough official.

F. NONCONFORMING USES

A nonconforming use is a land use that was lawfully established in accordance with all zoning regulations in effect at the time of its establishment but that is no longer allowed by the use regulations of the zoning district in which the use is now located. Lawfully established uses that do not comply with any applicable separation (or spacing) distance requirements (e.g., those that require one land use to be located a certain minimum distance from another land use) are also deemed to be nonconforming uses.

1. Change of Use. A nonconforming use may only be changed to another use if the new (changed) use is allowed in the subject zoning district. Once changed to a conforming use, a nonconforming use may not be re-established.
2. Expansion of Use. A nonconforming use may not be expanded unless such expansion would eliminate or reduce the extent of nonconformity, except that a nonconforming use of a building may be extended into those interior parts of the building that were manifestly designed for such use before the date that the use became nonconforming.
3. Remodeling and Improvements. A building in which a nonconforming use is located may be remodeled or otherwise improved as long as the remodeling or improvements do not violate the other regulations of this zoning ordinance.
4. Moving. A nonconforming use may be moved in whole or in part to another location on the same lot only if the movement or relocation eliminates or reduces the extent of nonconformity. A nonconforming use may be moved to another lot only if the use is allowed under the zoning regulations that apply to that (relocation) lot.
5. Abandonment. If a non-conforming use ceases for a continuous period of more than 12 months, the use shall be deemed abandoned and any subsequent use of land shall conform to the regulations of this ordinance.
 - a. The presumption of abandonment may be rebutted upon showing, to the satisfaction of the zoning officer, that during such period the owner of the land or structure has been:
 - (i) Maintaining the land and structure in accordance with all applicable municipal code requirements and did not intend to discontinue the use;
 - (ii) Actively and continuously marketing the land or structure for sale or lease for that particular nonconforming use; or
 - (iii) Engaged in other activities that affirmatively prove there was not intent to abandon.

ADMINISTRATION & PROCEDURES

- b. Any period of discontinued use caused by government action, acts of God, unintended fire or other causes beyond the control of the subject property owner are not counted in calculating the length of discontinuance.
6. Re-establishment
 - a. Intentional Destruction. When a building containing a nonconforming use is intentionally destroyed, razed or dismantled by a deliberate act of the owner or the owner's agent, re-establishment of the nonconforming use is prohibited.
 - b. Accidental Destruction. If a building containing a nonconforming use is damaged or destroyed by an Act of God or other circumstances beyond the control of the property owner, the nonconforming use may be re-established, provided that no new nonconformities are created and that the existing degree of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged building and nonconforming use must be obtained within one year and construction commenced within 18 months of the date of occurrence of such damage or destruction. An extension may be requested from the zoning hearing board.

G. NONCONFORMING SIGNS

A nonconforming sign is a sign that was lawfully established but that no longer complies with applicable zoning ordinance regulations because of the adoption or amendment of regulations after the sign was established.

1. Continuation. Nonconforming signs may continue subject to the regulations of this section.
2. Moving. A nonconforming sign may be moved in whole or in part to another location only if the movement or relocation eliminates the nonconformity.
3. Alteration, Enlargement or Expansion. The area of a nonconforming sign shall not be increased and the sign shall not be structurally altered.
4. Damage, Destruction, Modification. If a nonconforming sign is damaged, destroyed or modified by any means, including repair, alteration, replacement or upgrade, to the extent of 50% or more of its replacement cost at the time of damage, destruction or modification, the nonconforming sign must be removed and shall not be restored or replaced, unless it conforms to all provisions of this ordinance. The value of all structural alterations made over the previous 5 years shall be used in calculating whether the 50% threshold used in this subsection has been met.
5. Loss of Nonconforming Status. If the use of property containing a nonconforming sign is discontinued for a period of more than 6 months, or if a new or amended site plan is required by a change in the use or building expansion on the property, all nonconforming signs on the subject property are deemed to have been abandoned and lose their nonconforming status.
 - a. If a nonconforming sign is not used to display a commercial or noncommercial message for a period of 6 months or more, the sign is deemed abandoned and loses its nonconforming status.
 - b. Any sign that loses its nonconforming status must be removed no later than 30 days after its change of status.
 - c. When removal of a sign is required, the entire sign structure, including the base and supports (for freestanding signs), must be removed.

H. NONCONFORMING DEVELOPMENT FEATURES

A nonconforming development feature is any aspect of a development—other than a nonconforming lot, nonconforming structure or nonconforming use—that was lawfully established, in accordance with zoning regulations in effect at the time of its establishment but that no longer complies with one or more regulations of this zoning ordinance. Common examples of nonconforming development features are off-street parking or loading areas that contain fewer spaces than required by current regulations and sites that do not comply with current landscaping or screening requirements.

1. Nonconforming development features may remain except as otherwise expressly stated in this zoning ordinance, but the nature and extent of nonconforming site features may not be increased except as otherwise expressly stated in this zoning ordinance.

ARTICLE 10. DEFINITIONS & MEASURING

10.01 DEFINITIONS

A. GENERAL

Words and terms expressly defined in this zoning ordinance have the specific meanings assigned unless the context clearly indicates another meaning. Words and terms that are not expressly defined in this zoning ordinance have the meaning given in the latest edition of Merriam-Webster's Unabridged Dictionary.

B. USE DEFINITIONS

See [Article 4](#) for an explanation of the use categorization system used in this zoning ordinance and for use type definitions.

C. SIGN DEFINITIONS

See [Article 7](#) for sign type definitions.

D. MEASUREMENT-RELATED TERMS

See [10.02](#) for an explanation of various lot and building regulation terms, such as "building height," "setbacks," and "build-to zone."

E. GENERAL DEFINITIONS

For the purposes of this zoning ordinance, the following terms shall have the following meanings:

Abut (or Abutting). To touch or share a contiguous boundary or border.

Adjacent. Lying near or in the immediate vicinity.

Alterations. Alterations include, but are not limited to, all incidental changes in or replacements to the non-structural parts of a building or other structure, minor changes or replacements in the structural parts of a building or other structure, enlargements whether by extending on a side or by increasing in height or the moving from one location to another.

Area. The total area, within the lot lines of a project or lot, excluding external streets.

Applicant. The owner of the subject property or an agent authorized by the subject property owner to submit an application on the owner's behalf.

Alley. A public or private way, other than street, through approximately the center of a block, with at least two access points and affording access to abutting lots.

Build-to Zone. An area in which the front or street-side facade of a building shall be placed; it may or may not be located directly abutting a lot line. The zone dictates the minimum and maximum distance a structure may be placed from a lot line.

Courtyard. An outdoor area enclosed by a building or buildings on at least three sides for at least 75 percent of the length of each side, and open to the sky. Refer to [Figure 10.02\(4\)](#) for an example of a courtyard.

Coverage, Impervious or Impervious Site. The percentage of a lot developed with principal or accessory structures and impervious surfaces, such as driveways, sidewalks, and patios.

Facade. The exterior walls of a building exposed to public view from a street, including return walls as illustrated in [Figure 10.02\(4\)](#).

Floor Area, Habitable. The sum of the gross horizontal areas of the several floors of a building, excluding cellar and basement floor areas not devoted to residential use. All dimensions shall be measured between exterior faces of walls. Covered porches and patios and other appurtenances shall not be included in the calculation of floor areas.

Household. One or more persons occupying a single dwelling unit as a single housekeeping unit, where either (a) all persons are related by blood, marriage, adoption, fosterage, or legal guardianship; or (b) all persons have a voluntary associational, communal relationship and no more than 4 inhabitants are included in the housekeeping unit. Household members shall not be temporary or itinerant. A roomer, boarder, or bona fide guest shall not be considered a member of a household.

Lot. A parcel of land occupied or capable of being occupied by one or more structures.

Lot Line. The platted edge of a lot. Also referred to as a property line.

DEFINITIONS & MEASURING

- Lot Line, Front.** The line abutting a street, where only one lot line abuts a street. Where lots abutting more than one street, the front lot line is the lot line abutting the front street. Where no front street abuts the lot, either street frontage may be considered the front lot line.
- Lot, Record of.** Any lot which individually or as a part of a subdivision plat has been recorded in the Office of the Recorder of Deeds of the County.
- Lot, Minimum Area of.** The horizontally projected area of a lot computed exclusive of any portion of the right-of-way of any public thoroughfare.
- Lot, Width of.** The mean width measured at right angles to its depth.
- Occupied Space.** Interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking. Refer to [Figure 10.01\(6\)](#) for an example of occupied space on a front street.
- Porch.** A roofed, open-air platform at the entrance to a building, with or without steps, usually with space for seating. Refer to [Figure 10.02\(4\)](#) for an illustration of a porch.
- Public Way.** Any street, lane, drive, trails, multi-use path, but not an alley.
- Pervious Surface.** Also referred to as pervious material. A material or surface that allows for the absorption of water into the ground or plant material.
- Pervious Surface, Semi-.** Also referred to as semi-pervious material. A material or surface that allows for at least 40% absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, gravel, vegetated or green roofs.
- Shadow line.** An architectural feature consisting of a decorative, three-dimensional, linear element, horizontal or vertical, protruding or indented a minimum depth from the exterior facade of a building typically utilized to delineate the top or bottom of floors or stories of a building, intended to create a shadow line. Examples may include cast stone cornices, pilasters, or stepped brick coursing. Refer to [Figure 10.01\(5\)](#) for examples of shadow lines.
- Stoop.** An open-air platform or flat, paved area at the entrance to a building, with or without steps and with or without a projecting canopy, typically unroofed. Refer to [Figure 10.02\(4\)](#) for an illustration of a stoop.
- Story, Ground.** Also referred to as ground floor. The first floor of a building that is level to or elevated above the finished grade on the front and corner facades, excluding basements or cellars.
- Story, Half.** A story either in the base of the building, partially below grade and partially above grade (“basement”), or a story fully within the roof structure with transparency facing the street.
- Story, Upper.** Also referred to as upper floor. The floors located above the ground story of a building.
- Street, Front.** On interior lots, the street abutting the lot; on corner lots, the street with more front doors and/or buildings fronting the street. Front streets are typically the streets along the longer faces of a block. Alleys typically run parallel to front streets.
- Street, Non-Front or Side.** The street abutting a lot that is not considered a front street.
- Street.** A dedicated public or a private right-of-way (or portion thereof) intended for general public use to provide access through the borough and to buildings and sites within the borough. For the purposes of this zoning ordinance, an alley is not a street.
- Street Face.** The facade of a building that faces a street right-of-way.
- Structure.** Anything constructed or erected, the use of which requires a fixed location on the ground or an attachment thereto such as would cause it to become part of the real estate and be construed as realty or fixture rather than personal property, including, in addition to buildings, billboards, carports, porches, and other building features, but not including sidewalks, drives, fences and patios, with-out frost-free foundations.
- Structure, Accessory.** The general term for a subordinate structure detached from, but located on the same lot as, the principal structure; it may or may not be inhabitable. Also referred to as an accessory building.
- Structure, Principal.** A building that contains the dominant use of the lot. It is typically located toward the front of the lot in the front build-to zone or behind the front setback line. Also referred to as the principal building.

DEFINITIONS & MEASURING

Transparency. The measurement of the percentage of a facade that has highly transparent, low reflectance windows. For example, mirrored glass would not fulfill transparency requirements. Refer to [10.02](#) for explanation of measuring transparency.

Use, Accessory. A use on the same lot with and of a nature customarily incidental and subordinate to the principal use or structure.

Use, Principal. The main use of land or structures as distinguished from an accessory use.

Visible Basement. A half story partially below grade and partially exposed above with required transparency on the street facade.

Yard. The space on a lot which is unoccupied and unobstructed from the ground to the sky by the principal structure. Refer to [Figure 10.01\(7\)](#). Illustration of Yards. Note that the rear yard is fully screened from the street by the structure.

Yard, Front or Primary Street. A yard extending from the front street facade of the principal structure along the full length of the front or front street lot line, between the side lot lines or side and street-side lot lines.

Yard, Rear. A yard extending from the rear building facade to the rear lot line between the side yards or, on a corner lot, the street-side and side yards.

Yard, Side. A yard extending from the side building facade along a side lot line between the front yard and rear lot line.

Yard, Street-Side. A yard extending from the non-front (or side) facade along a non-front (or side) street lot line between the front (front street) yard and rear lot line.

Yard, Street. Any yard abutting a street right-of-way.



FIGURE 10.01(1). EXAMPLE OF COURTYARD



FIGURE 10.01(2). ILLUSTRATION OF FACADE DEFINITION



FIGURE 10.01(3). ILLUSTRATION OF A PORCH



FIGURE 10.01(4). ILLUSTRATION OF A STOOP



FIGURE 10.01(6). EXAMPLE OF OCCUPIED SPACE ON PRIMARY FRONTAGE

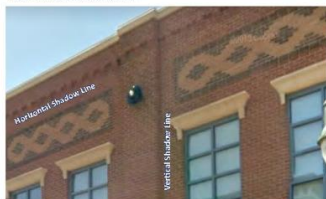


FIGURE 10.01(5). EXAMPLES OF SHADOW LINES

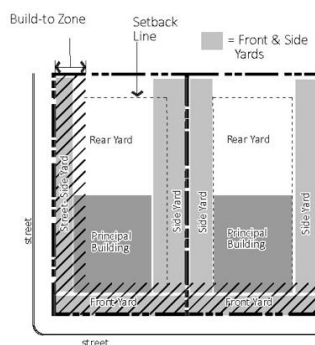


FIGURE 10.01(7). ILLUSTRATION OF YARDS

10.02 MEASURING BUILDING AND SITE REGULATIONS

The following provides methods for measuring the building and site regulations in [Article 2](#).

A. MINIMUM FRONT LOT LINE COVERAGE

The minimum percentage of building facade along the front of a lot is designated in the building regulations table.

1. Measurement. The width of the principal building (as measured within the build-to zone along the front lot line) is divided by the length of the frontage parallel to the lot line following the front street. Note that side yard and street-side yards are not included in the build-to zone area. Refer to [Figure 10.02\(1\)](#). Minimum Front Lot Line Coverage.
2. Courtyards. Where noted in the building regulations, courtyards, maximum of 30% of facade width or 30 feet wide, whichever is less, may count towards the minimum front lot line coverage. The courtyard must be treated with landscape, patio, or sidewalk; no vehicular area is permitted in any courtyard.
3. Parking and Driveways. Parking and driveways do not count towards the minimum front lot line coverage, unless otherwise stated.

B. BUILD-TO ZONE

The build-to zone is designated separately for each frontage in the building regulations table. Refer to [Figure 10.02\(2\)](#). Build-to Zones.

1. Measurement. The build-to zone for all frontages is measured from the lot line parallel to the frontage, unless otherwise stated in the building and site regulations. When additional streetscape area is required per the building and site regulations, the build-to zone is measured from the edge of the required streetscape onto the site.
2. Height. The building located in the build-to zone must meet the minimum building heights. For example, if the minimum height of the building is 2 stories, then, at a minimum, the first 2 stories of the building from the ground up must be located within the build-to zone on the same vertical plane.
3. Build-to Zone (BTZ) Averaging. The front setback average shall be calculated as follows:
 - a. Measurement. The average of the front setbacks of the next two lots on each side of the lot on the same side of the street. If any applicable lots are vacant, the minimum front setback from the building regulation shall be used in the calculation.
 - b. Corner Lots. For corner lots, the average of the front setbacks of the next two lots adjacent to the lot with the same street frontage as the lot in question. If any applicable lots are vacant, the minimum front setback from the building regulation shall be used in the calculation.
 - c. Maximum. For all lots utilizing the BTZ average, the maximum setback shall be 50 feet from the front lot line.

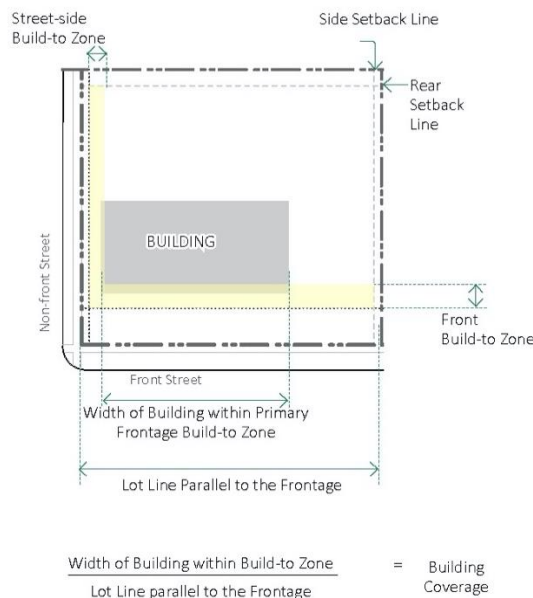


FIGURE 10.02(7). MINIMUM PRIMARY FRONTAGE COVERAGE



FIGURE 10.02(8). BUILD-TO ZONES

DEFINITIONS & MEASURING

C. SITE AND YARD COVERAGE

Building coverage, site impervious, and additional semi-pervious coverage shall be calculated and measured as follows. Refer to [Figure 10.02\(3\). Site and Yard Coverage](#).

- Maximum Lot Coverage. Where maximum lot coverage is defined, the maximum percentage of a lot covered by structures, pavement, and other impervious surfaces is calculated.
- Maximum Impervious Yard Coverage. The maximum percentage of a yard permitted to be covered by pavement and other impervious surfaces.

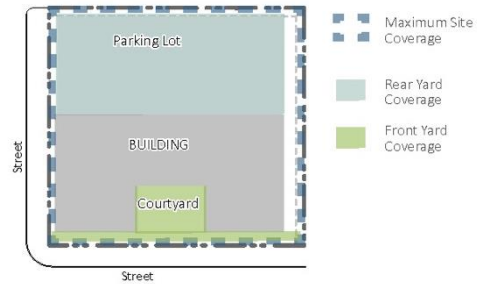


FIGURE 10.02(9). SITE AND YARD COVERAGE

D. GROUND STORY AND UPPER STORIES, MINIMUM AND MAXIMUM HEIGHT

(Refer to [Figure 10.02\(4\)](#) Measuring Building Height in Stories and Stories with Floor-to-Floor Height).

- Minimum Overall Height. Minimum heights require a minimum number of stories on the front facades of the building. The building must meet the minimum required height for the first 20 feet of occupied building space measured from the front facade into the building.
- Maximum Overall Height. Maximum heights are specified in number of stories. This requirement applies to the entire building.
- Towers. Where noted, towers may exceed the overall maximum height per [5.01.H](#).
- Cap Type. Cap types heights are measured per [5.01.H](#), and are additional to the floor to floor heights.
- Two Half Stories. A building incorporating both a half story within the roof and a visible basement shall count the height of the two half stories as one full story.

E. MINIMUM & MAXIMUM HEIGHT PER STORY.

Each story is measured with a range of permitted floor-to-floor heights. Refer to [Figure 10.02\(4\). Measuring Stories with Floor-to-Floor Height](#).

- Measurement. Floor height is measured in feet between the floor of a story to the floor of the story above it. Minimum and maximum floor-to-floor heights are required to be met on floors along all front facades. See [10.02.E.4](#), below, for allowance for taller heights for such spaces as stairwells, mezzanines, and lobbies.
- Single Story Buildings & Top Floor Measurement. For single story buildings and the uppermost story of a multiple story building, floor-to-floor height shall be one foot less than noted per building regulations and measured from the floor of the story to the ceiling, i.e. if the permitted floor-to-floor heights of an upper story range between 9 feet to 14 feet, the range for a single story or the topmost story of the building is 8 feet to 13 feet.
- Mezzanines. Mezzanines may be included within the floor-to-floor height of any story, included in the calculation of stories. Mezzanines occupying more than 30 percent of the floor area below and extending above the story's allowable floor-to-floor height shall count as an additional story.
- Taller Spaces. With the exception of stair and elevator spaces, spaces exceeding the allowable floor-to-floor heights of the building are not permitted on front facades. These spaces are unlimited on interior facades and non-front facades, but shall be counted as the number of stories that would fit within their height.

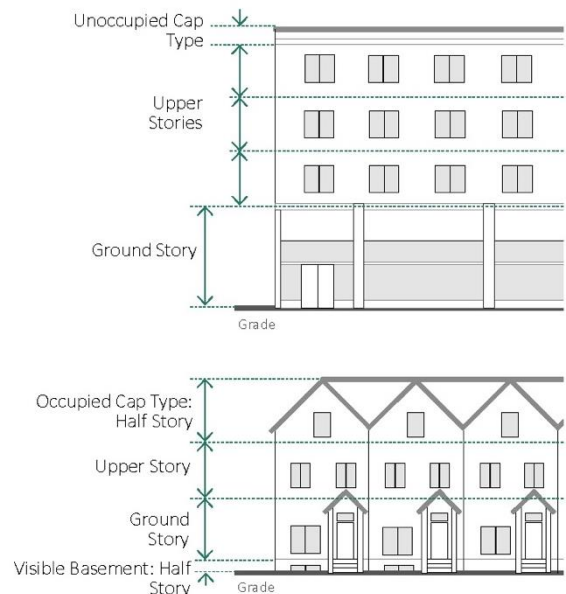


FIGURE 10.02(10). MEASURING BUILDING HEIGHT IN STORIES AND STORIES WITH FLOOR-TO-FLOOR HEIGHTS

F. MINIMUM REQUIRED TRANSPARENCY.

Per the requirements of the building regulations, a minimum amount of transparency is required on designated facades.

1. Degree of Transparency. Highly transparent, low reflectance windows means a minimum of 50 percent transmittance factor and a reflectance factor of not greater than 0.25.
2. Measurement. Minimum facade transparency is measured from floor-to-floor of each story separately. Refer to [Figure 10.02\(5\). Measuring Minimum Facade Transparency](#). Transparency includes windows and any glass in doors that are highly transparent with low reflectance. The measurement may include the frame, mullions, and muntins, but shall not include trim or casing.
3. Blank Wall Segments. The building regulations designate facades where blank wall limitations apply. Blank wall limitations means no facade section more than 15-foot in width, measured horizontally, and more than 30 percent of any story shall be without transparency.
4. Exception. When a facade of any story is located within 3 feet of a parallel building facade, no minimum transparency is required for that story.
5. Minimum Ground Story Transparency. When required separately by the building regulations, ground story transparency shall be measured between 2 feet and either 8 feet from the average grade at the base of the facade. Minimum ground story transparency supersedes the overall minimum transparency required in the building regulations.
6. Half Stories. All half stories located within a roof structure or visible basements are required to meet the minimum transparency.

G. MINIMUM NUMBER OF REQUIRED ENTRANCES

Entrances shall be provided consistent with the entrance location and number requirements established in the building regulations and consistent with [Figure 10.02\(6\). Number of Required Entrances](#).

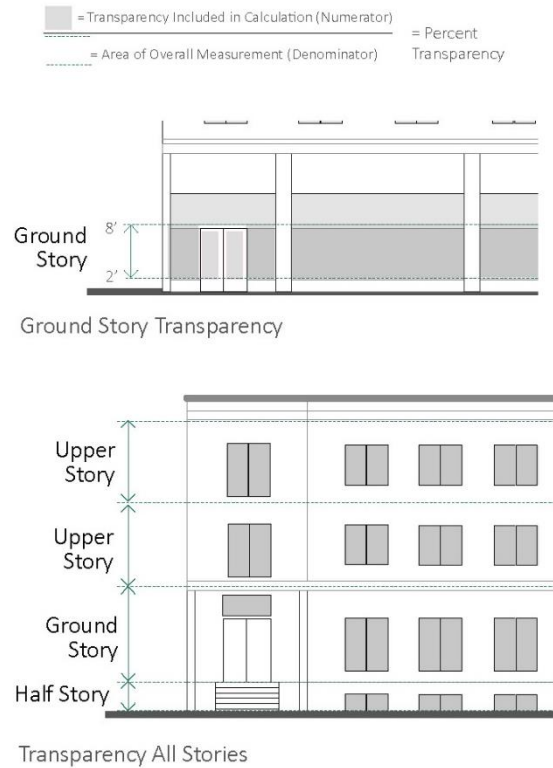


FIGURE 10.02(5). MEASURING MINIMUM FACADE TRANSPARENCY

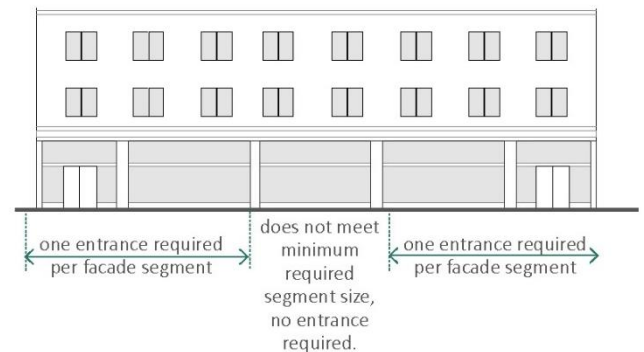


FIGURE 10.02(6). NUMBER OF REQUIRED ENTRANCES