

BOROUGH OF WAYNESBURG

ZONING ORDINANCE

OCTOBER 2017

BOROUGH OF WAYNESBURG

ORDINANCE NO. 2 of 2017

AN ORDINANCE OF THE BOROUGH OF WAYNESBURG, GREENE COUNTY, PENNSYLVANIA, AMENDING CERTAIN PROVISIONS OF BOROUGH ORDINANCE NO. 1-2011, COMMONLY KNOWN AS THE ZONING ORDINANCE OF WAYNESBURG BOROUGH AND ADOPTING A NEW ZONING ORDINANCE OF THE BOROUGH OF WAYNESBURG.

WHEREAS, the Borough Council of the Borough of Waynesburg has established the Waynesburg Borough Zoning Ordinance through its enactment of Ordinance No. 4-1969, Ordinance No. 1-1995, and Ordinance No. 1-2011, as amended, and the Borough Council now wish to further revise and update said Zoning Ordinance and adopt a new Zoning Ordinance in its entirety; and

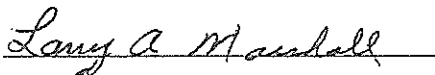
WHEREAS, the Council find, for the reasons hereafter set forth, that the adoption of the new Ordinance in this matter significantly promotes the health, safety, morals, convenience, and general welfare of the present and future inhabitants of the Borough of Waynesburg; and

WHEREAS, the proposed zoning ordinance was referred to the Greene County Planning Commission for review and comment on July 24, 2017; and

WHEREAS, Borough Council held a public hearing on September 11, 2017, which was advertised in accordance with the procedures established in the Pennsylvania Municipalities Planning Code, approve the enactment of said Ordinance.

NOW, THEREFORE, BE IT ORDANINED AND ENACTED by the Borough Council of the Borough of Waynesburg, Greene County, Pennsylvania, on October 9, 2017.

Borough of Waynesburg Council



President

Attest:



Secretary

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ARTICLE I

GENERAL PROVISIONS

1-101 TITLE

An ordinance to establish zoning regulations for the use of land, structures, area of lots, bulk of buildings and other structures, the density of population, the provision of off-street parking and loading spaces and similar accessory regulations for the Borough of Waynesburg, Pennsylvania, and for such purposes to divide the Borough into zoning districts; and, further, to provide for administrative enforcement and amendment thereof in accordance with the provisions of the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as reenacted and amended.

1-102 SHORT TITLE

This Ordinance shall be known and may be cited as the “Waynesburg Zoning Ordinance”. It is also hereafter referred to as “the Zoning Ordinance” or “this Ordinance”. The zoning district map shall be known and may be cited as the “Official Waynesburg Zoning Map” or “zoning map.”

1-103 STATEMENT OF PURPOSES

The zoning regulations and districts set forth in this Ordinance are intended to achieve, among others, the following purposes:

103.1. Community Development Objectives

1. Transform the circulation system through downtown Waynesburg to achieve a balance between efficient vehicle access and the creation of

a safe, inviting environment that attracts activity to the core business district.

2. Strengthen the core business district as the borough's economic engine and primary gathering place.
3. Refine and promote a unique community identity that reflects commonly held values and assets that can be marketed to attract visitors and investment.
4. Encourage investment in the borough's housing stock to ensure that neighborhoods remain stable, safe and attractive.
5. Improve public infrastructure by prioritizing and strategically implementing upgrades according to identified need.
6. Ensure local land use ordinances are consistent with the Comprehensive Plan.

103.2 Relationship to the Comprehensive Plan

1. This Ordinance is enacted to promote orderly plan of development according to the adopted Waynesburg Borough Comprehensive Plan, including data on existing conditions, statements concerning the proposed plan evaluations of implementation techniques. Such material shall be considered as legislative history and shall be utilized when necessary to establish policy in the interpretation of this ordinance.

1-104 APPLICATION OF THE REGULATIONS

- 104.1 Uniformity of Regulations and Exceptions: The regulations established by this Zoning Ordinance shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except that additional

classifications may be made within any district for the purposes of: (1) making transitional provisions at or near the boundaries of districts; (2) regulating nonconforming uses and structures; (3) regulating, restricting or prohibiting uses and structures at or near major thoroughfares, their intersections and interchanges, natural or artificial bodies of water; places of relatively steep slope or grade; public buildings and grounds; places having unique historical or patriotic value or interest; floodplain areas and other places having a special character or use affecting or affected by their surroundings. Among several classes of zoning districts, the provisions for permitted uses may be mutually exclusive, in whole or in part.

104.2 Compliance: No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered, except in conformity with all applicable provisions of this Ordinance. No changes shall be made in the contour of the land; no grading; excavation; removal or destruction of topsoil, trees or other vegetative cover of land shall be commenced until the zoning certificate has been issued in compliance with the terms of this Ordinance.

104.3 Future Annexations: All territory which may hereafter be annexed to the Municipality shall be considered to be in the R-1 Residential District until otherwise classified.

104.4 Reclassification of Public Facility If Use Ceases: In the case that any public building, facility or land area, such as a school, recreation area, community center or municipal building, shall cease to be used according to its intended function, the Planning Commission shall study the existing zoning classification of the property on which the said use is located and shall make recommendations to the Governing Body on any necessary zoning changes

to ensure a suitable reuse of the parcel. This study and recommendation shall be made by the Governing Body within 90 days of the notification by the appropriate public entity of the intent to terminate the existing use of the property.

104.5 Preservation of Other Regulations: Regardless of any other provision of this Ordinance, no land shall be used and no structure erected or maintained in violation of any federal, state or county law or regulation. Currently, the Municipality does not have a Subdivision/Land Development Ordinance and these provisions must be met by the Greene Co. Subdivision Ordinance.

104.6 Pending Building Permits: Nothing in this Ordinance shall require any change in construction or use of any structure for which a building permit was lawfully issued prior to the effective date of this Ordinance, or any amendment thereto, provided that construction has begun or a contract or contracts have been let pursuant to the permit issued prior to the effective date of this Ordinance. However, any building permit which was issued subsequent to the first public hearing on this Ordinance built prior to the Ordinance's effective date shall be declared void at the time of adoption of this Ordinance, if the structure or use does not conform to the provisions of this Ordinance and if no substantial construction has begun or contract(s) let.

104.7 Public Utility Corporations: The provisions of this Ordinance shall not apply to any existing or proposed building as stated in Section 619 of the Pennsylvania Municipalities Planning Code.

1-105 INTERPRETATION

105.1 Wherever the regulations within this zoning Ordinance are at variance with other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, those which impose the most restrictive requirements shall

govern.

105.2 No structure or use which was not lawfully existing at the time of the adoption of this Ordinance shall become or be made lawful solely by reason of the adoption of this Ordinance; and to the extent that said unlawful structure or use is in conflict with the requirements of this Ordinance, said structure remains unlawful hereunder.

1-106 REPEAL OF CONFLICTING ORDINANCES

All existing ordinances or parts of ordinances which are contrary to or conflict with the provisions of this Zoning Ordinance are hereby repealed, to the extent necessary to give this zoning Ordinance full force and effect.

1-107 VALIDITY

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof, and the parts or sections remaining shall remain in effect as if the part of the section declared unconstitutional had never been a part thereof.

1-108 EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption by the Governing Body.

ARTICLE II

DEFINITIONS

2-201 RULES OF INTERPRETATION

201.1 For the purpose of this Ordinance, certain terms and words used herein shall be interpreted or defined as follows.

Words used in the present tense shall include the future.

Words in the singular shall include the plural.

The word "person" includes a corporation, company, partnership and association, as well as an individual.

The word "lot" includes the words "plot" or "parcel."

The term "shall" is always mandatory.

The words "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designated to be used or occupied."

The word "building" includes the word "structure."

201.2 The particular shall control the general.

201.3 Whenever a measurement of distance is called for by this Ordinance, it shall be taken from the principal entrance or access of one use or structure to the principal entrance/access of another along the most direct line or route on, along or across public streets.

2-202 DEFINITIONS

In addition to the following definitions, diagrams illustrating key lot, area and dimensional terms appear at the end of this Article. In case of any difference of meaning or implication between the text of this Ordinance and any caption or

illustration, the text shall control.

ACCESSORY DWELLING STRUCTURE - An accessory building that is used to provide a living space separate from the primary structure for a person, or persons, related by birth, marriage or adoption to the residents of the primary structure.

ACCESSORY USE – A use, building or structure, the use of which is customarily incidental and subordinate to the main or principal use, building or structure and which is located on the same lot therewith.

ADULT ORIENTED USE – the definition for this term and for all uses included under this term shall apply as are provided in Title 68, Part II, Subpart E, Chapter 55, Section 5502 of the Pennsylvania Consolidated Statutes, as amended. Such definitions in Pennsylvania Statues are hereby included by reference, including but not limited to, the definitions for “Adult Bookstore,” “Adult Entertainment,” “Adult Mini-Motion Picture Theater,” “Adult Motion Picture Theater,” “Sexual Activities,” “Specified Anatomical Areas,” and “Specified Sexual Activities.”

AGRI-BUSINESS, SALES AND PROCESSING – Any agricultural operation, other than a Concentrated Animal Feeding Operation (CAFO) or Concentrated Animal Operation (CAO), that involves the production, value-added processing, sales and tasting of horticulture, floriculture, viticulture, food or beverage, cider-press, baking, which occurs within an enclosed permanent structure, including convenience retail.

AGRICULTURE – See Urban Agriculture.

ALLEY – A narrow service way providing a secondary public means of access to the rear or side of properties otherwise abutting on a street.

ALTERATION – An incidental change, rearrangement, replacement or enlargement in the structural parts or in the means of egress, whether by extending on a side or by increasing in height, or the moving from one location or position to another; or by change in use from that of one district classification to another.

APPLICANT – A landowner or developer, as hereinafter defined, who has filed an application for development including his/her heirs, successors and assigns.

APARTMENT – (See dwelling, multifamily).

ATHLETIC FIELDS – A piece of land prepared for playing a game. This definition includes Waynesburg University's Football Stadium

BAR AND NIGHTCLUBS - A business which sells alcoholic beverages for consumption on the premises as the principal use and which may offer food for consumption on the premises as an accessory use.

BASEMENT OR CELLAR – A story wholly or partly underground. A basement shall be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than 5 feet.

BED & BREAKFAST – A dwelling which is the principal residence of the operator where sleeping rooms are offered to transient overnight guests for compensation and where the only meal included with the overnight accommodations is breakfast.

BILLBOARD – A sign, other than one indicating a business conducted on the premises, upon which advertising matter of any character is printed, posted or lettered; it may be either freestanding or attached to the surface of a building or other structure, or applied directly to the surface (See also Sign).

BLOCK – An area bounded by three or more streets.

BOARD – The Zoning Hearing Board established by this Ordinance.

BUFFER AREA – An area of land which may include natural or artificial land forms or a planted area with shrubs, bushes, trees, grass or other ground cover material; which provides a compact visual screen and protection for adjacent properties.

BUILDING – Any covered structure that is permanently affixed to the land; included shall be all manufactured homes and trailers to be used for human occupancy.

BUILDING LINE – A line which designates the minimum distance that a building must be erected from a street right-of-way line. Such distance shall be measured at right angles from the front street right-of-way which abuts the property upon which said building is located and be parallel to said right-of-way line. The building line shall not include steps.

BUILDING AREA – The area of the lot within the building lines, bounded by the required yards; where there is no required yard, then bounded by the lot line.

BUILDING SPACING – The minimum distance between two buildings. The building spacing shall be measured from the outermost wall or projections, excluding bay windows, chimneys, flues, columns, ornamental features, cornices and gutters, provided these exceptions do not encroach more than 2 feet.

BULK – The term used to describe the size of buildings and their relationship to one another, to open areas, and to lot lines. Requirements relating to the bulk include standards for size, including area, height and floor area of a building; the number of dwelling units in a residential building in relationship to the area of the lot; and areas in yards or other open spaces.

BUSINESS SERVICES – Establishments engaged in rendering services to businesses and offices including, but not limited to, advertising; mailing; data processing; office supplies; building maintenance; equipment servicing, rental, leasing and sales; employment service; and other similar business services.

CANOPY – A lightweight structure attached to the ground and/or to a wall and extended over a sidewalk or other pedestrian walkway, where such structure is used primarily for purposes of shelter and not advertising.

CARPORT – A structure used for the shelter of a vehicle and which includes a roof attached to the side or back of the principal building and/or supported by four columns and which is open on two or more sides from the roof to the ground over

which it stands (unless specified otherwise herein).

CAR WASH – A structure, or portion thereof, either fully or partially enclosed, where one or more vehicles may be washed using mechanized equipment or by self-service.

CELLAR – (See Basement).

CEMETERY – A burial place or graveyard including mausoleum, but not including a crematory.

CERTIFICATE OF OCCUPANCY – A certificate issued by the Zoning Officer upon site inspection, attesting that the use or structure meets all requirements of this Ordinance, complies with all approved plans and may be used or occupied for the specified use.

CHURCH – (See Place of Worship).

CLEAR SIGHT TRIANGLE – A triangular area of unobstructed vision at the intersection of two streets or of a driveway and a street defined by line of sight a given distance from the intersection of the center lines of two streets or the center lines of the driveway and the street.

CLINIC, DRUG TREATMENT - A facility for the dispensing of pharmaceuticals for the treatment of drug addiction, including but not limited to suboxone and methodone clinics.

CLUB – An association organized and operated not for profit for persons who are bona fide members paying annual dues, and which owns, hires, or leases premises, the use of which premises is restricted to such members and their guests. The affairs and management of such association are conducted by a board of directors, executive committee, or similar body chosen by the members at their annual meeting. Food, meals and beverages may be served on such premises, provided adequate dining room space and kitchen facilities are available. Alcoholic beverages may be sold or served to members and their guests, provided such service is

secondary and incidental to the promotion of some other common objective of the organization, and further provided that such sale or service of alcoholic beverages is in compliance with all applicable federal, state, county and local laws.

COLLEGE ADMINISTRATION / OFFICES – A building or group of buildings used for administrative, executive, professional, research or laboratory activities officially affiliated with a college.

COLLEGE CLASSROOMS – Educational facilities owned and operated by a college for the purpose of group instruction.

COMMERCIAL – Engaging in a business, enterprise, activity, or other undertaking for profit.

COMMERCIAL RECREATION – Bowling alleys, billiard and pool halls, golf courses (regular and miniature), gymnasiums, exercise or fitness centers, swimming pools, and similar uses, which are operated on a commercial, for-profit basis.

COMMERCIAL SCHOOL – An establishment providing non-academic and non-credited training, vocational or trade education courses and programs for a fee.

COMMON OPEN SPACE – A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents or occupants of the development, but excluding streets, off-street parking areas, and areas set aside for public facilities.

COMMUNITY CENTER - A structure or area used for fraternal, social, cultural, and/or recreational programs generally open to the public and designed to serve significant segments of the local community.

COMMUNITY GARDEN – Any community-driven production of horticulture, floriculture, viticulture and vegetable production for sales and meeting the needs of a charitable food distribution system.

CONDITIONAL USE – An authorized use, which may be granted only by the Governing

Body pursuant to express standards and criteria prescribed in this Ordinance and defined in Article VI in the M.P.C.

CONTRACTOR'S OFFICE – The office for businesses engaged in the building trades including: general contractors; highway and street construction; heavy construction; plumbing, heating, air conditioning; painting, paperhanging and decorating; electrical; masonry and other stonework; carpentry and flooring; roofing and sheet metal; concrete work; water well drilling; and similar trades. This does not include the exterior storage of equipment and supplies.

CONSTRUCTION SIGN – A temporary sign erected during the course of construction only announcing the name of the contractors, architects, and owner associated with this project.

CONDOMINIUM – Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners. For purposes of this ordinance, condominium refers to a method of owning real estate and not to a type of unit or structure.

CONSTRUCTION – The construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of manufactured homes.

CONSTRUCTION TRAILER – A vehicle with or without its own motive power and used for a temporary field office or storage purposes at a construction site.

CONVERSION APARTMENT - A dwelling or other building existing at the effective date of this Ordinance which is converted for residential occupancy by more than one family, provided that the exterior design of structure is not changed from the character of a single-family unit and further provided that each dwelling unit

resulting from such conversion shall comply with regulations provided for in Article IV of this Ordinance.

CORNER LOT – (See Lot, Corner).

COUNCIL – The Council of the Municipality of Waynesburg.

COUNTY – Greene County, Pennsylvania.

DAY – Days shall be measured by calendar days wherever a time period is stipulated in this Ordinance.

DAY CARE CENTER – The following are types of day care centers:

CHILD – A facility providing care, supervision and/or Instruction for children under the age of 12 years for a period of less than 24 hours and licensed to operate as such by the Pennsylvania Department of Public Welfare.

ADULT – A facility providing care for less than 24 consecutive hours for adults who are not relatives of the operator and who because of physical or mental infirmity require assistance to meet personal needs, but who do not require nursing care.

DECK – A structure, either built on-grade or above grade, used for outdoor seating or gathering that does not contain walls but may contain a roof or handrail.

DENSITY – A measure of intensity of use expressed as in dwelling units per acre.

DEVELOPMENT – Any change to real estate; including but not limited to the erection, construction or placement of a structure or building, utilities, streets, parking and loading areas or other paved filling, grading, excavation, mining, drilling or dredging operations, the placement of manufactured homes, and the subdivision of land.

DEVELOPMENT PLAN – The provisions for the development of a site, including a plan or subdivision, all covenants relating to use, location and bulk of building and other structures, intensity of use or density of development, streets, ways and parking

facilities, common open space and public facilities.

DEVELOPMENT SIGN – A temporary sign, erected during the course of construction and/or development only, by the owners, developer or their agent.

DEVELOPER – Any landowner, agent of such landowner or tenant with the permission of such landowner, who undertakes a development.

DORMITORY – Building and premises where full-time students reside and are currently enrolled in a college or university.

DUPLEX – (See Dwelling, Two Family).

DWELLING – Any building or portion thereof constituting a separate independent housekeeping establishment for one or more persons, and containing independent cooking, sanitary and sleeping facilities. It shall not be deemed to include hotels, nursing homes, institutional facilities, personal care homes, group residences, and residence clubs.

DWELLING, MANUFACTURED HOME - A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations. The manufactured home must bear a label, as required and referred to in the Act of November 17, 1982 (P.L. 676, No. 192), known as the Manufactured Housing Construction and Safety Standards Authorization Act, which certifies that it conforms to Federal Construction and safety standards adopted under the Housing and Community Development Act of 1974 (Public Law 93-383, 88 Stat. 633), nor shall it apply to industrialized housing, as defined in the Act of May 11, 1972 (P.L. 286, No. 70), known as the Industrial Housing Act. Except as provided in the Uniform Construction Code, said Code does not apply to a new

manufactured housing assembled by and shipped from the manufacturer and which bears said label.

DWELLING, MULTI-FAMILY – A residential building containing three or more separate dwelling units.

DWELLING, SINGLE FAMILY DETACHED – A detached residential dwelling unit, occupied by only one family, that has a permanent footing and foundation and complies with the building code requirements. This category includes modular homes.

DWELLING, TOWNHOUSE - a set of three or more attached dwelling units, which are completely separated from each other by one or two vertical party walls.

DWELLING, TWO FAMILY – A detached building, occupied by only two families, independent of each other, with two units either attached side by side or one above the other with each unit having means of egress directly to the outside, at grade, or via an exterior stair to grade.

ELDERLY HOUSING – A residential building containing dwelling units whose principal use is occupancy by residents who are sixty (60) years of age or older or physically handicapped residents of any age and which may contain special features associated with the needs of the elderly or handicapped which are not usual in construction for dwellings and must conform to present A.D.A. design requirements.

ELECTRONIC NOTICE - A notice given by a municipality through the internet of the time and place of a public hearing and the particular nature of the matter to be considered at the hearing.

ENGINEER – A professional engineer licensed as such in the Commonwealth of Pennsylvania, and duly appointed as the engineer for the municipality.

EXISTING USE OR STRUCTURE – A use or structure in existence as of the effective date of this Ordinance.

FAMILY – One or more persons related by blood, adoption, or marriage, occupying a dwelling and living and cooking together as single housekeeping units as distinguished from a group occupying a personal care home, club, fraternity or hotel. Or a group of not more than four persons, who need not be related by blood, marriage or adoption, who are living together in a dwelling unit and maintaining a common household.

FAMILY DAY CARE -- A residential accessory use providing supervision and activities, including nutritional, developmental, rehabilitative, habilitative, recreational and educational needs, for a portion of a twenty-four (24) hour day to up to six children unrelated to the operator.

FARMER'S MARKET - A pre-designated area, with or without temporary structures, where vendors and individuals who have raised vegetables or produce (or have taken the same on consignment for retail sale) sell vegetables, produce, flowers, orchard products, locally produced packaged food products, and/or animal agricultural products

FENCE – Any structure constructed of wood, metal, wire, mesh or masonry erected for the purpose of screening one property from another to assure privacy, protection or confinement of the property.

FINANCIAL INSTITUTION - Financial or fiduciary institution, including savings and loan, finance companies, credit unions and other similar institutions that provide retail banking services to individuals or businesses.

FLOODPLAIN – A relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation; and/or an area subject to the unusual and rapid accumulation or runoff of surface waters.

FLOODPLAIN DISTRICT – All areas subject to the inundation by waters of the 100-year flood, including areas identified as floodway (FW), flood-fringe (FF) and general

floodplain area (FA). The basis for delineation of this district shall be the same as designated in the documentation of the Flood Insurance study, the Flood Insurance Rate Map and the Flood Boundary and Floodway Map for the Municipality, as prepared by the Federal Emergency Management Administration (FEMA).

FLOOR AREA RATIO – The gross floor area of the structure divided by the lot area of the zoning lot on which the building is place.

FRONT YARD – (See Yard, Front).

FUNERAL HOME - A building or part thereof used exclusively for human burial services. Such building may contain space and facilities for:

1. Embalming and the performance of other services used in the preparation of the dead for burial;
2. The performance of autopsies and other surgical procedures;
3. The storage of caskets, funeral urns, and other related funeral supplies; and
4. The storage of funeral vehicles, but shall not include facilities for cremation.

GARAGE – A fully enclosed building for the storage of motor vehicles, not including buildings in which fuel is sold, or repair or other service is performed.

GASOLINE SERVICE STATION – Building and premises where petroleum products, batteries, tires and automobile accessories may be supplied and sold at retail, and where services may be rendered in connection with these products, such as state inspection, greasing, hand washing, polishing, lubricating and similar services, and minor repair work.

GRADE – A reference plane representing the average of finished ground level adjoining the building at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest

points within the area between the building and lot line or, when the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

GROSS LEASABLE AREA (GLA) – Total floor area designed for the exclusive use and occupancy of building occupants, including basements, mezzanines and upper floors, but not including public or common areas such as public toilets, corridors, stairwells, elevators, machine and equipment rooms lobbies or mall areas, whether open or enclosed. GLA shall be measured from the center line of joint partitions and from the outside wall faces. It is the area upon which tenants pay rent, including sales area and integral stock areas.

GROUP CARE FACILITY – An establishment that provides room and board to persons who are residents by virtue of receiving supervised specialized services limited to health, social and/or rehabilitative services provided by governmental agencies or any licensed non-profit social service corporation. Supervision shall be provided by responsible adults whose number shall be determined and certified by the sponsoring agency. However, one(l) responsible adult shall always be in actual residence on a twenty-four (24) hour basis. The number of residents within this structure shall not exceed then (10) persons, including supervisory adults. This category shall not include facilities for persons who are criminal offenders or who are awaiting trial for any crimes.

HEIGHT, MAXIMUM – The vertical distance measured from the average of the elevation of the proposed finished grades immediately adjacent to all exterior walls of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs; and to the mean height between eaves and ridge for gable, hip and gambrel roofs. Chimneys, flues, stacks, fire escapes, gas holders, elevator enclosures, ventilators, skylights, water tanks and similar roof structures required to operate and maintain the building on which they are located shall not be included in calculating

maximum height.

HOME BASED BUSINESS, NO-IMPACT - A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises in excess of those normally associated with residential use. Must satisfy the following requirements:

1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
2. The business shall employ no employees other than family members residing in the dwelling.
3. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
4. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
5. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
6. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
7. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
8. The business may not involve any illegal activity.

HOME OCCUPATION – An occupation conducted in a dwelling unit solely by members of the family residing on the premises, provided such occupation shall be clearly incidental and subordinate to the unit's residential purpose and shall be conducted entirely within the principal residential structure with the exception of horticulture,

floriculture, viticulture and vegetable production for value added processing, which can occur outside of the principal dwelling.

HOSPITAL – A duly licensed institution providing acute medical or surgical care and treatment for the sick and injured.

HOTEL/MOTEL – A building or group of buildings containing rooms, which provide sleeping accommodations for transient guests on a daily or weekly basis. The term shall include motor hotel, motor inn, motor lodge, tourist court, inn and similar uses.

IMPERVIOUS SURFACE – A surface which resists the entrance or passing through of water or other liquids.

INDUSTRIAL – (See Manufacturing).

INSTITUTIONAL FACILITY – An establishment that provides room and board to more than eight persons who are residents by virtue of receiving supervised, specialized services limited to health, social and/or rehabilitative nature. The facility is operated by a governmental agency, their licensed or certified agents or any other responsible social service corporation. The facility shall be appropriately staffed on a 24-hours basis as normally prescribed by County or Commonwealth regulations. This facility shall not include business or professional offices, business activities, fraternal or social clubs, hospitals, nursing homes, rooming or boarding homes.

JUNKYARD – (See Salvage Yard).

KENNEL – Any lot or premises on which four or more dogs, cats or other domestic animals, at least four months in age are kept.

LAND DEVELOPMENT – Shall include one of the following:

1. The improvement of one lot, or two or more contiguous lots, tracts, or parcels of land for any purpose involving:
 - a. a group of two or more buildings or

b. the division or allocation of land or space between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features

2. A subdivision of land

3. Development in accordance with Section 503(1.1) of the M.P.C.

LANDOWNER – The legal or beneficial owner of land including the holder of an option or contract to purchase (whether or not such an option or contract is subject to any condition); a lessee if he is authorized under the lease to exercise the rights of the landowner or other person having a proprietary interest in the land, shall be deemed to be a landowner.

LAUNDROMAT - An establishment that is primarily engaged in dry cleaning and laundry services including the pressing, repair, and dry cleaning of clothing, apparel, or other fabric.

LIBRARY - Any premises, building or part of a building where books, films, maps and other educational materials are kept for reading, reference and lending by the public.

LIGHT INDUSTRIAL - A use engaged in the manufacturing, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, and sales and distribution of such products.

LOADING SPACE, OFF-STREET – Off-street space conveniently located, accessible and properly designed for the temporary use by vehicles making bulk pickups or deliveries of merchandise or materials.

LOT – Any parcel or tract of land on which buildings are placed, together with the required open spaces, or a vacant parcel as established by a plat. Such lot shall front on an improved public street or on an approved private way.

LOT, CORNER – A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

LOT, INTERIOR – A lot other than a corner lot with frontage on only one street.

LOT, THROUGH – A lot with the frontage on two parallel, or approximately parallel streets, and which is not a corner lot; may also be referred to as a double frontage lot.

LOT AREA – The total area within the boundary of a lot but excluding any area of land within the right-of-way of any public street.

LOT AREA PER DWELLING UNIT – The quotient obtained by dividing the total lot area by the total number of dwelling units to be located on such lot.

LOT COVERAGE – That percentage of a lot which when viewed directly from above would be covered by a structure or structures, or any part thereof, excluding protecting roof eaves.

LOT DEPTH – The distance between the midpoints of the front lot line and the rear lot line.

LOT LINE, FRONT – A street right-of-way line forming the boundary of a lot.

LOT LINE, REAR – The lot line that is most distance from, and is, or is most nearly, parallel to, the front lot line. If a rear lot lines is less than 15 feet long, or if the lot comes to a point at the rear, the rear lot lines shall be a line at least 15 feet long, lying wholly within the lot, parallel to the front line. If a zoning lot has two or more front lot lines, the owner or developer shall designate the yard which is to be the rear yard.

LOT LINE, SIDE – A lot line which is neither a front lot line nor a rear lot line.

LOT WIDTH – The distance between the side lot lines measured at right angles to the

lot depth at the established front building line.

MANUFACTURED HOME LOT – A parcel of land in a manufactured home park, improved with the necessary utilities connections and other appurtenances necessary for the erection thereon of a single manufactured home, which is sold or leased by the park owner to the occupants of the manufactured home erected on the lot.

MANUFACTURED HOME PARK – A parcel (or continuous parcels) of land, which has been planned for the placement of two or more manufactured homes.

MANUFACTURING – Businesses engaged in the mechanical or chemical transformation of materials or substances into new, value added products including agriculture, food and beverage production or processing, or businesses engaged in assembling component parts of manufactured products if the new product is neither a structure nor other fixed improvement.

MANUFACTURING OF PA LIQUOR CONTROL BOARD (LCB) CONTROLLED BEVERAGES – Any business holding a license issued by the LCB to engage in the manufacture, transportation and sale of malt or brewed beverages, also any person engaged in the legal manufacture of malt or brewed beverages within the territorial limits of the United States, outside the Commonwealth of Pennsylvania.

MEDICAL MARIJUANA – Marijuana for certified medical use as legally permitted by the Commonwealth of Pennsylvania with Act 16.

MEDICAL MARIJUANA DISPENSARY – A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit issued by the Department of Health (DOH) of the Commonwealth to dispense medical marijuana.

MEDICAL MARIJUANA, GROWING / PROCESSING – A person, including a natural person, corporation, partnership, association, trust or other entity, or any

combination thereof, which holds a permit issued by the Department of Health (DOH) of the Commonwealth to grow and process medical marijuana.

MEDICAL OFFICE / CLINIC – A facility for the examination and treatment of ill and afflicted human out-patients, including doctor and dental offices and urgent care clinics, provided that patients are not kept overnight except under emergency conditions.

MICROBREWERY - Establishment engaged primarily in the retail sale of prepared food for consumption, which includes the brewing of beer as an accessory use. The brewing operation produces beer and ale by mashing, cooking and fermenting and does not include the production of any other alcoholic beverage.

MIXED USE OR OCCUPANCY – The conduct or carrying on of two or more uses in one building or on one zoning lot.

MOBILE HOME – Factory built homes not bearing a label, as required and referred to in the Act of November 17, 1982 (P.L. 676, No. 192), known as the Manufactured Housing Construction and Safety Standards Authorization Act, which certifies that it conforms to Federal Construction and safety standards adopted under the Housing and Community Development Act of 1974 (Public Law 93-383, 88 Stat. 633), nor shall it apply to industrialized housing, as defined in the Act of May 11, 1972 (P.L. 286, No. 70), known as the Industrial Housing Act and the Pennsylvania Uniform Construction Code. Normally, these homes are constructed prior to 1976.

MODULAR HOMES – Sectional prefabricated buildings that consist of multiple modules or sections which are manufactured in a facility and then delivered to their intended site of use. The modules are assembled into a single building using either a crane or trucks. Modular homes are designed for erection or installation on a site-built permanent foundation or designed to be moved once so erected or installed on the site-built permanent foundation. Modular homes are designed and built to conform to the Pennsylvania Uniform Construction Code with a building permit is

required from the Code Enforcement Officer of the Borough. A Manufactured Home is not Modular Home. Modular Homes are single family dwellings.

MUNICIPALITIES PLANNING CODE (PLANNING CODE FOR MPC) – The Pennsylvania Municipalities Planning Code, Act 247 of 1968 (P. L. 805, No 247 as amended, 53 P.S. 10101 et. seq.).

NONCONFORMING LOT – A lot which does not comply with the applicable area and bulk provisions of this ordinance or an amendment hereafter enacted, which lawfully existed prior to the enactment of this Ordinance or any subsequent amendment.

NONCONFORMING STRUCTURE – A structure, or part of a structure manifestly not designed to comply with the applicable area, bulk or other provisions in this ordinance or an amendment hereafter enacted, which lawfully existed prior to the enactment of this Ordinance or any subsequent amendment. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE – A use, whether of land or of structure, which does not comply with the applicable use provisions in which this Ordinance or an amendment hereafter enacted, which lawfully existed prior to the enactment of this Ordinance or any subsequent amendment.

NURSERY / GREENHOUSE – The indoor raising of plants, shrubs, and trees for sale and transplantation.

NURSING HOME, INSTITUTIONAL FACILITY – An institution for the care of children, the aged or infirm, who are residents by virtue of requiring specialized care and supervision relating to health, social and/or rehabilitative services. The facility shall be licensed or certified in accordance with state and county laws and regulations. The term shall not include facilities or acute care or institutions for the care and treatment of mental illness; alcoholism, or narcotics addiction.

OFFICE, BUSINESS / PROFESSIONAL– The office of an engineer, doctor, dentist,

attorney, real estate broker, insurance broker, architect, or other similar professional person; and any office used primarily for accounting, correspondence, research, editing or administration. Not included in this definition are banks and other financial institutions.

OPEN SPACE – Land set aside and used for recreation, agriculture, resource protection or a buffer area, which is freely accessible to all residents of a development although restrictions may apply to agricultural areas. Open space does not include land occupied by nonrecreational buildings, roads and required parking areas or yards of dwelling units required by this Ordinance. Open space is normally left in a natural state, except if safely precludes this, and also with the exception of recreation areas which may be surfaced.

PA DEP – The Pennsylvania Department of Environmental Protection.

PENNDOT – The Pennsylvania Department of Transportation.

PARKING SPACE – An off-street space for parking motor vehicles and which has a hard, all-weather surface (asphalt, concrete covered to permit reasonable use at all times) and is at least 9 feet wide by 18 feet long, exclusive of passageways, driveways and access lanes.

PERIMETER – The outer boundary of a development site or area.

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.

PERSONAL CARE HOME – A facility licensed by the Commonwealth located within a dwelling where room and board is provided to more than three (3) permanent residents who are not relatives of the operator and who are mobile or semi-mobile and require specialized services in such matters as bathing, dressing, diet, and medication prescribed for self-administration for a period exceeding twenty-four (24)

hours, but who are not in need of hospitalization or skilled or intermediate nursing care.

PERSONAL SERVICE – A commercial establishment providing services and/or goods to individuals. This includes but is not limited to barber shops, beauty salons, dressmakers and seamstresses, tailoring, massage therapy business, shoe repair, and similar such establishments.

PLACE OF WORSHIP – A church, synagogue or similar place where religious services are held.

PLANNING COMMISSION – The Municipality of Waynesburg Planning Commission.

POLITICAL SIGN – A temporary sign which indicates the name, cause or affiliation of anyone seeking public office or which refers to an issue of concern which a public election is scheduled to be held.

PORCH – A roofed, open structure projecting from the front, side or rear wall of a building, and having no enclosed feature of glass, wood or other material more than 30 inches above the floor thereof, except awning or screening or the necessary columns to support the roof.

PRINCIPAL BUILDING – A building or buildings in which is conducted the main or principal use of the lot on which the building is situated.

PRINCIPAL USE – The main use of land or structures as distinguished from the subordinate or accessory use.

PRINTING AND PUBLISHING ESTABLISHMENT – Establishments whose primary business is engaged in printing by letterpress, lithography, gravure, screen, offset or other common process including electrostatic (xerographic) copying and other "quick printing" services; and establishments serving the printing trade such as bookbinding, type-setting, engraving, photoengraving and electrotyping. This group also includes establishments that publish newspapers, books and periodicals,

whether or not they do their own printing; and establishments manufacturing business forms and binding devices.

PRIVATE – Of or pertaining to any building, structure use or activity limited to members of an organization or to other persons specifically invited or permitted where no advertisement or inducement has been made to the general public.

PRIVATE CLUB – An association organized and operated not for profit for persons who are bona fide members paying annual dues and which premises are restricted to such members and their guests. The affairs and management of such association are conducted by a board of directors, executive committee, or similar body chosen by the members. Food, meals and beverages may be served on such premises, provided adequate dining room space and kitchen facilities are available. Alcoholic beverages may be sold or served to members and their guests, provided such service is secondary and incidental to the common objective of the organization and provided that such sale is in compliance with all applicable federal, state, county, and local laws.

PUBLIC – Of or pertaining to any building, structure, use or activity belonging to, or affecting, any duly authorized government body.

PUBLIC/ESSENTIAL SERVICE – Underground or overhead gas, electrical, steam, water or communication transmission, distribution, collection, supply or disposal systems and their required buildings and fire or emergency service stations, provided such facilities are owned and operated by a governmental agency or entity regulated and/or licensed by the Pennsylvania Public Utility Commission (PUC). Public/essential services shall not include public or private incinerators, landfills, or similar waste disposal facilities, whether or not owned or operated by a government or PUC-regulated entity.

PUBLIC MEETING – A forum held pursuant to notice under the act of July 3, 1986, (P.L. 388, No. 84), known as the “Sunshine Act”.

PUBLIC NOTICE – Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notices shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

PUBLIC PARKS / RECREATION – Land or buildings for the pursuit of sports and similar leisure time activities such as parks, swimming pools, tennis courts or ball fields, which are operated by governmental or nonprofit organizations. Excluded are any amusement establishments or other recreational facilities of a commercial nature (see Commercial Recreation).

PUBLIC PARKING GARAGE - A building with multiple stories of off-street parking spaces where vehicles are temporarily stored with or without a nominal fee, in association with occupational, retail, entertainment, recreational, municipal, educational or residential use(s).

PUBLIC PARKING LOT – Any lot, parcel or yard used regularly in whole or part for the storage or parking of more than two vehicles where such usage is-not incidental to or in conjunction with a one or two family home.

PUBLIC USE OR BUILDING - Building or facility operated by a governmental agency or philanthropic organization, where administrative activities are conducted or social or educational services are provided to the public. Such uses shall include, but are not limited to, a municipal/county building, library, community center, museum, or similar use/facility, excluding a school or recreational facility as defined by this Ordinance.

RADIO, TELEPHONE OR SATELLITE DISH ANTENNA - Any structure or device used for the purpose of collecting or transmitting, electromagnetic waves, including but not limited to direction antennas (such as panels, microwave dishes) and satellite dishes and omni-directional antennas (such as wind antennas).

RAILROAD OR TRUCK TERMINAL - The premises and building(s) where cargo is stored and where railroad cars and trucks load and unload cargo for shipment or distribution on a regular basis, and which may include facilities for the temporary storage of loads prior to shipment and facilities for the maintenance of transport vehicles.

RECREATIONAL VEHICLE – A single or multiple-axle, non-self-propelled or self-propelled structure mounted on wheels or otherwise capable of being made mobile for the purpose of travel, recreational and vacation use, including but not limited to, travel trailers, motor homes, tent trailers, boats and boat trailers, horse trailers, or campers.

RESEARCH AND DEVELOPMENT – A use devoted to research design, laboratory work and or experimentation and any processing and fabrication incidental thereto, provided no materials or finished products shall be manufactured, processed or fabricated on the premises for sale except such as are incidental to said laboratory research, design and or experimentation conducted on said premises.

RESTAURANT – A structure in which the principal use is the preparation and sale of food and beverages, where food sales constitute more than 80 percent of the gross sales receipts for food and beverages. Primary food service is via tableside ordering and/or consumption but can include a delicatessen and curbside pick up. Take-Out service is permitted, but drive-thru service is not permitted.

RETAIL STORE – Commercial establishments engaged in selling merchandise directly to customers for personal or household consumption and rendering services incidental to the sale of goods.

CONVENIENCE RETAIL – Establishments selling merchandise for daily consumption and purchase, such as food drugs and similar items. For purposes of this Ordinance, eating and drinking establishments are excluded from this category.

SHOPPER'S RETAIL – Establishments selling a wide variety of comparison goods, such as apparel, furniture, household and electrical appliances, hardware, sporting goods, computers and specialty merchandise such as jewelry, stationery, antiques and gift items. For purposes of this Ordinance, retail sales of building materials; plumbing, heating, electrical and ventilating materials and equipment; garden supplies; automobiles, trucks and other vehicles; boats; gasoline; and automotive parts are excluded from this category.

In determining the applicability of any specific use to this definition, the Municipality shall be guided by the groupings utilized in the federal Standard Industrial Classification Manual (most current edition).

SALVAGE (OR JUNK) YARD – Any area where scrap metal, paper, rags, tires and other waste and/or used materials are brought, sold, exchanged, stored, bailed, packaged, disassembled or handled; or where inoperable machinery or motor vehicles are collected, dismantled, stored or sold or parts. Any use conducted entirely within an enclosed building is not a salvage yard.

SCHOOL – A place of instruction operated by a public or religious organization, having regular sessions, with regularly employed instructors and meeting all the requirements of the PA Department of Education for providing primary, secondary, vocational or post-secondary education. This definition shall not include privately operated, for-profit schools of trade, vocation, avocation or business.

SCREEN – Decorative fencing or evergreen vegetation maintained for the purpose of concealing from view the area behind such structures or evergreen vegetation.

SELF SERVICE STORAGE UNITS – A building or group of buildings in a controlled and fenced compound that contains varying sizes of individual compartmentalized, and controlled access stalls or lockers which are leased to individuals for the storage of the individual's property, possessions or wares. All storage shall be with a completely enclosed building or buildings. There shall be minimum spacing of twenty-five (25)

feet between buildings for traffic circulation, parking and fire lane purposes. All outside lighting shall be directed away from adjacent properties.

SERVICE BUSINESS – Commercial establishments that provide a wide variety of services for individuals, business and government establishments and other organizations.

PERSONAL SERVICES – Establishments providing services generally involving the care of the person or his/her apparel such as laundries, dry cleaning shops (excluding dry cleaning plants), barber/beauty shops, photographic studios, shoe repair, baking and catering and similar services. For the purposes of this Ordinance, funeral homes/mortuaries and vehicular repair services are excluded from this category.

BUSINESS SERVICES – Establishments providing services primarily to business establishments on a fee or contract basis, such as advertising and public relations, management and consulting services, security and maintenance services, equipment rental/leasing, computer and data processing services.

In determining the applicability of any specific use to this definition, the Municipality shall be guided by the groupings utilized in the federal Standard Industrial Classification Manual (most current edition).

SHOPPING CENTER – A group of more than three commercial businesses developed as a single entity and sharing a common parking lot.

SIGN – A structure that is arranged, intended, designed or used to advertise, announce or direct; or any device, illustration, description or identification posted, painted, or placed in some fashion on a building, structure or any surface for such a purpose. For the purpose of removal, signs shall also include all sign structures.

AWNING, CANOPY SIGN – A sign consisting of individual cut-out letters and/or symbols which are painted, stenciled, or otherwise placed on a non-permanent

awning or canopy.

BILLBOARD – An off-premises sign which advertises an establishment, activity, person, product or service which is unrelated to or unavailable on the premises where the building is located.

BUILDING SIGN – An on-premises sign permanently affixed to a building, including:

- (i) **BUILDING IDENTIFICATION SIGN** - A sign containing only the name and address of the occupant of the premises, or in the case of a multi-family building containing only the name and address of the building.
- (ii) **CANOPY (OR AWNING) SIGN** - A sign that functions as a roof-like shelter, either permanent, retractable or removable, made of canvas or other material that is affixed to a building or self-supporting and provides protection from sun, rain, snow and other elements but excluding marquees.
- (iii) **MARQUEE SIGN** - A sign that is attached to, in any manner, or supported by a permanent roof-like shelter extending from part of all of a building face and may or may not project over the public right-of-way.
- (iv) **PROJECTING SIGN** - A sign affixed to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building or wall.
- (v) **WALL SIGN** - A sign attached to and erected parallel to the face of an outside wall of a building, projecting outward no more than six (6) inches from the wall of the building.
- (vi) **WINDOW SIGN** - A sign or group of signs affixed to the inside of a display window in a commercial establishment which advertises a product or service available on the premises or which announces or

promotes a special sale or special event.

FREESTANDING SIGN - An on-premises sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure., including:

- (i) **GROUND (OR MONUMENT) SIGN** - A sign having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick. All other freestanding sign types not meeting the definition of a monument sign shall be either a pole sign or a pylon sign.
- (ii) **ON-LOT DIRECTIONAL SIGN** - A sign which conveys instructions or directions with respect to the use of the lot or building on which the sign is located, including but not limited to signs which indicate street addresses and the availability of parking, telephones rest-rooms, and other conveniences for the general public.
- (iii) **POLE SIGN** - A sign that is supported from the ground by an exposed pole(s) or a three-dimensional support structure that is less than one-third (1/3) the width of the sign face.
- (iv) **PYLON SIGN** - A sign that is supported by one or more structural elements which are architecturally similar to the design of the sign or where the support structure is more than one-third (1/3) the width of the sign face.

TEMPORARY SIGN - A sign that is not permanently affixed to the ground, building or structure and is temporary in nature, designed to be removed upon conclusion of an event or within a specified time period including:

- (i) **CONSTRUCTION** - A sign announcing the name of contractors, mechanics or artisans engaged in performing work on the premises.
- (ii) **DEVELOPMENT** - A sign erected during the period of construction

and/or development of a property by the contractor and developer or their agent.

- (iii) PORTABLE - A sign that is not permanently affixed to a building, a structure or the ground which is designed to be moved from place to place, such as sandwich board signs.
- (iv) REAL ESTATE - A sign advertising the sale or rental of premises. The sign may also bear the words “sold”, “sale pending” or “rented” across their face.
- (v) SPECIAL EVENT DISPLAY - A banner, flag, pennant or similar display constructed of durable material and affixed to the wall of a building or a freestanding structure erected whose sole purpose is to advertise a special event.

SIGN AREA – The area defined by the frame or edge of a sign, excluding the necessary supports or uprights on which the sign may be placed. Where there is no frame or edge to the sign, the area shall be defined by a projected, enclosed, four-sided (straight sides) geometric shape which most closely outlines the copy of letters of the said sign. If the sign consists of more than one section or module, all areas shall be totaled.

SIGN FEATURES

CHANGEABLE COPY - A sign whose informational content can be changed or altered by manual or electronic means. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a 'time and temperature portion of a sign and not a changeable copy sign for purposes of this Chapter.

DIGITAL - A sign with a fixed or changing message composed of a series of lights, including light emitting diode (LED), which may be changed through electronic means without altering the face or surface of the sign.

INDIRECTLY ILLUMINATED - A sign which is lighted by means of lamps or lighting devices external to, and reflected on, the sign, which lighting is stationary and constant in intensity and color at all times and which is shielded so that the illumination is concentrated on the face of the sign and there is no spillover of illumination or glare beyond the face of the sign.

INTERNALLY ILLUMINATED - A sign which is lighted by means of lamps or lighting devices internal to the sign, which lighting is either behind the face of the sign or is an integral part of the sign structure and the advertising effect.

SITE PLAN – A plan of a proposed development or use on which is shown topography, location of all buildings, structures, roads, right-of-ways, boundaries, all essential dimensions and bearings any other information deemed necessary by the Municipality or prescribed by this Ordinance.

SLOPE – The face of an embankment or cut section: any ground whose surface makes an angle with the plane of the horizon. Slopes are expressed in a percentage based upon vertical distance in feet per 100 feet or horizontal distance.

SOLAR ENERGY SYSTEM, SMALL -- An energy conversion system, including appurtenances, which converts solar energy to a usable form of energy to meet all or part of the energy or heating requirements of the on-site user, or which is to be sold to a utility company to be used by others, or sold directly to other users. A solar energy system may be ground-mounted (i.e., placed on top of the ground surface) or roof-mounted (i.e., placed on or as an integral part of a building). A small solar energy system is for personal use in residences, commercial properties and institutions (as opposed to installed on large parcels of land for the purpose of generating revenue or utility-scale systems designed to benefit the community or an entire institution).

SPECIAL EXCEPTION – Approval for a particular use granted by the Zoning Hearing Board, according to the provisions contained in this Ordinance and Articles VI & IX of

the M.P.C.

STEPS – A construction or series of constructions placed for a foot support to effectuate the ascending or descending of a person or persons from one level of elevation to another.

STORAGE SHED – A small accessory structure, either wholly or partially enclosed, serving for storage of tools, equipment, supplies or other similar materials for safekeeping.

STORY – A story is that part of a building between the surface of any floor and the next floor above it or, in its absence, then the finished ceiling or roof above it. A “split level” story shall be considered a second story if its floor level is 6 feet or more above the level of the line of the finished floor next below it. Any floor under a sloping roof at the top of a building which is more than 2 feet below the top plate shall be counted as a story; and, if less than 2 feet below the top plate, it shall be counted as a half-story. A basement shall be counted as a story if it averages more than 5 feet above grade.

STREET – Any street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or other way, whether public or private, used or intended to be used by vehicular or pedestrian traffic.

STREET GRADE – The officially established grade of the street upon which a lot fronts. If there is no officially established grade, the existing grade of the street shall be taken as the street grade.

STREET LINE – The line defining the edge of the legal width of a dedicated street right-of-way.

STREET – TYPE – Streets may be classified according to the following:

STREET, ARTERIAL – Streets designed to carry high volumes of traffic from one area of the community to another to link one community with another.

STREET, COLLECTOR – Streets designed to collect traffic from local streets and then to convey it to the major arteries.

STREET, LOCAL – Streets designed to serve only the traffic needs of and provide access to a limited area or neighborhood.

STRUCTURE – Any assembled, erected or constructed object having a stationary location on or in land or water, whether or not it is affixed to the land. This includes, but is not limited to, carports, porches, storage sheds or containers, free standing posts, pillars and similar uses. It shall not include sidewalks, driveways, or patios.

STUDENT – A person who is registered to be enrolled or who is enrolled and matriculating at a post-secondary school as a student or who is on a semester or summer break from studies at a post-secondary school.

STUDENT HOUSING – A building which contains a dwelling unit occupied by two or more students who are not related to each other by birth, adoption or marriage.

SUBDIVISION – The division or redivision 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, transfer or ownership, or building, or lot development, provided however, that the division of land for agricultural purposes into parcels of more than 10 acres, not involving any new structure or easement of access, shall be exempted.

SWIMMING POOL – A body of water in an artificial or semi-artificial receptacle or other container, whether located in or out of doors, used as a recreational facility for swimming, bathing or wading and having a depth of over 24 inches. A swimming pool shall be deemed to include all building, equipment and appurtenances incidental to such a pool.

TEMPORARY STRUCTURE OR USE – Any structure or use which, by the type of materials, construction or intended purpose, is erected or located for not more than

twelve months. Included are tents, stands, construction trailers and other structures or uses of similar character.

TRAILER – A vehicular portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes having a body width not exceeding 8 feet.

URBAN AGRICULTURE - The use of land for horticulture, floriculture, viticulture, and vegetables.

USE – The specific purpose of which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained. The terms “permitted use”, “conditional use” or “special exception use” shall not be deemed to include any nonconforming use.

VARIANCE – Permissive waivers from the terms of this Ordinance, granted by the Zoning Hearing Board in case where a literal enforcement of provisions of the Ordinance will result in unnecessary hardship, due to special conditions that are not self-imposed by the property owner, provided the variance is determined not to be contrary to the public interest and the spirit and intent of this Ordinance as defined in Articles VI and IX of the M.P.C.

VEHICULAR REPAIR GARAGE – Any building or premises where automobile repairs take place. This includes rebuilding or major reconditioning of work or damaged motor vehicles or trailers or any parts thereof, collision service, painting and engine steam cleaning.

VEHICULAR SALES / SERVICES - Any facility or lot used for the sale or repair of motor vehicles.

VETERINARY OFFICE (CLINIC OR HOSPITAL) - An establishment of a licensed practitioner primarily engaged in the practice of veterinary medicine, dentistry or surgery for animals. Accessory uses may include the confinement of animals for

medical reasons, grooming and destruction.

WHOLESALE DISTRIBUTION AND WAREHOUSING - Businesses primarily engaged in storing and selling merchandise to retailers; to industrial, commercial, institutional, or professional users; or, to other wholesalers.

WIND ENERGY SYSTEM, SMALL - All equipment, machinery and structures utilized in connection with the conversion of kinetic energy of wind into electrical power. This includes, but is not limited to, storage, electrical collection and supply equipment, transformers, service and access roads, and one or more wind turbines, which have a total rated nameplate capacity of not more than 100kW/ 0.1MW.

WIRELESS COMMUNICATIONS FACILITIES – The following definitions pertain apply to wireless communications facilities.

ACCESSORY EQUIPMENT: Any equipment serving or being used in conjunction with a wireless telecommunications facility or wireless support structure. The term includes utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or similar equipment.

ANTENNA: Telecommunications equipment that transmits and receives electromagnetic radio signals used in the provision of all types of wireless communications services. An antenna shall not include private residence-mounted satellite dishes or television antennas or amateur radio equipment including, without limitation, ham or citizen band radio antennas.

BASE STATION: A structure or equipment at a fixed location that enables Federal Communications Commission-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

- (i) The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services (i.e., wifi) and fixed wireless services (i.e. point to point microwave transmissions) such as microwave backhaul.
- (ii) The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).
- (iii) The term includes any structure other than a tower that, at the time the relevant application is filed with the Borough under this subpart, supports or houses equipment described in sub-paragraphs (i) and (ii) of this section that has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.
- (iv) The term does not include any structure that, at the time the relevant application is filed with the Borough under this section, does not support or house equipment described in sub-paragraphs (i) or (ii) of this section.

COLLOCATION: The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

DISTRIBUTED ANTENNA SYSTEM (DAS): A small network of antennas that are connected to a common source that provides coverage in a building or a small geographic area.

ELIGIBLE FACILITIES REQUEST: Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving (i) collocation of new transmission equipment; (ii) removal of transmission equipment; or (iii) replacement of transmission equipment.

ELIGIBLE SUPPORT STRUCTURE: Any tower or base station, provided that it is existing at the time the relevant application is filed.

EQUIPMENT COMPOUND: An area surrounding or adjacent to a wireless support structure within which base stations, power supplies or accessory equipment are located.

FT. WORTH ATTACHMENT: A non-freestanding pole which is attached to an electrical transmission tower which is used to support antennas and accessory equipment and which is anchored to the ground and obtains lateral bracing by direct attachment to the electrical transmission tower.

MINIMUM FUNCTIONAL HEIGHT: Minimum height necessary for a WCF to function satisfactorily.

MODIFICATION: The improvement, upgrade or expansion of existing wireless telecommunications facilities or base stations

on an existing wireless support structure or the improvement, upgrade or expansion of the wireless telecommunication facilities located within an existing equipment compound, if the improvement, upgrade, expansion or replacement does not substantially change the physical dimensions of the wireless support structure.

MONOPOLE: A tower which consists of a single pole structure without any guy wires, designed and erected on the ground or on top of a structure, to support

communications antennas and connect appurtenances.

REPLACEMENT: The replacement of existing wireless telecommunications facilities on an existing wireless support structure or within an existing equipment compound due to maintenance, repair or technological advancement with equipment composed of the same wind loading and structural loading that is substantially similar in size, weight and height as the wireless telecommunications facilities initially installed and that does not substantially change the physical dimensions of the existing wireless support structure.

RIGHT-OF-WAY (ROW): The surface of and space above and below any real property in the municipality in which the federal government, Commonwealth, municipality or municipal authority has a regulatory interest, or interest as a trustee for the public, as such interests now or hereafter exist, including, but not limited to, all streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skyways, or any other public place, area or property under the control of the federal government, Commonwealth, municipality or municipal authority, and any non-exclusive public or utility easements established, dedicated, platted, improved or devoted for utility purposes. Private rights-of-way and other government-owned lands not listed above shall not be considered a right-of-way. The phrase “in the right(s)-of-way” means in, on, over, along, above and/or under the Right(s)-of-Way.

SITE: For towers other than towers in the public rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.⁸

STEALTH TECHNOLOGY: State-of-the-art design techniques used to blend objects into the surrounding environment and to minimize the visual impact as much as possible. These design techniques are applied to wireless communications towers, antennas and other facilities which blend the proposed WCF into the existing structure

or visual backdrop in such a manner as to render it less visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure and facilities constructed to resemble trees, shrubs, light poles, utility poles or flag poles.

SUBSTANTIAL CHANGE OR SUBSTANTIALLY CHANGE: A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

- (i) for towers other than towers in the public rights-of-way, it increases the original height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other existing towers or base stations, it increases the original height of the structure by more than 10% or more than ten feet, whichever is greater. Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.
- (ii) for towers other than towers in the public rights-of-way, it involves

adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other existing towers or base stations, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

(iii) for any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;

(iv) it entails any excavation or deployment outside the current site.

TOWER: Any structure that exceeds ten feet (10') in height and is built for the sole or primary purpose of supporting any Federal Communications Commission-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services (i.e. wifi) and fixed wireless services (i.e. point to point microwave transmission) such as microwave backhaul, and the associated site. A building, water tower, electrical transmission tower, utility pole, light pole, traffic signal pole, flag pole or other similar structure designed and constructed for a sole or primary purpose other than supporting any Federal Communications Commission-licensed or authorized antennas and their associated facilities, as well as a Ft. Worth

Attachment shall not be considered a tower.

TOWER BASED COMMUNICATIONS FACILITY (Tower-Based WCF): Wireless communications facilities that include the installation of a new tower to support the transmission equipment. A WCF that requires the replacement of an existing structure (i.e. building, water tower, utility pole, light pole, traffic signal pole, flag pole or other similar structure) to support the weight of a WCF is not considered a new Tower-Based WCF.

TRANSMISSION EQUIPMENT: Equipment that facilitates transmission for any Federal Communications Commission-licensed or authorized wireless communications service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as a microwave backhaul.

WIRELESS COMMUNICATIONS FACILITY (WCF) ON EXISTING STRUCTURE: Wireless communications facilities located on existing structures such as, but not limited to buildings, water towers, electrical transmission towers, utility poles, light poles, traffic signal poles, flag poles and other similar structures that do not require the installation of a new tower. This term includes the replacement of an existing structure with a similar structure that is required to support the weight of the proposed WCF.

WIRELESS: Transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, personal communications service (PCS), microwave, satellite, or radio signals.

WIRELESS COMMUNICATIONS FACILITY (WCF): The set of equipment and

network components including antennas, transmitters, receivers, base stations, cabling and accessory equipment, used to provide wireless data and telecommunication services. The term shall not include the wireless support structure.

WIRELESS SUPPORT STRUCTURE: A freestanding structure, such as a guyed or self-supporting monopole or tower, electrical transmission tower, water tower or other structure not classified as a wireless support structure, including but not limited to buildings, light poles, utility poles, traffic signals and other similar structures that could support the placement or installation of wireless telecommunications facilities if approved by the municipality.

YARD – An open space on a lot which is unoccupied and unobstructed from the ground upward, except as otherwise provided herein. (See illustrations).

YARD, FRONT – A yard extending along the full width of a front lot line and back to the required building line. On corner and through lots, front yards shall be provided along all street frontages.

YARD, REAR – The required open space extending from the rear of the main building to the rear lot line (not necessarily a street line) across the entire width of the lot.

YARD, SIDE – The required open space between the side (face) of any buildings and the side lot line, extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed as a side line. In the case of a through lot, side yards shall extend from the rear line of the required front yards. On corner lots, one yard not fronting on the two streets shall be designated a side yard.

ZONING CERTIFICATE – A certificate issued by the Zoning Officer, stating that the purpose for which a building or land is to be used complies with all applicable requirements of this Ordinance for the zoning district in which it is located or is to be

located.

ZONING HEARING BOARD – The Zoning Hearing Board of the Municipality of
Waynesburg.

ARTICLE III

DISTRICT REGULATIONS

3-301 ESTABLISHMENT OF DISTRICT CLASSIFICATIONS

The Municipality of Waynesburg is hereby divided into the following zoning districts:

R-1 Low Density Residential	C - Conservation
R-2 Medium Density Residential	U-1 University
R-3 High Density Residential	U-2 University Fields
B-1 General Business	M-1 Manufacturing

3-302 ZONING DISTRICT MAP AND BOUNDARIES

302.1 Boundaries Established: The boundaries of the various zoning districts are hereby established on the map entitled "Official Zoning Map" on file in the office of the Zoning Officer/ Building Inspector and found in the Appendix of this Ordinance. This map with all explanatory matter thereon is hereby made part of this Ordinance. The Official Zoning Map shall be dated and shall carry the appropriate signature certifying that is true map adopted by Waynesburg Borough. All amendments shall be identified on the map and similarly certified.

The boundaries between districts are, unless otherwise indicated, the parcel lines.

302.2 Interpretation: Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map or in other circumstances not specifically covered above, the Zoning Hearing Board shall interpret the district boundaries.

302.3 Future Street Vacation: In the event that a street, alley or other way shown on the Zoning District Map is vacated, the property formerly in said street right of way shall be included within the zoning district of the adjoining

property on either side of said vacated street or way. Where said street forms a zoning district boundary, the new district boundary shall be the new property line created by the former, centerline of said vacated street.

3-303 DISTRICT REGULATIONS

303.1 District regulations governing the uses and area and dimensional standards for each zoning district shall be as set forth in the Schedule of District Regulations which follows.

303.2 Additional Standards for B-1 and M-1 Districts

1. All operations, activities and storage shall be conducted wholly inside a building or buildings unless otherwise specified within this Ordinance.
2. All premises shall be furnished with all-weather hard surface walks, driveways, parking and loading areas.
3. Portions of the property not covered with buildings, roads, walkways, parking and loading areas, or similar uses shall be planted and suitably landscaped.
4. No building on an industrial property shall be used for residential purposes, except that a security guard or custodian may reside on the premise.
5. Temporary sale of merchandise in front of the premises may be permitted only as a seasonal sale or seasonal sidewalk sale, subject to the provisions of section 5-507 of this Ordinance.
6. All uses shall comply with the environmental performance standards of this Ordinance located in Article VI.

3-304 PERMITTED USES

304.1. For the purposes of this Ordinance, the following abbreviations shall have the following meanings:

P = Permitted use by right (decision by Zoning Officer)

SE = Special Exception (decision by the Zoning Hearing Board)

304.2. The use tables within each of the subsections of this Article and the full use table in the Appendix of this Ordinance contains the list of uses that are permitted within each of the zoning districts.

304.3. Unless otherwise provided by State or Federal law or specifically stated in this Ordinance, any land or structure shall only be used or occupied for a use specifically listed in this Article as being allowed in the zoning district where the land or structure is located. Such use shall only be permitted if the use complies with all other requirements of this Ordinance.

3-305 USE FOR WHICH NO PROVISION IS MADE

305.1. Whenever, a use is not specifically permitted in any district established under this Ordinance, and an individual makes an application for such use, the Zoning Officer shall refer the application to the Zoning Hearing Board who may authorize the use by special exception in the appropriate district.

3-306 LOT, YARD AND HEIGHT REGULATIONS AND EXCEPTIONS

306.1 Lot Area: Any lot together with the required yards and open areas on it shall, be equal to or exceed the minimum lot area established for the zoning district in which it is located. In case of a subdivision or combination of lots, no lot shall be created which does not meet the requirements of this Ordinance.

306.2 Required Lot Area: Any portion of a lot once designated as a yard or as lot area per dwelling unit in compliance with the lot area requirements of the Ordinance, shall not be counted again as a required yard or lot area per dwelling unit for another lot or building, nor shall it be sold as a separate lot.

306.3 Building on Nonconforming Lots of Record: Any nonconforming lot of record, as defined by this Ordinance, may be used for the erection of a structure conforming to the use of the district in which it is located subject to the provisions of Article 8 of this Ordinance.

- 306.4 Front Yards on Corner Lots: Lots which abut on more than one street shall provide the required front yards along every street.
- 306.5 Yard Exceptions: Where more than fifty percent (50%) of the lots within a block contain existing structures, the setbacks may be reduced to conform to the setback lines of the existing structures.
- 306.6 Projections into Required Yards: All structures, whether or not attached to the principal structure and whether open or enclosed including porches, balconies, or other platforms above normal grade level, shall not project into any minimum front, side, or rear yard with the following exceptions:
1. A buttress, chimney, cornice, pier, or pilaster which does not project more than 18 inches from the wall of a building may project into a required yard.
 2. Balconies or other above-ground platforms and access steps to a structure, not exceeding 6 feet in width, may extend up to 3 feet into a required yard.
 3. A porch for a residential structure may extend into a required side yard, provided the porch is not more than 10 feet in height and is no closer than 5 feet to any side lot line or 10 feet to any rear lot line.
- 306.7 Access to Public Street: All lots shall have access either directly or via a driveway to a public street. Such driveway shall have a uniform width of not less than 12 feet.
- 306.8 Height Exceptions: Church spires and towers, water towers and tanks, and electric transmission towers may exceed the maximum height for the zoning district in which they are located. However, no such structure shall exceed 75 feet in height and the required side yards shall be increased one foot for each 5 feet over 45 feet in height.

307.1 Purpose: It is the intent and purpose of the R-1 District to provide for and protect single-family residential development in established neighborhoods.

307.2 Permitted Uses:

Residential	
Dwelling, Single-Family Detached	P
Dwelling, Two Family	SE
Institutional	
Cemetery	SE
Community Center	SE
Community Garden	SE
Funeral Home	SE
Place of Worship	SE
Public / Essential Services	P
Public Parks / Recreation	P
Public Use or Building	SE
School	SE
Wireless Communications Facility on Existing Structure	SE
Commercial	
Bed & Breakfast	SE
Urban Agriculture	P
Accessory Uses	
Accessory Dwelling Structure	P
Accessory Uses common in residential districts such as swimming pools, sheds, play structures, garages, gazebos, etc.	P
Family Day Care	P
Home-Based Business, No Impact	P
Home Occupation	SE
Solar Energy System, Small	P
Wind Energy System, small	P
Key: P = Permitted by Right, SE = Special Exception	

307.3 Dimensional Requirements

Uses	Min. Lot Area	Min. Front Yard	Min. Rear Yard	Min. Side Yard	Max. Lot Coverage	Min. Lot Width	Max. Building Height
Dwelling, Single Family	4,400 S.F.	Avg./35'*	25'	10'	40%	50'	30' or 2.5 Stories, whichever is greater

All other uses	10,000 S.F.	25'	25'	25'	40%	50'	30' or 2.5 Stories, whichever is greater
Accessory Uses	N/A	N/A	5'	5'	N/A	N/A	15'

* See Section 306.5

3-308 R-2 MEDIUM DENSITY RESIDENTIAL

308.1 Purpose: It is the intent and purpose of the R-2 District to provide for primarily residential development in neighborhoods that can accommodate a higher density than found in the R-1 District.

308.2 Permitted Uses

Residential	
Conversion Apartment	SE
Dwelling, Multi-Family	SE
Dwelling, Single-Family Detached	P
Dwelling, Townhouse	P
Dwelling, Two Family	P
Group Care Facility	SE
Personal Care Home	SE
Institutional	
Cemetery	SE
Community Center	P
Community Garden	SE
Funeral Home	SE
Place of Worship	SE
Private Club	SE
Public / Essential Services	P
Public Parking Lot	SE
Public Parks / Recreation	P
Public Use or Building	SE
School	SE
Wireless Communications Facility on Existing Structure	SE
Commercial	
Bed & Breakfast	SE
Urban Agriculture	P
Accessory Uses	
Accessory Dwelling Structure	P
Accessory Uses common in residential districts such as swimming pools, sheds, play structures, garages, gazebos, etc.	P

Family Day Care	P
Home-Based Business, No Impact	P
Home Occupation	SE
Parking Lot	SE
Solar Energy System, Small	P
Wind Energy System, small	P
Key: P = Permitted by Right, SE = Special Exception	

308.5 Dimensional Requirements

Uses	Min. Lot Area (Sq.Ft.)	Min. Front Yard	Min. Rear Yard	Min. Side Yard	Max. Lot Coverage	Min. Lot Width	Max. Building Height
Dwelling, Single Family	4,400	5'	25'	5'	40%	40'	38' or 3 Stories, whichever is greater
Dwelling, Two Family	7,500	8'	20'	7'	65%	40'	38' or 3 Stories, whichever is greater
Dwelling, Multi-Family	10,890	25'	25'	?	50%	50'	38' or 3 Stories, whichever is greater
All other uses	10,000	25'	25'	25'	40%	50'	38' or 2.5 Stories, whichever is greater
Accessory Uses	N/A	N/A	5'	5'	N/A	N/A	15'

3-309 R-3 HIGH DENSITY RESIDENTIAL

309.1 Purpose: It is the intent and purpose of the R-3 District to provide for higher density, multi-family residential development.

309.2 Permitted Uses:

Residential	
Conversion Apartment	SE
Dwelling, Manufactured Home	P
Dwelling, Multi-Family	SE
Dwelling, Single-Family Detached	P
Dwelling, Townhouse	P
Dwelling, Two Family	P
Group Care Facility	SE
Manufactured Home Park	P

Personal Care Home	SE
Institutional	
Cemetery	SE
Community Center	P
Community Garden	SE
Funeral Home	SE
Place of Worship	SE
Private Club	SE
Public / Essential Services	P
Public Parking Lot	SE
Public Parks / Recreation	P
Public Use or Building	SE
School	SE
Wireless Communications Facility on Existing Structure	SE
Commercial	
Bed & Breakfast	SE
Urban Agriculture	P
Accessory Uses	
Accessory Dwelling Structure	P
Accessory Uses common in residential districts such as swimming pools, sheds, play structures, garages, gazebos, etc.	P
Family Day Care	P
Home-Based Business, No Impact	P
Home Occupation	SE
Parking Lot	SE
Solar Energy System, Small	P
Wind Energy System, small	P
Key: P = Permitted by Right, SE = Special Exception	

309.3 Dimensional Requirements

Uses	Min. Lot Area	Min. Front Yard	Min. Rear Yard	Min. Side Yard	Max. Lot Coverage	Min. Lot Width	Max. Building Height
Dwelling, Single Family	4,400 S.F.	5'	25'	5'	40%	40'	38' or 3 Stories, whichever is greater
Dwelling, Two Family	7,500 S.F.	8'	20'	7'	65%	40'	38' or 3 Stories, whichever is greater
Dwelling, Multi-Family	10,890'	25'	25'	?	50%	50'	38' or 3 Stories, whichever is greater
All other uses	10,000 S.F.	25'	25'	25'	40%	50'	38' or 2.5 Stories,

							whichever is greater
Accessory Uses	N/A	N/A	5'	5'	N/A	N/A	15'

3-310 B-1 GENERAL BUSINESS

310.1 Purpose: It is the intent and purpose of the B-1 Business district to provide suitable locations for various retail and service commercial businesses as well as other types of office uses.

310.2 Permitted Uses:

Residential	
Apartment, 2 nd Story and above	P
Conversion Apartment	SE
Dwelling, Multi-Family	P
Dwelling, Single-Family Detached	P
Dwelling, Townhouse	P
Dwelling, Two Family	P
Group Care Facility	SE
Nursing Home / Institutional Facility	SE
Personal Care Home	SE
Institutional	
Community Center	P
Community Garden	P
Day Care Center, Adult or Child	SE
Funeral Home	P
Library	P
Medical Office / Clinic	P
Place of Worship	SE
Private Club	P
Public / Essential Services	P
Public Parking Lot	SE
Public Parks / Recreation	P
Public Use or Building	P
School	P
Veterinary Office (Clinic or Hospital)	P
Wireless Communications Facility, Tower-Based (located in the ROW)	SE
Wireless Communications Facility, Tower-Based, Less than 40' (located out of the ROW)	SE
Wireless Communications Facility, Tower-Based, More than 40' (located out of the ROW)	SE

Wireless Communications Facility on Existing Structures	SE
Commercial	
Agri-Business, Sales and Processing	P
Bars and Nightclubs	P
Bed & Breakfast	P
Business Service	P
Car Wash	SE
Commercial Recreation	P
Commercial School	P
Contractor's Office	P
Financial Institution	P
Gasoline Service Station	SE
Hotel / Motel	SE
Kennel	SE
Laundromat	P
Microbrewery	P
Office, Business / Professional	P
Nursery / Greenhouse	SE
Personal Service	P
Printing and Publishing Establishment	SE
Public Parking Garage	SE
Restaurant	P
Retail Store	P
Shopping Center	SE
Urban Agriculture	P
Vehicular Repair Garage	SE
Vehicle Sales / Services	SE
Industrial	
Manufacturing of PA LCB Controlled Beverages	SE
Self Service Storage Units	SE
Accessory Uses	
Drive Through	SE
Gas Station	SE
Home-Based Business, No Impact	P
Home Occupation	SE
Parking Lot	P
Solar Energy System, Small	P
Wind Energy System, small	P
Key: P = Permitted by Right, SE = Special Exception	

310.3 Dimensional Requirements

Uses	Min. Lot Area	Min. Front Yard	Min. Rear Yard	Min. Side Yard	Max. Lot Coverage	Min. Lot Width	Max. Building Height
All uses	2,500 S.F.	Build-to-line: Buildings shall be built to the sidewalk; or avg. of adj. w/ a max of 20'; or 10-20' w/plaza / courtyard / outdoor dining	5'	0' if share party wall; 10' if not	100%	25'	44' or 4 Stories, whichever is greater

3-311 C CONSERVATION

311.1 Purpose: It is the intent and purpose of the C Conservation District to preserve areas designated for public parks, recreation and open space.

311.2 Permitted Uses:

Institutional	
Community Garden	P
Public Parks / Recreation	P
Wireless Communications Facility, Tower-Based (located in the ROW)	SE
Wireless Communications Facility, Tower-Based, Less than 40' (located out of the ROW)	SE
Wireless Communications Facility, Tower-Based, More than 40' (located out of the ROW)	SE
Wireless Communications Facility on Existing Structures	SE
Commercial	
Urban Agriculture	P
Accessory Uses	
Parking Lot	SE
Key: P = Permitted by Right, SE = Special Exception	

3-312 U-1 UNIVERSITY

312.1 Purpose: The intent and purpose of the U-1 University District is to recognize the existence of Waynesburg University as it presently exists and to provide for a mixture of institutional, commercial and residential uses surrounding the University.

312.2 Permitted Uses:

Residential	
Dormitory	P
Dwelling, Multi-Family	SE
Dwelling, Single-Family Detached	P
Dwelling, Townhouse	P
Dwelling, Two Family	P
Group Care Facility	SE
Nursing Home / Institutional Facility	SE
Personal Care Home	SE
Student Housing	P
Institutional	
College / Administration Offices	P
College Classrooms	P
Community Center	P
Community Garden	SE
Day Care Center, Adult or Child	SE
Funeral Home	SE
Library	P
Medical Office / Clinic	SE
Place of Worship	SE
Private Club	SE
Public / Essential Services	P
Public Parking Lot	SE
Public Parks / Recreation	P
Public Use or Building	SE
School	P
Veterinary Office (Clinic or Hospital)	SE
Wireless Communications Facility, Tower-Based (located in the ROW)	SE
Wireless Communications Facility, Tower-Based, Less than 40' (located out of the ROW)	SE
Wireless Communications Facility, Tower-Based, More than 40' (located out of the ROW)	SE
Wireless Communications Facility on Existing Structures	SE

Commercial	
Bed & Breakfast	SE
Business Service	SE
Car Wash	SE
Commercial Recreation	SE
Commercial School	SE
Contractor's Office	SE
Financial Institution	SE
Gasoline Service Station	SE
Hotel / Motel	SE
Laundromat	SE
Office, Business / Professional	SE
Nursery / Greenhouse	SE
Personal Service	SE
Public Parking Garage	SE
Restaurant	SE
Retail Store	SE
Shopping Center	SE
Urban Agriculture	P
Industrial	
Self Service Storage Units	SE
Accessory Uses	
Accessory Dwelling Structure	P
Family Day Care	P
Home-Based Business, No Impact	P
Home Occupation	SE
Parking Lot	P
Solar Energy System, Small	P
Wind Energy System, small	P
Key: P = Permitted by Right, SE = Special Exception	

312.3 Dimensional Requirements

Uses	Min. Lot Area	Min. Front Yard	Min. Rear Yard	Min. Side Yard	Max. Lot Coverage	Min. Lot Width	Max. Building Height
Dwelling, Single Family	4,400 S.F.	5'	25'	5'	40%	40'	*
Dwelling, Two Family	7,500 S.F.	8'	20'	7'	65%	40'	*
Dwelling, Multi-Family	10,890 S.F.	25'	25'	25'	50%	50'	*

Dormitories	21,700 S.F.	45'	35'	20'	50%	70'	*
All other uses	10,000 S.F.	25'	25'	25'	40%	50'	*
Accessory Uses	N/A	N/A	5'	5'	N/A	N/A	15'

*All areas East of Morris St. / 66' or 6 stories, whichever is greater

*All areas West of Morris St., but South of First Ave. / 44' or 4 stories, whichever is greater

*All areas West of Morris St., but North of First Ave. / 38' or 3 stories, whichever is greater

3-313 UNIVERSITY FIELDS

313.1 Purpose: The intent and purpose of the U-2 University District to provide area for the University's athletic fields and associated parking.

313.2 Permitted Uses:

Institutional	
Athletic Fields	P
Community Garden	P
Public Parking Lot	P
Public Parks / Recreation	P
Wireless Communications Facility, Tower-Based (located in the ROW)	SE
Wireless Communications Facility, Tower-Based, Less than 40' (located out of the ROW)	SE
Wireless Communications Facility, Tower-Based, More than 40' (located out of the ROW)	SE
Wireless Communications Facility on Existing Structures	SE
Accessory Uses	
Parking Lot	P
Key: P = Permitted by Right, SE = Special Exception	

3-314 M-1 MANUFACTURING

314.1 Purpose: It is the intent and purpose of the M-1 Manufacturing District to

provide for light and heavy industrial uses in areas that have traditionally provided these types of uses and to limit the impacts to residential neighborhoods.

314.2 Permitted Uses:

Institutional	
Clinic, Drug Treatment	SE
Community Garden	P
Medical Marijuana Dispensary	SE
Public / Essential Services	P
Public Parking Lot	P
Wireless Communications Facility, Tower-Based (located in the ROW)	SE
Wireless Communications Facility, Tower-Based, Less than 40' (located out of the ROW)	SE
Wireless Communications Facility, Tower-Based, More than 40' (located out of the ROW)	SE
Wireless Communications Facility on Existing Structures	SE
Commercial	
Adult Oriented Uses	SE
Agri-Business, Sales and Processing	P
Contractor's Office	P
Gasoline Service Station	P
Office, Business / Professional	P
Printing and Publishing Establishment	P
Restaurant	P
Retail Store	P
Urban Agriculture	P
Vehicular Repair Garage	P
Vehicular Sales / Services	P
Industrial	
Light Industrial	P
Manufacturing	SE
Manufacturing of PA LCB Controlled Beverages	SE
Medical Marijuana, Growing / Processing	SE
Railroad or Truck Terminal	P
Research and Development	P
Salvage Yard	SE
Self Service Storage Units	P
Wholesale Distribution and Warehousing	SE
Accessory Uses	

Any accessory use incidental to the primary uses above (dependent on Zoning Officer approval)	SE
Gas Station	SE
Parking Lot	P
Solar Energy System, Small	P
Wind Energy System, small	P
Key: P = Permitted by Right, SE = Special Exception	

314.3 Dimensional Requirements

Uses	Min. Lot Area	Min. Front Yard	Min. Rear Yard	Min. Side Yard	Max. Lot Coverage	Min. Lot Width	Max. Building Height
All uses	2,000 S.F.	40'	30'	20'	70%	None	38' or 3 Stories, whichever is greater

3-315 DOWNTOWN PARKING OVERLAY DISTRICT

315.1 There are no minimum parking requirements for the properties located within the downtown parking overlay district, which is delineated on the Waynesburg Borough Official Zoning Map located in the Borough Office and the appendix of this Ordinance.

ARTICLE IV

SUPPLEMENTAL REGULATIONS

4-401 APPLICABILITY

Applications for special exceptions, when listed as permissible by Article 3, shall be approved or denied by the Zoning Hearing Board, in accordance with the standards and criteria of this Article, the zoning district regulations, and other applicable provisions of this Ordinance.

4-402 APPLICATION PROCEDURE

402.1 Application Content

Applications for special exceptions shall be submitted to the Zoning Officer in the form prescribed by Waynesburg Borough. Such materials shall include site and building plans which clearly identify the location, size, shape, and use of the proposed site and structures, surrounding land uses within one-quarter mile, proposed vehicular and pedestrian accesses, and other information necessary to evaluate the application according to the standards contained in this Ordinance.

402.2 Review Procedure

1. The Zoning Officer shall forward all special exception use applications to the Zoning Hearing Board for review and comment.
2. The Zoning Officer shall notify the Greene County Planning Commission of all applications for special exceptions to provide the Commission with an opportunity to present testimony before the Zoning Hearing Board, if desired. The Zoning Hearing Board shall review and approve or deny applications for special exceptions in accordance with the provisions of Section 9-904 of this Ordinance & Article IX of M.P.C.

402.3 Revocation of Approval

Approval of a special exception use shall lapse after nine months from the date of approval if the provisions in section 9-902 for obtaining zoning certificates and completing work are not met. One (1) extension of up to nine additional months may be granted by the Zoning Officer where the applicant can show good cause for the delay.

4-403 GENERAL STANDARDS AND CRITERIA

403.1. Before approving a special exception application, the Zoning Hearing Board shall determine that the proposed use will not alter the established character and use of the neighborhood or district in which it is located and that it will not substantially impair the use or development of adjacent properties. The following general standards, among other things, shall be used in the evaluation. These standards shall be in addition to any other applicable requirements in this Ordinance.

1. The proposed use complies with all applicable provisions and requirements for that type of use contained in this Ordinance, unless a variance to any provision has been granted by the Zoning Hearing Board, and with other applicable local County and Commonwealth ordinances, laws and regulations.
2. The proposed use is compatible with the surrounding land uses, and it will not have a negative impact on the existing neighborhood or development in terms of air and water quality, noise, potential hazards, illumination and glare, and restrictions to natural light and circulation.
3. The site for the proposed use is suitable in terms of size, topography, soil conditions and similar physical features.
4. The proposed use and site provides for safe, adequate vehicular and pedestrian access. It has access from a street capable of handling the traffic generated by the proposed use, and it will not result in undue traffic congestion and hazardous conditions on adjacent streets. The use

provides for safe, efficient internal circulation and sufficient off-street parking and loading.

5. The proposed use complies with all applicable standards and requirements for providing sanitary sewage disposal, water supply, stormwater management, solid and toxic waste storage and disposal.
6. The proposed use provides screening and/or buffer areas as required by this Ordinance.
7. The proposed use/development conforms to the scale, character and exterior appearance of existing structures and uses in neighborhoods in which it is located.

4-404 STANDARDS AND CRITERIA FOR SPECIFIC USES

For the uses identified in this section, Council or the Zoning Hearing Board, as appropriate, shall also determine that the proposed use complies with these standards, in addition to other applicable requirements in this Ordinance.

(NOTE: Uses are listed in alphabetical order.)

404.1 Adult Oriented Use

1. No adult-oriented establishment shall be located within 200 hundred (200) feet of any residential zoning district, as measured from the property line to the residential zoning district line.
2. No adult-oriented establishment shall be located within five hundred (500) feet of any religious uses, educational uses, day care facilities and recreational uses, as measured from the property line to the property line of such use.
3. No adult-oriented establishment shall be located within five hundred (500) feet of any an existing adult-oriented establishment as measured from the property line.
4. A 50 feet buffer yard shall be provided along the side and rear lot lines.

If such buffer area does not include substantial mature trees that will be preserved, it shall include continuous screening by evergreen trees with an initial height of five (5) feet.

5. An adult-oriented establishment may be open for business Monday through Saturday from 7:00AM to 1:00AM prevailing time only. No adult-oriented establishment shall be open at any time on Sunday or on a legal holiday as set forth in the Act of May 31, 1893, P.L. 188 § 1, as amended, 44 P.S. §11.
6. No materials or merchandise of any kind offered for sale, rent, lease, or loan or for view upon the premises of an adult-oriented establishment shall be exhibited or displayed outside of a building or structure.
7. The exterior of the building may include one (1) wall sign or parallel sign identifying the name of the adult business or entertainment use, which shall not exceed 20 square feet in size.
8. Free standing signs, banners, directional signs, illuminated signs, portable signs, roof signs, seasonal signs and billboards shall be prohibited on the property.
9. Window signs shall be limited to twenty-five (25) percent of the total window area and shall not include any graphic or pictorial depiction of material related to specific sexual activities or anatomical areas.
10. Advertisements, displays or other promotional materials related to specific sexual activities or anatomical area shall not be shown or exhibited so as to be visible to the public from the exterior of the building.
11. For public health reasons, private booths of any kind are prohibited. This specifically includes, but is not limited to, booths for viewing adult movies or nude dancers.
12. Only "lawful" massages as defined by State court decisions shall be

performed in a massage parlor.

13. No adult-oriented establishment or massage parlor shall be used for any purpose that violates any Federal, State or municipal law.
14. No use may include live actual or simulated sex acts nor any physical or sexual contact between employees and entertainers or between employees or entertainers and customers. At an adult-oriented establishment involving "live entertainment", employees or entertainers shall maintain a minimum distance of three (3) feet from customers. This shall include, but not be limited to, a prohibition on "lap dancing."
15. Any application for an adult-oriented establishment use shall state the names and business addresses of: a) all individuals intended to have more than a 5 percent ownership in such use or in a corporation owning such use and b) an on-site manager responsible to ensure compliance with this Ordinance on a daily basis. A telephone number shall be provided where the on-site manager can be reached during business hours. Such information shall be updated at the beginning of each year in writing to the Zoning Officer.

404.2 Bed & Breakfast

1. The minimum lot area required shall be 5,000 square feet.
2. The maximum number of sleeping quarters offered shall be seven (7).
3. The owner/operator shall be a full-time resident of the dwelling.
4. No meals, other than breakfast shall be served on the premises. Meals shall not be served to customers who are not overnight guests.
5. The maximum length of stay for any guest shall be seven (7) consecutive overnight stays in any thirty (30) day period.
6. No sign shall be permitted other than a place card mounted on the wall

of the dwelling, which shall not exceed four (4) square feet in area and which shall contain only the name and address of the Bed and Breakfast and the name of the proprietor.

7. One (1) off-street parking space shall be provided on the lot for each sleeping room, located on the side or rear lots only, not to be located within the setbacks, and be screened on three sides by a four (4) foot compact hedge, fence and/or other landscape features as may be required by the zoning Hearing Board.
8. There shall be no cooking facilities in the sleeping quarters.
9. Amenities such as swimming pools, porches, gazebos, etc. shall be for guests only.

404.3 Business Service

1. Business services shall be limited to activities with a performance impact typical of office and retail activities.
2. The facility shall not produce odors, gas, dust or any other atmospheric pollutant detrimental to the health, safety or general welfare of persons living or working in the surrounding area, nor shall it produce noise in excess of applicable noise standards under state law and any other applicable laws.

404.4 Car Wash

1. Repair work and car lubrication are not permitted.
2. Washing facilities are permitted within a structure with open ends on two sides of the wash bay.
3. Drainage water shall be controlled so that it does not flow or drain onto adjacent property or public/private property.
4. In addition to the required parking areas, a minimum of five (5) standing spaces, in tandem, shall be provided. These standing spaces

shall not interfere with the use of any required parking spaces and shall not inhibit the free flow of traffic on the site, block any right-of-way and be completely contained within the buildable area of the lot.

5. The facility shall be connected to the public storm sewer system.
6. Gasoline pumps are not permitted.
7. Driveway entrances shall be located at least thirty (30) feet from the right-of-way line of the intersection of any public street.

404.5 Cemetery

1. Required yards and setbacks shall be established as part of the application review.
2. Buffer areas or other screening may be required along the facility's boundaries in order to separate and screen adjacent properties.
3. A minimum of five (5) acres shall be required.
4. The owner/operator of the cemetery shall supply a long-term maintenance plan to the Borough.
5. All maintenance equipment shall be stored in an enclosed building when not in use.

404.6 Clinic, Drug Treatment

1. Any facility dispensing medical marijuana must be legally registered in the Commonwealth and possess a current valid medical marijuana permit from the DOH. Such a facility 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.
2. Any proposed methadone or suboxone treatment facility shall include with its submission of a zoning permit application a development

narrative that accurately describes the nature of medical services to be provided and the names of the medical practitioners providing said services. A licensed physician shall be on duty at this type of facility during its hours of operation.

3. A clinic that dispenses medical marijuana may not operate on the same site as a facility used for growing and processing medical marijuana.
4. Clinics shall have a single secure public entrance and shall implement appropriate security measures to deter and prevent the theft of controlled substance and unauthorized entrance into areas where they are stored.
5. A clinic that dispenses medical marijuana shall be a maximum of 3,000 gross square feet, of which no more than 500 square feet shall be used for secure storage of product, and shall have an interior customer waiting area equal to a minimum of twenty-five (25) percent of the gross floor area.
6. A clinic that dispenses medical marijuana shall:
 - a. Not have a drive-through service;
 - b. Not have outdoor seating areas;
 - c. Not have outdoor vending machines;
 - d. Prohibit the administering of, or the consumption of medical marijuana on the premises; and
 - e. Not offer direct or home delivery service.

7. A clinic may dispense controlled substances only to certified patients and caregivers and shall comply with all lawful, applicable health regulations.
8. A clinic that dispenses medical marijuana shall not be located within 1,000 feet of the property line of a public, private or parochial school or a day-care center. This distance shall be measured in a straight line from the closest exterior wall of the building or portion thereof in which the business is conducted or proposed to be conducted, to the closest property line of the protected use, regardless of municipality in which it is located.
9. A clinic that dispenses medical marijuana shall be a minimum distance of 1,000 feet from the next nearest clinic. This does not include complementing or supporting businesses covered by different definitions. This distance shall be measured in a straight line from the closest exterior walls of the buildings or portions thereof in which the businesses are conducted or proposed to be conducted, regardless of municipality in which it is located. This separation distance does not apply to the distance between the grower/processor and the specific dispensary they serve, or with which they partner.
10. Any clinic lawfully operating shall not be rendered in violation of these provisions by the subsequent location of a public, private or parochial school or a day care facility.
11. A buffer planting is required where a clinic adjoins a residential use or district.

404.7 Commercial Recreation

1. All structures shall not be less than twenty-five (25) feet from any property line.

2. All facilities shall abut a public road and have a permanent access thereto.
3. Alcoholic beverages without a state liquor control board license, amplified music, and juke boxes shall be prohibited on the premises.
4. Operating hours for such facility shall be no earlier than 7 A.M. and no later than 11 P.M., prevailing time.
5. All pools shall be surrounded by a fence at least six (6) feet in height, the entrance to which shall be kept locked when attendant is not present; and shall be constructed in accordance with all applicable state requirements.
6. Tennis courts shall be protected by a permanent fence ten (10) feet in height behind each base line extending ten (10) feet beyond the playing area in each direction.
7. All waste disposal storage areas shall be located in the rear yard in compliance with all setback requirements of the applicable zoning district.

404.8 Community Center

1. A 10 feet minimum width buffer yard shall be provided along the side and rear lot lines adjacent to any lot in a residential district. This provision shall not apply to a community center that serves a single residential development.

404.9 Community Garden

1. **Hours of operation.** Operation using machinery may begin at sunrise or 7:00 am, whichever is earlier, and must end at sunset or 9:00 pm, whichever is later. Automatically functioning equipment, such as sprinklers, is not considered operation.
2. **Additional uses and structures.** Community gardens may include any of the following features: raised and/or accessible planting beds, compost bins,

picnic tables, garden art, rain barrel systems, rest room facilities or portable toilets, signage, storage sheds, and children's play areas.

3. **Waste containers.** All community gardens shall have suitable containers for waste and recyclables that are regularly serviced.
4. **Sales.** A community garden may include a seasonal farm stand only for the sale of items grown at the site; no other merchandise may be sold. Stands shall be removed from the premises or stored inside a building on the premises or off site when the garden is not in operation. Sales must occur on-site and only between 7:00 am and 9:00 pm. A plan for off-street parking must be provided to and approved by the Borough if items are to be sold on site.

404.10 Conversion Apartment

1. In order to convert an existing single/two family dwelling to multiple family dwelling the following requirements must be met:
 - a. The structure must comply with the minimum lot area per dwelling unit for multifamily uses in the zoning district.
 - b. The required number of off street parking spaces per dwelling unit must be provided. No off-street parking shall be permitted in a front yard; parking may be provided in a side or rear yard, provided it is visually screened from the street and adjacent properties.
 - c. No individual dwelling unit shall contain less than 700 square feet of floor area and shall include kitchen and bath facilities.
 - d. All units shall comply with applicable requirements of the International Property Maintenance Code and Pennsylvania Labor and Industry regulations.
 - e. No dwelling shall be located in a basement or cellar and no separate unit shall be located on the third floor of a wood frame building.

404.11 Day Care Center, Adult or Child

1. All day care centers must be licensed by the PA Department of Public Welfare and must operate in accordance with the requirements of the Department. This requirement is a condition of occupancy.
2. Any outdoor recreational areas on the property shall be no closer than 25 feet to an abutting street or 10 feet to any property lines. They shall be fenced with a self-latching gate or otherwise secured and landscaped as required by the Governing Body.
3. Safe vehicular access and off street areas for discharging and picking up children or adults shall be provided.
4. One parking space shall be provided for each staff member plus one for each six children or adults cared for at the center. Parking areas for four or more vehicles shall be screened in accordance with section 5-506 when abutting a residential use or district.

404.12 Drive Through

1. All businesses which propose drive through facilities, as defined by this ordinance, as accessory uses shall meet all of the following requirements:
 - a. General Regulations
 - i. A drive-through facility at or near an intersection may be approved only if it is demonstrated that the drive-through will not significantly increase traffic congestion.
 - ii. No more than one drive-through aisle may be approved for any single drive-through facility.
 - iii. Entries to and exits from a drive-through facility shall be a minimum of 150 feet from the street center line of any intersection or from another drive-through facility on the same side of the street.
 - iv. A drive-through facility including drive-through aisles shall

provide landscaping to buffer adjacent uses and provide lighting which does not produce any objectionable direct or reflected glare on any adjoining property or thoroughfares.

404.13 Dwelling, Manufactured Home

Any installation of a manufactured home shall be subject to the following requirements.

1. Manufactured homes shall be placed on permanent footers (concrete runners) at a depth no less than 18". These permanent footers (concrete runners) must be the same width as the manufactured home with a top surface of 16" to 24" wide.
2. Manufactured homes shall have double concrete block piers, 8"x8"x16" (block size) under the frame at a distance no less than eight (8') feet and no more than twelve (12') feet apart. The concrete block piers must coincide with the permanent footers (concrete runners) as listed above. These concrete block piers shall not be less than twelve (12") inches or more than forty-eight (48") inches in height.
3. Manufactured homes shall be secured to the permanent footer (concrete runner) with at least four (4) tie downs such as concrete "dead-men", screw augers, arrowhead anchors or other devices suitable to withstand a tension of at least 2,800 pounds to prevent rocking and wind overturning. The tie downs consist of galvanized or rust resistant steel strapping (1-1/4" wide x 0.035" thick) or cable (1/4" thick), which anchors the framing to the ground.
4. Manufactured homes shall be skirted with skirting that has been approved by the Manufactured home industry. This Manufactured home skirting must be installed prior to occupancy.
5. Manufactured homes shall be separated from each other by at least

thirty (30') feet. Manufactured homes shall be separated from all other buildings and structures by at least (20") feet.

6. Two (2) off-street parking spaces shall be provided for each manufactured home. Each parking space shall be at least 10'x20' or 200 square feet.
7. Manufactured homes may as an option be placed on a permanent foundation. When manufactured homes are placed on a permanent foundation, the tires, axles and tongue must be removed.
8. The following inspection schedule shall be required for all manufactured homes:
 - a. Inspection #1 – Digging of the permanent footer (concrete runner) prior to pouring.
 - b. Inspection #2 – Pouring of the concrete for the permanent footer (concrete runner), the tie downs should be anchored within the permanent footer (concrete runner).
 - c. **Inspection #1 and #2 must be completed prior to the manufactured home being brought onto the property.
 - d. Inspection #3 – The placement of the concrete block piers along with the securing of the tie downs.
 - e. Inspection #4 – The installation of the approved manufactured home skirting.
 - f. Inspection #5 – When porches and decks are completed. These must meet the B.O.C.A. Building Codes of HUD Codes.
 - g. Inspection #6 – The final electrical inspection by a certified electrician. Proof of this inspection must be given to the Borough.

**Inspections #1-5 shall be conducted by the Borough's

Zoning/Codes Enforcement Officer.

9. All new manufactured homes shall be installed according to the Manufactured Installation Manual, which is provided by the Manufactured Home Dealer.
10. When obtaining a Building Permit, provide the year, make, model and proof that the manufactured home meets the most current standards of the Federal & National Manufactured Home Construction and Safety Standards (HUD).

404.14 Dwelling, Multi-Family

1. The dimensional requirements under the applicable zoning district shall apply.
2. Developments consisting of multiple buildings shall adhere to the following regulations:
 - a. The maximum length of a building shall be one hundred and seventy five (175) feet.
 - b. Buildings are encouraged to be located in clusters which create common areas, rather than situated parallel to one (1) another. Where clustering is not feasible due to site conditions, there shall be no more than three (3) abutting buildings parallel to each other within the development.
 - c. Staggered setback of dwelling units and a variation in façade design shall be encouraged to offer visual variety, individualism, and some private yard area. It is recommended that no more than two (2) contiguous units shall have the same façade setback within a building. Changes in setbacks shall be a minimum of four (4) feet.
 - d. Buildings within the development shall be designed to provide

individual dwelling units with views and direct access to required open space areas.

- e. Buildings shall be set back a minimum of fifteen (15) feet from common parking areas and shall be set back a minimum of twenty-five (25) feet from common refuse areas.
 - f. Buildings must be setback a minimum of twenty-five (25) feet from property boundaries.
 - g. Sidewalks shall be provided to connect dwellings with parking areas, recreational areas/open space and refuse facilities.
3. Required parking shall adhere to those standards set forth in Table 5.3 of this Ordinance. Parking areas shall be adequately landscaped to provide shade, to screen vehicles from public streets, and to reduce glare and noise within the development. Parking lots shall be setback a minimum of twenty-five (25) feet from any right-of-way and shall be screened with landscaping. Landscaping shall be provided around the perimeter of all parking areas, except for access points and walkways.

404.15 Dwelling, Two Family

- 1. The minimum lot area shall be 8,000 square feet.
- 2. When the adjacent property is a single-family use, the side yard shall be landscaped with a three (3) foot high compact hedge.
- 3. Each living unit shall contain two (2) parking spaces.

404.16 Financial Institution

- 1. The site shall have frontage on and direct vehicular access to an arterial or collector street, as defined by this Ordinance.
- 2. Drive-through facilities, if proposed, shall be subject to 404.11 of this ordinance.

404.17 Funeral Home

1. The minimum site area shall be 21,780 square feet.
2. All outdoor lighting shall be shielded and reflected away from adjacent properties.
3. Parking areas adjoining existing residential property shall be screened by a five (5) foot compact hedge, and/or privacy fences whose design must be approved by the Zoning Board.
4. No crematorium facilities are permitted.
5. The site shall have frontage on and direct vehicular access to an arterial or collector street.
6. Traffic circulation on the lot shall be designed to minimize congestion and provide for the lining up of vehicles on the property without obstructing the free flow of traffic on adjoining streets or alleys.

404.18 Gasoline Service Station

1. No gasoline service station shall be located within 1,000 feet of another gasoline station or lawfully existing single family residential structure.
2. Access driveways to the service station shall be at least 30 feet from the intersection of any public streets.
3. Fuel pumps, air towers and water outlets may be located outside an enclosed building, provided that no portion of these facilities shall be closer than 10 feet of any property line.
4. All automobile parts and supplies shall be stored within a building, except that automotive supplies may be displayed for sale at the fuel pump and at a distance no greater than 5 feet from the pumps.
5. All refuse shall be stored in compliance with the International Property

Maintenance Code and other applicable ordinances.

6. Non-operable vehicle or vehicles awaiting repairs may be parked or stored on the premises, provided they do not exceed the number of available off-street parking spaces for the service station.
7. Rental of automobiles, vans (less than 20 feet long) or utility trailers is an authorized accessory use, provided that no more than three vehicles are visible on the premises at any time.
8. Off-street parking spaces shall be provided in accordance with Section 5-506 of this Ordinance.

404.19 Group Care Facility

1. Group residences are allowed as special exception uses only in the zoning districts listed in this Ordinance.
2. The maximum number of occupants for a group residence shall be as follows:
 - a. R-1 Districts: No more than 8 persons including staff.
 - b. R-2, B-1 districts: No more than 12 persons including staff.
3. In order to prevent the concentration of group residences in a neighborhood and to avoid impacting existing residences, no group residence may be located within the same block or within 2,500 feet, whichever is more, of another group residence or personal care boarding home.
4. One off-street parking space is required for each staff member (on a peak shift), and one space per two residents where they are allowed to own and operate a motor vehicle.
5. Minimum lot area, yard setback and structural heights shall be as prescribed in the district where the property is located, unless

otherwise stated herein.

6. If licensed or certified by a governmental agency or an agent of government, a current license/certificate from the appropriate agency(s) is necessary for initial and continued approval. Suspension and revocation of the license/certificate shall automatically revoke the occupancy permit and the conditional or special exception use approval.
7. The facility must comply with any and all applicable building, fire, health and/or safety codes.
8. Signs for the group residence shall comply with applicable provisions of Section 5-505, Signs, of this Ordinance.
9. Change of ownership or sponsorship or of any other condition contained in the original approval of the group residence shall constitute a new use, and the procedure for obtaining special exception use approval of a new facility shall be executed.
10. The owner or sponsor shall file with the UCC Enforcement Officer on June 1st of each year following the original approval information indicating that the facility continues to satisfy the conditions of original approval. If the facility is shown to be operating in compliance with the terms of the original approval, then the Zoning Officer shall renew the certificate of occupancy for another year. If the information indicates that there is any change in operation, or any complaint has been lodged against the facility, the Zoning Officer shall forward the information to the Zoning Hearing Board who shall decide the renewal of the approval and certificate of occupancy.

404.20 Home Occupation

1. A zoning certificate is required for a home occupation. However, all

such uses shall operate in accordance with the provisions of this Ordinance and are subject to inspection by the Zoning Officer in order to verify complaints.

2. There shall be no exterior evidence of such uses other than a small sign placed in accordance with Section 5-505 of this Ordinance.
3. There shall be no retail sales directly to customers on the premises.
4. No more than fifty percent (50%) of the total floor area of the principal dwelling shall be devoted to the conduct of the home occupation.
5. There shall be no exterior display of goods or interim display visible from the outside.
6. Exterior lighting shall be residential in style, size, location and intensity.
7. Storage of materials or products directly associated with the home occupation shall not be stored outside the dwelling.
8. The home occupation shall be carried on by a maximum of two individuals, one of whom must reside in the dwelling unit.
9. Articles produced on the premises shall be sold off the premises only.
10. There shall be no greater traffic volume generated by such home occupation than would normally be expected in the residential area in which it is located.
11. No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to normal senses off the property.
12. No equipment or processes shall be used which creates visual or audible interference in any radio or television off the premises or causes fluctuations in line voltage off the premises.
13. The hours of public operation shall be determined by the Zoning

Hearing Board to be consistent with the character of the neighborhood where the home occupation is located.

14. The use shall not cause a negative impact on property values in the neighborhood.
15. The use shall not require internal or external alterations to the existing structure.
16. Commercial vehicles shall not be parked on the premises.
17. The following uses shall not be considered home occupations and shall be restricted to the districts in which they are specifically-identified: beauty shops / barber shops, clinics, kennels, mortuaries, private club, tea rooms, stables, bed and breakfast, vehicle repair garage.
18. If the dwelling unit is a rental, permission for the home occupation must be obtained from the property owner.

404.21 Hotel/Motel

1. If the hotel/motel includes eating and drinking facilities to serve both overnight guests of the hotel and the general public, then it must provide off-street parking for such facilities in accordance with the provisions of Section 5-506 of this Ordinance.
2. Areas not occupied with buildings and parking areas shall be completely landscaped and planted with lawns, ornamental trees and shrubs.
3. No buildings shall be set closer than 45 feet to the front, side and rear lot lines.
4. There shall be not less than 1,000 square feet of lot area for each sleeping unit. The minimum lot area for a hotel/motel shall be one acre.

5. Sleeping units shall contain a bedroom and bath and have a floor area of not less than 250 square feet.
6. If the lot upon which a hotel/motel is erected abuts a residential district, it shall be screened by well-maintained landscaping not less than 6 feet nor more than 10 feet high or an ornamental fence within the same height limitations, the ratio of the solid portion to the open portion of which shall not exceed three to one (3:1).
7. The facility shall have access from a public street of sufficient size and capacity to accommodate the projected traffic. If any road improvements or traffic signals are required to an existing public road, as a result of the proposed hotel, the hotel owner or developer shall bear the cost of any such improvements.

404.22 Kennel

1. The kennel shall be constructed on a lot greater than or equal to ten (10) acres and shall be licensed under the Dog Law Act of 1982, P.L. 784-255.
2. Any exterior fenced area wherein animals exercise or are otherwise exposed must be located a minimum of one hundred fifty (150) feet from any principal structure on adjacent lots and all outdoor exercise areas shall be located at least fifty (50) feet from any property line.
3. The perimeter of the exterior exercise area must be fenced with a weatherproof material, a minimum of five (5) feet in height, accessible only through a self-latching gate.
4. Animals shall be permitted to exercise within the exercise areas daily between the hours of 8 AM and 8 PM.

5. Any structure used to house animals shall be equipped with code-approved nontoxic noise-dampening material or acoustic tile.
6. Odors and noise causing annoyance or discomfort to the public outside of the lot on which the kennel is located shall not be permitted.
7. The applicant shall furnish evidence of effective means of animal waste collection and disposal which shall be continuously implemented.
8. The landowner and/or developer shall comply with any additional standards, as defined by the Zoning Hearing Board, that are needed to protect public health, safety and welfare or to address unique characteristics of a site.

404.23 Laundromat

1. All laundromat establishments shall follow the rules and regulations imposed by the Pennsylvania Dry Cleaning Law (No. 1990-214).
2. All materials and equipment shall be stored within a completely enclosed building.
3. The manufacture of hazardous or potentially hazardous materials shall not be permitted.

404.24 Light Industrial

1. This use is not permitted if there exists an existing residential use within two hundred (200) feet of the property line of the industrial use.
2. A decorative shrub and/or fence is required around the entire perimeter of the property. Additional landscape features may be required as per the Zoning Board's recommendations.
3. Only visitor parking is permitted in the front yard area.

4. All outdoor lighting shall be shielded and reflected away from adjacent properties.

404.25 Manufactured Home Parks

1. Refer to the Greene County Subdivision and Land Development Ordinance for requirements regarding Manufactured Home Parks.

404.26 Medical Marijuana Dispensary

1. Any facility dispensing medical marijuana must be legally registered in the Commonwealth and possess a current valid medical marijuana permit from the DOH. Such a facility 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.
2. Any proposed methadone or suboxone treatment facility shall include with its submission of a zoning permit application a development narrative that accurately describes the nature of medical services to be provided and the names of the medical practitioners providing said services. A licensed physician shall be on duty at this type of facility during its hours of operation.
3. A clinic that dispenses medical marijuana may not operate on the same site as a facility used for growing and processing medical marijuana.
4. Clinics shall have a single secure public entrance and shall implement appropriate security measures to deter and prevent the theft of controlled substance and unauthorized entrance into areas where they are stored.
5. A clinic that dispenses medical marijuana shall be a maximum of 3,000 gross square feet, of which no more than 500 square feet shall

be used for secure storage of product, and shall have an interior customer waiting area equal to a minimum of twenty-five (25) percent of the gross floor area.

6. A clinic that dispenses medical marijuana shall:
 - a. Not have a drive-through service;
 - b. Not have outdoor seating areas;
 - c. Not have outdoor vending machines;
 - d. Prohibit the administering of, or the consumption of medical marijuana on the premises; and
 - e. Not offer direct or home delivery service.
7. A clinic may dispense controlled substances only to certified patients and caregivers and shall comply with all lawful, applicable health regulations.
8. A clinic that dispenses medical marijuana shall not be located within 1,000 feet of the property line of a public, private or parochial school or a day-care center. This distance shall be measured in a straight line from the closest exterior wall of the building or portion thereof in which the business is conducted or proposed to be conducted, to the closest property line of the protected use, regardless of municipality in which it is located.
9. A clinic that dispenses medical marijuana shall shall be a minimum distance of 1,000 feet from the next nearest clinic. This does not include complementing or supporting businesses covered by different definitions. This distance shall be measured in a straight line from the closest exterior walls of the buildings or portions thereof in which the businesses are conducted or proposed to be conducted, regardless of municipality in which it is located. This separation distance does not

apply to the distance between the grower/processor and the specific dispensary they serve, or with which they partner.

10. Any clinic lawfully operating shall not be rendered in violation of these provisions by the subsequent location of a public, private or parochial school or a day care facility.
11. A buffer planting is required where a clinic adjoins a residential use or district.

404.27 Medical Marijuana Growing and Processing

1. 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 Pennsylvania Department of Health (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.
2. The maximum floor area of a medical marijuana processing facility shall be limited to 20,000 square feet, of which sufficient space must be set aside for secure storage of marijuana seeds, related finished product, and marijuana related materials used in production or for required laboratory testing.
3. There shall be no emission of dust, fumes, vapors, odors, or waste into the environment from any facility where medical marijuana growing, processing or testing occurs.
4. Marijuana remnants and byproducts shall be secured and properly disposed of in accordance with the DOH Policy and shall not be placed within any unsecure exterior refuse containers.

5. 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.
6. Grower/processors may not locate within 1,000 feet of the property line of a public, private, or parochial school or day care facility.
7. A buffer planting is required where a medical marijuana grower/processor adjoins a residential use or district.

404.28 Mobile Home

1. Mobile Homes are no longer permitted to be established anywhere in the Borough.

404.29 Multifamily Dwellings Accessory to Existing Commercial Structure

1. One off-street parking space per dwelling unit must be provided. No off-street parking shall be permitted in a front yard; parking may be provided in a side or rear yard, provided it is visually screened from the street and adjacent properties as determined by the Zoning Hearing Board.
2. No individual dwelling unit shall contain less than 700 square feet of floor area and shall include kitchen and bath facilities.
3. All units shall comply with applicable requirements of the Municipal building code and Pennsylvania Labor and Industry regulations.
4. All such dwelling units shall be located on the second floor or above; no dwelling unit, unless it is occupied by the owner of the building, shall be located on the third floor of a wood frame building.

404.30 Nursery / Greenhouse

1. The raising, of plants, trees, flowers, and shrubs shall be clearly the

primary use of the property.

2. Impervious surface coverage shall not exceed 60%.
3. No greenhouse shall be located closer than 100 feet to the nearest property line.
4. Hours of operation are limited to 5:30 a.m. until 12:00 midnight.

404.31 Nursing Home, Institutional Facility

1. The minimum lot area for a nursing home shall be 1,500 sq. ft. per resident.
2. The facility shall be duly licensed by the Commonwealth and shall operate in accordance with the regulations of the licensing agency.
3. The facility shall provide off street parking and loading spaces as required in section 5-506 of this Ordinance.
4. The facility shall have its principal traffic access from a public street with sufficient capacity to handle the traffic generated by the use. An analysis of peak hour traffic and impact on surrounding streets and intersections and methods to alleviate any potential problems may be required.
5. Ambulance, delivery and service areas shall be obscured from the view of all residential properties by fencing, screening or planting as approved by the Municipality.
6. Buffer areas may be required alongside and rear yard where necessary to provide visual and audible privacy for the nursing home and/or adjacent uses. A landscaped area, at least 10 feet in depth shall be provided along the entire front property line except for approved entrances as determined by the Zoning Hearing Board.

404.32 Parking Lot

1. All parking surfaces must be paved with a bituminous or concrete as specified by the Zoning Hearing Board.
2. All off-street parking shall be located at least ten (10) feet from all property lines and be screened by a four (4) foot high compact hedge, privacy fence or other landscape feature as may be required by the Zoning Hearing Board.
3. Outdoor lighting shall be shielded and reflected away from adjoining streets or properties.
4. Parking areas shall be designed so as to prevent surface water from draining on to adjacent properties and public streets.
5. Parking areas for ten (10) or more cars shall be interspersed with land forms and other appropriate landscape or planted areas as determined by the Zoning Hearing Board.

404.33 Personal Care Home

1. A full or provisional license from the Commonwealth is necessary for initial and continued approval. Suspension of the license automatically revokes the occupancy permit and special exception approval.
2. Change of ownership, sponsorship or any other condition contained in the original approval of the home shall constitute a new use, and the procedure for obtaining a special exception use approval of a new facility shall be executed.
3. No personal care home shall be located within 2,000 feet of another personal care home or group residence.
4. The facility shall comply with local, county and state building, fire, health, or safety codes.

5. One off-street parking space shall be provided for each staff member, operator or employee plus one for each four residents in the home.
6. Signs for the personal care home shall comply with applicable provisions of Section 5-507, Signs, of this Ordinance.
7. The maximum number occupants for a personal care home shall be:
 - a. R-2 and R-3 Districts - 15 persons
 - b. B-1 and U-1 Districts - 20 persons
8. The owner or sponsor shall file with the Zoning Officer on June 1st of each year following the original approval information indicating that the facility continues to satisfy the conditions of original approval. If the facility is shown to be operating in compliance with the terms of the original approval, then the Zoning Officer shall renew the certificate of occupancy for another year. If the information indicates that there is any change in operation, or any complaint has been lodged against the facility, the Zoning Officer shall forward the information to the Zoning Hearing Board who shall decide the renewal of the approval and certificate of occupancy.

404.34 Place of Worship

1. If a residential facility (e.g., a convent, monastery) is part of the complex within a R-1, R-2, district, it shall not house more than ten persons.
2. The place of worship shall have direct access to a public street of sufficient capacity to handle the traffic generated by the proposed use.
3. The facility shall provide the necessary off-street parking in accordance with section 5-506 of this Ordinance.

404.35 Printing and Publishing Establishment

1. All activities shall take place indoors.
2. The facility shall be so designed and so constructed that there shall be no danger to the health, safety or welfare of residents or persons on adjoining properties.
3. All ventilation systems shall be so designed that any smoke, fumes or odors shall not be directed towards abutting properties.
4. On-site pick up shall be limited to the hours of 7:00 AM to 7:00 PM.

404.36 Private Club

5. The clubhouse shall be located at least one hundred (100) feet from any property line adjoining any residential property.
6. Operations shall be discontinued between the hours of 2:00 a.m. and 8:00 a.m.
7. Swimming pools shall conform to section 5-505 of this Ordinance.
8. Where eating and/or drinking facilities are provided, parking requirements for restaurants shall apply in addition to the parking requirements for private clubs.

404.37 Public Parking Garage

1. A parking study shall be required that proves to the satisfaction of the Borough that a parking structure is necessary to provide adequate parking to support the businesses in the immediate neighborhood. The person who conducted the parking study shall be present at the conditional use hearing to testify that the study is accurate.
2. Pedestrian walkways shall be provided to connect the parking areas to the public right-of-way.
3. Adequate lighting shall be provided for all parking areas and

pedestrian walkways.

404.38 Public Use or Building

1. Ingress and egress for police and fire stations shall be located so as to maximize sight distance along adjacent public streets.
2. Fire and police stations shall be located so that vehicles and equipment can be maneuvered without interrupting traffic flow or blocking public streets.
3. Outside storage of materials is not permitted.
4. Outdoor lighting shall be shielded and reflected away from adjoining streets or properties.
5. Outdoor play areas shall be enclosed by a six (6) foot security fence and shall be screened by a six (6) foot compact hedge along all property lines which adjoin single-family dwellings.
6. All off-street parking shall be located at least fifteen (15) feet from any property line which adjoins residential property and be screened by a four (4) foot high compact hedge or privacy fence.

404.39 Radio, Television or Satellite Dish Antenna

1. Radio or Television Antenna
 - a. A radio or television antenna structure is a permissible accessory structure in any zoning district subject to the requirements of this section.
 - b. Such structure may be mounted on a roof or installed in a rear yard only, provided that no ground level structure shall be located within 10 feet on any property line.
 - c. The maximum height for such structure shall not exceed by more than 20 feet the otherwise allowable height in the zoning district in which the antenna is located. If placed on a roof, any antenna exceeding 8 feet in height shall be mounted with guide wires.
 - d. Any such structure shall comply with applicable Greene County

airport zoning and federal regulations.

- e. Radio or television antenna structures located on the ground shall be screened from adjacent properties by evergreen trees or other suitable materials, as approved by the Planning Commission.

2. Satellite Dish Antenna

- a. A satellite dish antenna is a permissible accessory structure in any zoning district subject to the requirements of this section.
- b. Such antenna may be installed in a rear yard only, provided that no such structure shall be located within 15 feet of any property line.
- c. When installed on the ground, the maximum height of a satellite dish antenna shall not exceed 14 feet when positioned vertically and shall have a maximum diameter of 10 feet.
- d. A satellite dish antenna may be roof mounted in B-1 and M-1 districts, provided that the maximum height shall not exceed fifteen (15) feet above the roof line, when positioned vertically and the maximum diameter shall not exceed twelve (12) feet.
- e. When installed on the ground, the satellite dish antenna shall be screened from adjacent properties by evergreen trees or other suitable materials. The Municipality shall not require screening which obstructs the line of sight to the transmitting satellite.

3. Exceptions to Requirements

- a. Any applicant may apply to the Zoning Hearing Board for a special exception regarding the height, size or placement of a radio, television, or satellite dish antenna when it can be demonstrated that the requirements of this section effectively preclude reception. Should the Zoning Hearing Board require expert

technical assistance in making such determination, the cost of such assistance shall be borne by the applicant.

404.40 Restaurant

1. The hours of operation, for indoor facilities, shall be limited to between 5:30 a.m. and 2:00 a.m. of the next day, prevailing time.
2. Buildings shall be limited as follows:
 - a. The total floor area, exclusive of any basement used solely for storage, shall not exceed 10,000 square feet.
 - b. The preparation, serving and consumption of food and beverages shall be restricted to the inside of the building. However the serving and consumption, but not preparation, of food and beverages may be permitted in a designated outdoor area.
 - c. Any designated outdoor area for service and consumption of food and beverages shall strictly comply with the following requirements:
 - i. The use of any outdoor dining area shall be limited to the regular business hours of the restaurant.
 - ii. Lighting devices for the outdoor dining area shall not in any way produce objectionable, direct or reflected glare on any adjoining property or thoroughfare and, where necessary, appropriate full shielding of the lighting devices servicing the outdoor dining area may be required to achieve this goal.
 - iii. Any outdoor dining area shall be located to comply with any and all regulations regarding rear and side yard requirements set forth in the zoning district in which the principal use is located.
 - iv. All outdoor dining areas must meet the minimal accessibility

requirements of the applicable building code.

- v. An outdoor dining area shall only be located at the floor level of the primary dining area of the principal restaurant to which it is affiliated, but in no event shall any outdoor dining area be located a distance greater than eight feet above grade.

404.41 Retail Store

1. Architectural style shall be coordinated to create visual cohesiveness. Within the development collectively constituting the large retail establishment, all buildings, the principal structure, accessory structures, canopies, parking lots and other open spaces as well as signs shall be of a unified design.
2. Façades greater than one hundred (100) feet in length shall incorporate wall plan projections or recesses having a depth of at least three percent of the length of the façade and extending at least twenty (20) percent of the length of the façade. No uninterrupted length of any façade shall exceed one hundred (100) horizontal feet.
3. Establishments furnishing shopping carts shall provide defined areas on the site for the storage of such carts that shall be clearly marked and designed for such use.
4. Trash receptacles for patron use shall be provided outside of any establishment with take-out service or convenience shopping.
5. All waste disposal storage areas shall be located in the rear of the building in compliance with the setback requirements of the applicable zoning district and shall be screened.

404.42 Salvage Yards

1. The minimum lot area for a salvage yard shall be two acres. All structures for the salvage yard shall comply with the applicable

provisions of the zoning district in which it is located.

2. There shall be no exterior storage of any materials or equipment within 25 feet of any front lot line or within 15 feet of any side or rear lot line.
3. The entire perimeter of the salvage yard shall be fenced with a solid fence, a planted screen, or a combination of both, 8 feet in height, which complies with the provisions of section 5-504 of this Ordinance. The owner or operator of the salvage yard shall be responsible for maintaining the fence or screen in good repair and condition.
4. A lot shall be deemed a salvage yard if two or more motor vehicles not having valid state inspection stickers are deposited or stored on the lot; or when two or more wrecked vehicles (or the major parts of two or more vehicles) are deposited or stored on a lot, other than that of a duly authorized vehicular repair garage complying, with the parking/storage requirements of section 404.14.4.

404.43 School (includes public or private, elementary or secondary)

1. Minimum lot area – 20,000 square feet.
2. No outdoor play areas or facilities shall be within 15 feet of a residential lot line.
3. The use shall not include a dormitory unless specifically permitted in that District.

404.44 Self Service Storage Units

1. Storage shall be within a completed enclosed building or buildings.
2. A minimum spacing of twenty-five (25) feet between the buildings for traffic circulation, parking and fire lane purposes.
3. All outside lighting shall be directed away from adjacent properties.

404.45 Shopping Centers

1. A shopping center shall only contain those uses authorized in the zoning district in which the center is located.
2. A shopping center shall provide all off-street parking on the same lot as the center according to the following:

Size	Parking Spaces Required
0-100,000 Sq.Ft. GLA	1 per 250 Sq.Ft. GLA
100,001-400,000 Sq.Ft. GLA	4 per 1,000 Sq.Ft. GLA
400,001-600,000 Sq.Ft. GLA	4.5 per 1,000 Sq.Ft. GLA
600,001 Sq.Ft. GLA and over	5 per 1,000 Sq.Ft. GLA

404.45 Solar Energy System (Small)

1. All solar energy equipment shall be located on the parcel or plot of land of record in which the principal use is located, with the exception that power lines or any related equipment to the solar energy system may be located on an adjoining parcel or plot of land of record provided it will comply with all applicable virtual net metering laws of the public utility provider.
2. Power generated by the solar energy system shall provide power only for the principal use in which it services; any excess power generated by the solar energy system shall only be sold or acquired by a public utility in accordance with law or other governmental regulations.
3. All mechanical equipment associated with and necessary for the operation of the solar energy system, which is ground-mounted, including any structure for batteries or storage cells, shall be enclosed within a six-foot-high fence or evergreen plantings of equal height. Evergreen plantings shall be of a type that is to be approved by the Township. The fence shall be made of wood, masonry, durable plastic

or other decorative material approved by the municipality. Chain link fences shall not be permitted unless they are fully screened from view by evergreen plantings.

4. Solar Access Easements. A Solar Energy System shall be located to ensure solar access without reliance on adjacent properties. Where any applicant desires to ensure that solar access to a Solar Energy System shall not be obstructed over time by permissible uses or activities on any adjacent property (i.e. by planting or growth of vegetation, new construction, etc.), it shall be the responsibility of the owner of the Solar Energy System to obtain appropriate solar access easement(s) from neighboring property owner(s). All solar access easements shall be recorded in the office of the Washington County Recorder of Deeds.
5. Solar collectors shall be installed so as to prevent glare or concentrated solar radiation as may otherwise be directed onto other properties or onto roadways such that a nuisance situation is created. Antireflective surface materials or coatings shall be used to preclude glare to the extent feasible. Should any glare or concentrated solar radiation prove to be visible beyond the property line at any time subsequent to the installation of the system such that, in the opinion of the Zoning Officer, a nuisance situation or safety hazard arises for another property owner or the traveling public, the Township may at its discretion require mitigating action or the removal of the system or portion thereof generating the glare or reflected solar radiation. Should any mitigation or removal deemed necessary by the Township fail to be dealt with in accordance with the Township's determination within six months of notification of the landowner, the Township may implement such mitigation or removal as it deems necessary, cost therefore to be reimbursed within 90 days and, if not, a

commensurate lien shall be placed upon the property.

6. The solar energy system shall be kept in good repair and sound condition. Upon abandonment of the use, the solar panels and any related structures and equipment shall be dismantled and removed from the lot within 60 days.
7. Ground-Mounted Systems.
 - a. No part of a ground-mounted solar energy system shall be located any closer than 15 feet from any side or rear property lines. No part of a ground-mounted solar energy system shall be located between the principal structure on the property and the public street right-of-way; notwithstanding the aforesaid requirement.
 - b. Ground-mounted solar energy systems shall not be placed within any legal easement or right-of-way location, or be placed within any storm water conveyance system or in any other manner that would alter or impede storm water runoff from collecting in a constructed storm water conveyance system.
 - c. Ground-mounted solar energy systems shall not be placed in a manner that would cause a violation of any other section of the zoning ordinance, such as minimum parking requirements, required buffer yards or other landscaping requirements, maximum impervious coverage limitations or any other applicable standards.
 - d. Ground-mounted panels of a solar energy system shall be counted toward a given property maximum impervious coverage requirements unless the applicant can demonstrate that storm water will infiltrate into the ground beneath the solar panels at a rate equal to that of the infiltration rate prior to placement of the panels.
 - e. Ground-mounted solar energy systems shall not exceed a height

of 20 feet.

8. Roof-Mounted Systems.

- a. Roof-mounted solar energy systems shall not extend beyond the peak elevation of the top of the roof on which the panels are to be constructed.
- b. If the solar panels are to be constructed on a flat roof, no part of the solar energy system shall exceed beyond the maximum height requirements for the zoning district in which the building is located.
- c. Roof-mounted solar energy systems shall not be counted as adding to any impervious coverage calculation.

404.46 Swimming Pools (Residential)

1. Placement: As an accessory structure, a pool and accessory deck area shall be erected only in a rear yard provided it is no closer than 5 feet of any lot line, or the distance of the required side yard for the zoning district in which it is located, whichever is greater.
2. Fencing:
 - a. In-ground pools, in all zoning districts, shall be enclosed by a fence, constituting a barrier to small children, at least 4 feet in height and equipped with a gate and lock. Fencing for a pool shall comply with the applicable requirements of Section 5-504 of this Ordinance.
 - b. Above-ground pools in all zoning districts having vertical walls 4 feet or more above ground level and removable steps are not required to be fenced, but the owner shall remove the steps when the pool is not in use to prevent access by small children.

404.47 Vehicular Repair Garages

1. All repair services shall be conducted within an enclosed building which complies with state and Municipality's regulations for such uses.
2. All automotive parts and supplies shall be stored within an enclosed building.
3. All debris, used parts and other refuse must be stored in compliance with the International Property Maintenance Code and other applicable ordinances and in such a manner that it is not visible from adjacent properties or a public street.
4. No vehicle shall be parked stored on a public right-of-way or property at any time. No more than four vehicles awaiting repairs shall be parked or stored outdoors at any one time. All others must be stored within a building or totally screened from view by a solid fence.
5. Off street parking spaces shall be provided in accordance with Section 5-506 of this Ordinance.
6. If a vehicular repair garage includes gasoline and/or other petroleum sales, all requirements for a gasoline service station shall be met.
7. No vehicular repair garage may be located within 1,000 feet of another vehicular repair garage.

404.48 Vehicular Sales and/or Services

1. The business shall include a permanent building on site for offices, display and/or repair. A trailer shall not meet this re-requirement.
2. Areas for vehicular display and customer parking shall be paved or otherwise improved and shall maintain at least a five-foot landscaped setback from all property lines.
3. If a gasoline service station is an accessory use, all conditions required

herein for said use shall be met.

4. If a vehicular repair garage is an accessory use, all conditions required herein for said use shall be met.
5. No strings of lights, flags, flashers or any other display paraphernalia shall be permitted. Lighting from spot or flood lights shall be oriented away from adjacent highways and properties.
6. No vehicle shall be displayed or offered for sale outdoors which does not have all mechanical and body components necessary for safe and lawful operation in this state.

404.49 Veterinary Office (Clinic or Hospital)

1. If the property operates a kennel, it shall be constructed on a lot greater than or equal to ten (10) acres and shall be licensed under the Dog Law Act of 1982, P.L. 784-255.
2. Any exterior fenced area wherein animals exercise or are otherwise exposed must be located a minimum of one hundred fifty (150) feet from any principal structure on adjacent lots and all outdoor exercise areas shall be located at least fifty (50) feet from any property line.
3. The perimeter of the exterior exercise area must be fenced with a weatherproof material, a minimum of five (5) feet in height, accessible only through a self-latching gate.
4. Animals shall be permitted to exercise within the exercise areas daily between the hours of 8 AM and 8 PM.
5. Any structure used to house animals shall be equipped with code-approved nontoxic noise-dampening material or acoustic tile.

6. Odors and noise causing annoyance or discomfort to the public outside of the lot on which the kennel is located shall not be permitted.
7. The applicant shall furnish evidence of effective means of animal waste collection and disposal which shall be continuously implemented.
8. The landowner and/or developer shall comply with any additional standards, as defined by the Zoning Hearing Board, that are needed to protect public health, safety and welfare or to address unique characteristics of a site.

404.50 Wholesale, Warehousing Businesses Handling Hazardous or Toxic Substances

1. The property shall have direct access to a public street with sufficient capacity to handle the amount and type traffic generated by the proposed use.
2. Access driveways shall be adequate design to accommodate anticipated truck traffic safely without causing congestion on public streets.
3. The facility shall comply with all applicable federal, state, county and local laws and regulations regarding the handling of hazardous or toxic substances, where applicable.
4. A written description of all materials stored or distributed by the proposed facility shall be submitted with the application. The Borough and the County Fire Marshall be notified of the types of substances typically stored or transported at the facility. This information shall be updated every six months and resubmitted to all parties; failure to do so may result in the certificate of occupancy being revoked.

404.51 Wind Energy System (Small)

1. The turbine shall be located on the same parcel or plot of land of record in which the principal use is located, with the exception that, power lines or related equipment may be located on a neighboring parcel or plot of land of record provided it will comply with all applicable virtual net metering laws of the public utility provider.
2. The height of the turbine shall include the tower and the rotor at its point where a blade is directly perpendicular to the ground. The maximum height of the turbine shall be 60 feet from the finished grade.
3. Turbines must meet the setback requirements for accessory structures for the underlying zoning district. In addition, turbines shall be set back a horizontal distance equal to their height from any property line or residential dwelling, excluding any dwelling on the lot on which the turbine is located. No turbine shall be located between the principal structure on the property and the public street right-of-way. Additionally, all turbines must be set back sufficiently from any above-ground utility lines, radio, television, or telecommunication towers so as to present no danger to those lines or structures, as certified by the applicant's engineer. No portion of any accessory turbine shall extend over parking areas, access drives, driveways or sidewalks.
4. The minimum clearance between the lowest arc of the turbine blades and the ground shall be 15 feet. If the turbine model that is proposed is a vertical axis wind turbine (also referred to as a helix-type windmill or VAT), the height between the lowest point of the turbine and the ground may be reduced to eight feet.

5. If guy wire anchors are required, they shall be set back a minimum of 10 feet from any side and rear property lines.
6. All electric and utility lines associated with the turbine shall be buried underground.
7. All mechanical equipment associated with and necessary for the operation of the turbine, including any structure for batteries or storage cells, shall be screened from view with an enclosed six-foot-high fence or evergreen plantings of equal height. The evergreen plantings shall be of a type approved by the municipality and shall be planted to provide a full screen of the mechanical equipment. No noxious trees, plants or weeds shall be permitted to fulfill the screening requirements. The turbine tower shall also be enclosed within a six-foot-high fence unless the base of the turbine tower is not climbable for a distance of 12 feet. Any required fencing shall be made of wood, masonry, durable plastic or other decorative material approved by the Township. Chain link fences shall not be permitted unless they are fully screened from view by evergreen plantings of equal or greater height than the fence.
8. The turbine shall not generate noise which exceeds 60 decibels at any property line.
9. The turbine shall be kept in good repair and sound condition. Upon abandonment of use, the turbine and all related structures shall be dismantled and removed from the lot within 60 days.
10. The co-location of wireless communication antennae on a turbine tower shall not be permitted.
11. Power generated by the turbine shall provide power only for the principal use in which it services; any excess power generated by the

turbine shall only be sold or acquired by a public utility in accordance with law or other governmental regulations.

12. The installation of the turbine shall meet all applicable requirements of the Uniform Construction Code.
13. No signage or advertising of any kind shall be utilized or attached to the turbine. This requirement shall not include the make and model description of the turbine, manufacturers required hangtags or warning signs or other signage that is required by law.
14. No lighting, unless required by any FAA requirements, shall be utilized or attached to the turbine.
15. Turbines shall be a neutral, nonobtrusive color such as white, off-white, gray, brown, black or other approved earth tone shade, unless a specific color or color pattern is required by the FAA or other regulatory agency.

404.52 Wireless Communications Facilities (WCF)

1. Design, Construction and Operations
 - a. All WCFs shall be sited, designed, constructed, operated, inspected maintained, repaired, modified, removed and Replaced in strict compliance with all current applicable federal and state technical and safety codes.
 - b. All WCFs shall be operated in accordance with all applicable FCC rules regarding interference with public safety communications or the reception of broadband, television, radio or other communications services.
 - c. Collocation. All Tower-Based WCFs where the Tower is more than 40 feet in height, located outside of the Right-of-Way, shall

be designed to accommodate both the applicant's Antennas and comparable Antennas for future users. As a condition of approval for all Tower-Based WCFs where the Tower is more than 40' in height, the applicant shall agree to allow other service providers to collocate Antennas on the Tower where technically and economically feasible.

- d. Signage. All WCFs shall include a posted sign at the location. Such signage shall include the ownership, contact name and phone number in the event of an emergency and Federal Communications Commission (FCC) registration number (if applicable). Such signage shall not include commercial advertising and is subject to approval by the municipality.
- e. Lighting. Towers shall not be artificially lighted beyond what is required by law.
- f. Noise. All WCFs shall be operated and maintained so as not to produce noise in excess of applicable noise standards established by the municipality. The use of a backup generator in emergency situations and periodic maintenance and testing by the wireless communications provider's technicians shall be permitted, where such noise standards may be exceeded on a temporary basis.
- g. Vehicular Access.
 - i) An access driveway and one off-street parking space shall be provided to ensure adequate emergency and service access to all Tower-Based WCFs located outside of the Right-of-Way.
 - ii) Maximum use of existing roads, whether public or private, shall be made to the extent practicable.

- iii) Where possible, access driveway construction shall at all times minimize ground disturbance and the cutting of vegetation.
 - iv) Access driveway grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion.
 - v) An applicant shall present documentation to the Borough that the property owner has granted an access easement for the proposed WCF, if located on a lot or property.
 - vi) Any required access easement shall be a minimum of 20 feet in width and the access driveway shall be improved with a dust-free, all weather surface, including gravel, to a width of at least 10 feet throughout its entire length.
 - vii) Vehicular access to all WCFs shall not interfere with the parking or vehicular circulations for a principal use, if located on the lot or property. However, where appropriate and available, existing parking for the principal or other uses on the lot or property may be utilized.
- h. Fencing. A security fence, which may include barbed wire, with a minimum height of eight (8') feet may be required to surround any Tower-Based WCF located outside the Right-of-Way, where the Tower is more than 40 feet in height, including guy wires, associated equipment, and buildings. The requirement for a security fence may be waived by the Borough when the fence would not be appropriate or feasible.
- i. Safety in Rights-of-Way.
- i) Schedule of operations. The Borough shall determine the time, place and manner of siting, design, construction, maintenance, repair, Modification, removal and/or

Replacement of all WCFs located in the Right-of-Way, based on public safety, traffic management, physical burden on the Right-of-Way and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the Borough and the requirements of the Public Utility Code.

- ii) Alteration of a WCF. Within 60 days following written notice from the Borough, or such longer period as the municipality determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a WCF located in the Right-of-Way shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when the Borough, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change or alteration is reasonably necessary under any one of the following circumstances:
 - a) The construction, repair, maintenance or installation of any municipal or other public improvement located in the Right-of-Way.
 - b) The operations of the Borough or other governmental entity in the Right-of-Way.
 - c) Vacation of a street or road or the release of a utility easement.
 - d) An emergency as determined by the Borough.
 - e) No permit is required for such removal, relocation, change or alteration ordered by the Borough.
- iii) Visual obstruction. All WCFs and Accessory Equipment shall be located so as not to cause any physical or visual

obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the Right-of-Way as determined by the Borough. In no case shall ground-mounted equipment, walls, screening or landscaping be located within (18) inches of the face of the curb, or in an area in which there are no curbs, within (3) feet of the edge of cartway.

- j. Maintenance. An applicant for a WCF shall describe anticipated maintenance needs, including frequency of service, personnel needs and equipment needs, and the traffic, safety and noise impacts of such maintenance.
- k. Soil report. An applicant for a Tower-Based WCF where the new Tower is more than 40 feet in height, shall submit a soil report complying with the standards of geotechnical investigations, ANSI/EIA-222-G, as amended, shall be submitted to the Borough Engineer prior to construction to document and verify the design specifications of the foundation for the Wireless Support Structure and anchors for the guy wires, if used.
- l. Aviation safety. All WCFs shall comply with federal and state laws and regulations concerning aviation safety.
- m. Inspections for all WCFs where the new Tower is more than 40 feet in height.
 - i) A copy of any required inspection report shall be provided to the Borough following the inspection. Any repairs advised by report shall be completed by the WCF owner within 60 calendar days after the report is filed with the Borough.

- n. Equipment Storage. The storage of unused equipment or supplies is prohibited on any WCF site.
2. Aesthetics, Landscaping and Screening
- a. Stealth Technology. All WCFs shall employ the most current Stealth Technology available, where appropriate, in an effort to appropriately blend the proposed WCF into the surrounding environment and minimize aesthetic impact. Equipment buildings and cabinets shall be designed to blend into the environment in which they are situated, to the extent practicable.
 - b. Landscaping and Screening. An applicant for Tower-Based WCF where the new Tower is more than 40 feet in height, located outside of the Right-of-Way, shall submit a landscaping and screening design including the following:
 - i) The applicant shall ensure that the existing vegetation, trees and shrubs located within proximity to the WCF support structure shall be preserved to the extent practicable.
 - ii) Ground mounted equipment may be screened from public view using an evergreen screen, artificial screen, or fencing, as directed by the Borough.
3. Replacement, Collocation, or Modification
- a. Notwithstanding the requirements for all Tower-Based WCFs and WCFs on Existing Structures, as set forth in this sub-section, an application for Replacement, Collocation or Modification of a previously approved Wireless Support Structure or WCF shall be reviewed for conformance with the Borough building permit

requirements, including requirements applicable to the added structural loading of the proposed Antennas and Accessory Equipment. These previously approved facilities shall not be subject to the issuance of new zoning or land use approvals, provided that there is no Substantial Change.

- b. Replacement of WCFs on existing Wireless Support Structures or within existing Equipment Compounds may be performed by the applicant without obtaining building or zoning permits from the Borough.
- c. Any Substantial Change to an existing Tower-Based WCF shall require approval of the Borough in accordance with the terms of this Section.
- d. Mounting. An applicant proposing a WCF on Existing Structure to be mounted on a building or any other structure shall submit detailed construction and elevation drawings indicating how the WCF on Existing Structure will be mounted on the existing structure for review by the Borough building code official for compliance with the building code.

4. Permit Requirements

- a. Collocation Analysis. An application for a new Tower-Based WCF where the new Tower is more than 40 feet in height and located outside of the Right-of-Way, shall not be approved unless the applicant demonstrates that the Wireless communications equipment planned for the proposed Tower-Based WCF cannot be collocated on an existing structure or building within a [1/4 or 1/2] mile radius of the proposed Tower- Based WCF location to achieve the coverage or capacity objectives of the applicant.

- b. Gap in Coverage or Lack of Adequate Capacity. An applicant for a Tower-Based WCF where the new Tower that is more than 40 feet in height, located outside of the Right- of-Way, must demonstrate that a significant gap in Wireless coverage exists or lack of adequate capacity is likely to exist within one (1) year of the filing of its application with respect to the applicant in the area.
- c. Authorization. An applicant for a WCF shall submit a copy of the lease or other form of written authorization with the property owner confirming that the applicant has standing to file the application and maintain the proposed WCF on the subject lot or property.
- d. Licensing and applicable regulations. If the applicant is a commercial wireless communications provider, it must demonstrate that it is licensed by the Federal Communications Commission (FCC) and submit with its application copies of all FCC permits and licenses.
- e. Emissions. The applicant shall demonstrate that the proposed WCF will comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic emissions.
- f. Insurance. The applicant shall provide a certificate of insurance issued to the owner/operators of the WCF, evidencing that there is or will be adequate current liability insurance in effect.
- g. Review Timeframes. Review timeframes are noted in Table 4.1

Table 4.1 WCF Review Timeframes

		Municipality shall notify the applicant in writing of any information that may be required to complete application.	Municipality shall approve or deny the application unless a shorter time period is applicable under the PA MPC.
A	New Tower Based WCFs	Within 30 calendar days of the date the application was filed with the Borough.	Within 150 days* of submission of a complete application for a WCF.
B	WCF on Existing Structures	Within 30 calendar days of the date the application was filed with the Borough.	Within 90 days* of submission of a complete application for a WCF.
C	Eligible Facilities Requests ** (as defined)	Within 30 calendar days of the date the application was filed with the Borough.	Within 60 days* of submission of a complete application for a WCF.
*The time period may be tolled by mutual agreement or in cases where the Municipality informs the applicant in a timely manner that the application is incomplete. If an application is considered incomplete, the time period begins running again as soon as the applicant makes a supplemental submission, but may be tolled again if the Municipality provides written notice to the applicant within 10 days that the application remains incomplete and specifically delineates which of the deficiencies specified in the original notice of incompleteness have not been addressed.			
**The Municipality shall only require the applicant to provide documentation that is reasonably related to determining whether the request is for an Eligible Facility.			

h. Permit Fees. The Borough may assess appropriate and reasonable permit fees directly related to the actual costs in reviewing and processing the application for approval of a WCF. The amount of this fee may not be in excess of the actual reasonable cost to review and process the application.

5. Discontinuation, Abandonment and Removal

a. Discontinuation. The Borough may assess appropriate and reasonable permit fees directly related to the actual costs in reviewing and processing the application for approval of a WCF. The amount of this fee may not be in excess of the actual reasonable cost to review and process the application.

i) All unused or abandoned WCFs and accessory facilities shall be removed within (6-12) months of the cessation of

operations at the Site unless a time extension is approved by the Borough.

- ii) If the WCF and/or accessory facility is not removed within (6-12) months of the cessation of operations at a site, or within any longer period approved by the Borough, the WCF and accessory facilities and equipment may be removed by the Borough and the cost of removal assessed against the owner of the WCF.
 - iii) Any unused portions of WCFs, including antennas, shall be removed within (6-12) months of the time of cessation of operations.
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ARTICLE V

GENERAL REGULATIONS

5-501 GENERAL INTENT

The regulations contained in this Article are intended to apply to all zoning districts, uses, structures or lots except as otherwise provided in this Ordinance.

5-502 GENERAL PROVISIONS AND EXCEPTIONS

502.1 Mixed Uses: Land, buildings and structures shall be designed and used only for authorized uses within respective zoning districts. Except where specifically authorized by this Ordinance, multiple uses of land, buildings or structures are prohibited in residential districts.

502.2 Dwelling in a Basement: No dwelling unit or units shall be contained in a basement or cellar which does not have 50 % or more of its average height above grade level.

502.3 Clear Sight Distances at Intersections: A clear sight triangle, as defined by this Ordinance, must be maintained at all intersections of public and/or private streets and driveways in all zoning districts. Required sight distances along intersecting streets/driveways shall be in accordance with the current applicable PennDOT standards.

502.4 Exotic Animals: Exotic animals such as lions, tigers, bears, large or poisonous snakes, alligators and similar animals shall not be permitted in any zoning district.

5-503 ACCESSORY USES

503.1 Permit and Maintenance Requirements: A zoning certificate must be obtained from the Zoning Officer for any new, expanded or altered accessory use or structure. The owner is responsible for maintaining the accessory use/structure in safe condition in accordance with all applicable

regulations. If the Zoning Officer finds that an accessory structure is not being used for its intended purpose or not being maintained, the Zoning Officer shall give written notice to the owner, in accordance with section 908.1, to repair or remove it.

503.2 Permitted Accessory Uses: A permitted accessory use must comply with the definition of “accessory use” contained in Article 2 of this Ordinance. Examples of permitted uses are:

1. Garage, carport, shed or building for domestic storage, but not exterior storage of a boat, trailer, camper or similar recreational vehicle.
2. Child's playhouse, garden house, gazebo and private greenhouse.
3. Swimming pool (residential), tennis court or similar private recreational facility.
4. Civil defense shelter for not more than two families.
5. Home occupations, as regulated herein.
6. Fences, as regulated herein.
7. Off-street parking and loading areas, as regulated herein.
8. Signs, as regulated herein.
9. Radio, television or satellite dish antenna, as regulated herein.
10. Storage of merchandise normally carried in stock on the same lot with a permitted retail, service or office use, unless such storage is excluded by the district regulations.
11. Storage of goods used in or produced by manufacturing activities, on the same lot or parcel of ground with such activities unless such storage is excluded by the district regulations.

12. Employee restaurants and cafeterias when located in a permitted business or manufacturing building.

503.3 Use Limitations

1. All accessory structures and uses shall comply with the use limitations applicable in the zoning district in which they are located.
2. No accessory structure shall be used for dwelling purposes.
3. No accessory structure shall be constructed and occupied on any lot prior to the time of the completion of the construction of the principal structure to which it is accessory.
4. None of the following shall be permitted as an accessory use:
 - a. Outdoor storage or overnight parking in a residential district of trucks, buses or other vehicles exceeding 7,000 pounds in gross vehicle weight or designated as Class III or above by the Pennsylvania Motor Vehicle Code, excluding a recreational vehicle as defined by this ordinance.
 - b. Outdoor storage of equipment, supplies or other materials in all zoning districts, except as specifically permitted by the applicable zoning district regulations.
5. No accessory structure shall exceed 15 feet in height unless another height is specified by this Ordinance.

503.4 Location of Accessory Uses: Unless otherwise stipulated by this Ordinance, the following standards shall apply:

1. Residential Districts
 - a. Front Yard: Accessory uses, with the exception of permitted signs and fences, shall not be located in the required front yard of any zoning lot.

- b. Side and Rear Yards: Accessory uses are permitted, provided they are no closer than 5 feet of any lot line.

2. Business & Manufacturing Districts

- a. Front Yard: In addition to permitted signs and fences, off-street parking (but not loading) areas are permitted in a required front yard. The minimum parking area in a M-1 district must maintain a minimum five foot, landscaped setback from the street right-of-way or sidewalk line.
- b. Side and Rear Yards: Accessory uses are permitted. If the yard abuts a residential district, the accessory use must maintain a minimum three-foot setback, screened in accordance with section 504.4 of this Ordinance.

3. All Zoning Districts

- a. No part of any accessory structure shall be located closer than 10 feet to any principal structure, unless it is attached to or forms a part of such principal structure. No accessory structure shall be located closer than 3 feet to another accessory structure on an abutting property.
- b. Accessory structure and uses shall otherwise comply with the bulk regulations applicable in the district in which they are located.

5-504 FENCING, SCREENING, AND RETAINING WALLS

Unless otherwise stipulated, the following standards shall apply.

- 504.1 Permit and Maintenance Requirements: A zoning certificate must be obtained from the Zoning Officer for the erection of any fence, wall or screen. The property owner shall be responsible for the continuing maintenance of any fence wall or screen.

If a fence, wall or screen is not maintained in a safe condition and in accordance with local regulations, the Zoning Officer shall give written notice to owner, in accordance with Section 908.1, to repair, replace or remove it.

504.2 Placement, Materials, Height

1. Fences, walls, hedges or other planted screens may be erected in any yard subject to following height restrictions:
 - a. Located in a front yard: four (4) foot maximum.
 - b. Located in a side yard: eight (8) foot maximum.
 - c. Located in a rear yard: eight (8) foot maximum, except that there shall be no maximum applied to hedges or planted screens (e.g., trees) located along the rear property line.
 - d. Located in any yard in an M-1 district; 12 foot maximum.
2. Fences, screens or walls up to 10 feet in height may be erected in any yard of a public school, public recreational facility or public building provided that they are constructed of a chain link material and approved by the Planning Commission.
3. A retaining wall may be erected along any property line or in any yard where it is required to prevent a landslide or other hazardous conditions.
4. A fence or screen cannot be erected in a public or dedicated right-of-way.
5. Fences located along a property boundary shall be set back at least 6 inches from the property line except by written agreement of the property owners filed with the zoning hearing board.

504.3 General Requirements

1. Authorized fences and screens whether publicly or privately owned, shall not obstruct the clear sight distances at street intersections; a clear sight triangle, in accordance with Section 502.3, shall be maintained.
2. Fences shall not contain barbs or similar types of injurious materials, unless specifically approved by the Greene County Planning Commission for security reasons.
3. The finished side of the fence or wall shall always face the abutting properties or street.

504.4 Screening for Business, Manufacturing, Industrial Uses:

Wherever this Ordinance requires screening of a commercial or industrial use, or portion thereof, the following standards shall apply:

1. A planted screen shall be of sufficient density and type of planting material to provide a year-round visual barrier, within two growing seasons of planting. The minimum height shall be five (5) feet, but additional height may be required where it is necessary to achieve adequate visual screening of the use.
2. Screening of off-street parking and loading areas shall be in accordance with section 5-506 of this Ordinance.
3. Water towers, storage tanks, processing equipment, fans, cooling towers, vents, and other structures or equipment that rise above the roof line, other than a radio, television or satellite dish antenna, shall be effectively shielded from view of any abutting public or private street by an architecturally sound method.

5-505 SIGNS

505.1 General Design and Construction Standards

All signs shall be designed, constructed, and maintained in accordance with the following standards:

1. All signs shall comply with applicable provisions of the Uniform Construction Code.
2. Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this Ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
3. All signs shall be maintained in good structural conditions, in compliance with all building and electrical codes, and in conformance with this code, at all times.

505.2 Signs Permitted

Upon the adoption of this Ordinance, it shall be unlawful and a violation of this Ordinance for any person to erect, construct, paint, alter, relocate, reconstruct, display, or maintain or cause to be erected, constructed, displayed or maintained within the Borough any sign (except as defined in Section 505.4) without first having obtained a permit from the Zoning Officer.

1. Residential Districts (R-1, R-2, and R-3)
 - a. For home occupations: one (1) non-illuminated wall sign not exceeding three (3) square feet in size.
 - b. For single-family subdivisions and multi-family complexes, including mobile home parks, one (1) monument sign per street frontage, not to exceed twenty (20) square feet in sign area per sign or six (6) feet in height.

- c. For permitted nonresidential, including churches and synagogues, one (1) free-standing monument sign not to exceed twenty (20) square feet in sign area or five (5) feet in height and one (1) wall sign (with or without border) not larger than six (6) square feet.

2. Non-Residential Districts (B-1, M-1, U-1 and U-2)

Within this district the intent of sign regulation is to ensure the visual compatibility with the scale and character of the surrounding architecture. The signage must also be readable by pedestrians and people in slow-moving vehicles.

a. Types of Signs:

- (i) Wall Signs (with or without border) as large as one (1) sq. ft. per two (2) linear ft. of building frontage or a maximum of twenty-five (25) sq. ft., whichever is less.

- (ii) Free-Standing Signs only for establishments that are set back from the property line by twenty-five (25) feet or more, except as noted below.

- (a) Monument Signs as large as fifteen (15) sq. ft. in sign area with a height maximum of five (5) feet from the ground (including the base) to the top of the sign. The sign must be set back ten (10) feet or more from the property line.

- (b) Pole Signs as large as ten (10) sq. ft. in sign area, with a height maximum of ten (10) ft. from the ground to the top of the sign. The sign must be set back ten (10) feet or more from the property line.

- (iii) Projecting Signs shall be two (2) foot by three (3) foot in size.
- (iv) Window Signs no more than seventy-five (75%) percent of the total window area of the principal facade.
Lettering can be up to eight (8) inches high and must be see through.
- (v) Windsign consisting of one or more banners, flags, pennants, ribbons, spinners, streamers, or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind affixed to structure or supported so as not to compromise pedestrians, vehicles, or other traffic.
- (vi) Digital Signs and Electronically Changing Message Signs meeting the following requirements:
 - (a) Location.
 - (1). Only one digital or electronic sign shall be permitted on any one property, and no digital or electronic sign shall be permitted on a property that already has an existing or proposed manual or mechanical changeable-copy sign.
 - (2). All digital/electronic signs shall have a minimum thirty-foot setback from residential property lines.
 - (b) Messages.

- (1). All messages, images, or displays on a digital sign or electronically changing message sign shall remain unchanged for a minimum of 10 seconds; except signs with a changeable sign area of less than 30 square feet in a commercial district may change a minimum interval of every six seconds.
- (2). The time interval used to change from one complete message, image or display to the next complete message, image or display shall be a maximum of one second.
- (3). There shall be no appearance of a visual dissolve or fading, in which any part of one message, image or display appears simultaneously with any part of a second message, image or display.
- (4). There shall be no appearance of flashing or sudden bursts of light and no appearance of video motion, animation, movement or flow of the message, image or display.
- (5). The intensity and contrast of light levels shall remain constant throughout the sign face.
- (6). Each digital sign or electronically changing message sign shall be equipped with automatic day/night dimming software, to reduce the illumination intensity of the sign from the time of the business closing to 7:00 AM.

(7). Public Service Announcements: The owner of every message center sign shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public, including, but not limited to AMBER Alerts™ or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.

- b. Number: Each property may not display more than three (3) signs. Each business site may display only one (1) free-standing sign, which is included in the three permitted signs.
- c. Materials: Signs (except awnings) shall be made of wood or metal. If plywood is to be used, it must have exceptionally smooth and weather resistant surfaces.

3. Temporary Signs

a. Construction

- (1) One (1) non-illuminated temporary Construction Sign announcing the names of contractors, mechanics or artisans engaged in performing work on the premises shall be permitted on a lot, provided the sign shall not exceed twelve (12) square feet. Such sign shall be removed immediately upon completion of the work.

b. Portable Sign

- (1) The sign must be within fifteen (15) feet of the front door of the place of business.

- (2) Each storefront is allowed one sign and in no case shall a storefront be allowed more than one sign.
- (3) The location of the sign must not block or restrict passageway along the sidewalk to less than four feet in width, block the ingress/egress to any building, interfere with vehicular traffic flow, or block required parking spaces.
- (4) The sign is limited to a maximum area of ten (10) square feet and a maximum height of four (4) feet.
- (5) The sign must be adequately weighted and shall not be illuminated, animated, or electrically powered in any way. Signs must be made of durable materials designed to withstand exterior conditions.
- (6) The sign is allowed only during the sign owner's business hours and must be moved inside when the business is not open.
- (7) All signs must be located on an adjacent sidewalk.

c. Real Estate Sign

- (1) One (1) non-illuminated temporary Real Estate Sign shall be permitted on each lot provided the sign shall not exceed six (6) square feet when located in any Residential Zoning District and shall not exceed twenty (20) square feet in any other Zoning District. Such sign shall be removed within thirty (30) days of the sale or rental of the property on which it is located.
- (2) One (1) non-illuminated temporary real estate open house sign shall be permitted on each lot provided the sign shall not exceed four (4) square feet and shall not be displayed more than two (2) hours prior to the open house and shall be removed within two (2) hours after the open house concludes.

d. Special Event Display

- (1) One (1) non-illuminated Special Event Display Sign, as defined by this Ordinance, shall be permitted to be erected provided that the area of the sign shall not exceed fifteen

(15) square feet and provided the sign is displayed for a period no longer than fifteen (15) days prior to the event and is removed immediately following the event.

4. Illumination Requirements Applicable to All Districts

- a. The illumination from any sign may not cause any reflection or glare upon a public street, highway, sidewalk, or adjacent property.
- b. Directly illuminated signs of any nature in R-1, R-2, R-3, U-1, and U-2 Districts are prohibited.
- c. Exposed lighting sources such as bulbs, tubes, and the like are prohibited. All external sources of illumination must be hidden from view by shrubbery or some other permitted material.
- d. With the exception of B-1 and B-2 Districts, no exterior signs on any building or premises shall be illuminated after 12:00 midnight, except on those places of business which shall remain open after midnight, and they shall be extinguished at the time of closing such business.

505.3 Sign Classifications: Prohibited

- 1. All signs not expressly permitted under this Ordinance or exempt from regulation hereunder in accordance with this Ordinance are prohibited in the Borough. Such signs include, but are not limited to:
 - a. Any sign attached to any tree, utility pole or painted upon or otherwise directly affixed to any rock, ledge or other natural feature.
 - b. No sign shall be erected:

- (1) In the public right-of-way, except for those placed by an authorized governmental agency;
- (2) At any location where, by reason of position, shape, wording or color, it interferes with or obstructs the view of pedestrian or vehicular traffic;
- (3) Which may be confused with any authorized traffic sign, signal or device;
- (4) Above the roof line;
- (5) Which is closer than twenty (20) feet to a side lot line except in the case of (1) a wall sign or (2) a corner lot where a set back may be reduced to ten (10) feet from public ways;
- (6) Which projects from a building over a public way with the bottom of the sign less than eight (8) feet vertically above the ground. The sign owner must provide to the municipality proof of liability insurance naming the municipality as the insured party for any sign projecting over a public way;
- (7) Any outdoor sign which advertises, identifies or pertains to any activity no longer in existence shall be removed by its owner or persons otherwise responsible within thirty (30) days from the time the activity ceases. Political signs must be removed within three (3) days after the election advertised. This provision does not apply to seasonal activities during the periods in which such businesses are closed.

- (8) Signs employing neon, mercury vapor, low pressure and high pressure sodium, and metal halide lighting, except those handed out by Waynesburg Prosperous and Beautiful.
- (9) Signs on a vehicle not regularly used in the conduct of the business advertised on the vehicle.
- (10) Signs placed on bus shelters, bus benches, or waste receptacles.
- (11) Signs posted or painted on roofs, dormers, and balconies.
- (12) Off-premise signs.

505.4 Sign Classifications: Exempted

1. The following signs do not require permits or fee payment but must meet the other requirements of the Ordinance:
 - a. Traffic control signs;
 - b. Traffic flow informational signs to non-profit and first responder facility.
 - c. Building addresses, family name signs, decorative flags, no trespassing and similar signs;
 - d. Signs on vehicles regularly and customarily used to transport persons or property for the business;
 - e. Directional signs set by governmental bodies;
 - f. Political signs (4 sq. ft. or less);
 - g. The flags of any nation, state, town, military or service organization (15 sq. ft. or less);
 - h. Temporary signs;

I. Safety control signs.

5-506 OFF-STREET PARKING

506.1 General Provisions: Off-street parking spaces shall be provided in accordance with the specifications in this Section in any Zoning District whenever any new use is established, or for the new portion whenever any existing use is enlarged.

1. An off-street parking space shall have minimum rectangular dimensions of not less than nine feet (9') in width and eighteen (18) feet in length, exclusive of driveways, aisles and other circulation areas.
2. Driveways and traffic aisles between two (2) rows of off-street parking spaces shall be of a width not less than twenty-four (24) feet, except for one-way aisles for angle parking which shall be no less than twenty (20) feet in width.
3. Off-street parking areas for more than five (5) vehicles and access drives leading to the parking area shall be graded for proper drainage and paved with concrete, bituminous asphalt or bituminous seal coat. The developer/property owner shall provide assurance that in the event that development occurs at a time of year which makes it impossible to pave, paving will occur as soon as weather permits.
 - a. Off-street parking areas which are used for the storage of vehicles and are not accessible to the general public shall be graded for proper drainage and finished with an all-weather surface such as gravel or slag which has been properly graded, choked and compacted.
4. Any lighting devices used to illuminate any off-street parking lot

shall be so arranged as to reflect the light away from all adjoining properties.

5. Off-street parking spaces shall not be located any closer than five (5) feet to the right of way line of a public or private roadway. The area between the right of way and off-street parking spaces shall be seeded and planted with shrubbery, and trees, or other landscaped barrier which will prevent the shining of lights from the parking area onto the roadway.
 - a. When the setback requirement in this Subsection is in conflict with the provisions of this Ordinance or any other ordinance regulating land development, the greater distance shall apply.
6. When two (2) or more uses are located within the same building or structure, or when two (2) or more uses are located in more than one (1) building on one property, off-street parking spaces equal in number to the sum of the separate requirements for each use shall be provided.
7. Handicapped parking shall be provided at a ratio as determined by the latest version of the ADA Accessibility Guidelines. Handicapped spaces shall have minimum dimensions of twelve (12) feet in width and nineteen (19) feet in length and shall be located the shortest possible distance to an accessible entrance to the building. These spaces shall be conspicuously posted.
8. When the determination of parking spaces required for a use results in a fraction of a space, any fraction shall be counted as one (1) space.
9. Off-street parking for more than five vehicles shall include interior

landscaping of at least ten square feet per car and one tree (min. 4 feet high) per five vehicles. It is the responsibility of the owner/applicant to assure the continued growth of all required landscaping and replace all dead growth.

10. Buffer yards, when required, shall contain a row of planting comprised of a mixture of deciduous (30%) and evergreen (70%) trees spaced ten feet apart measured from the center line of the tree.
11. Off-street parking shall be provided in accordance with the ratios specified in Table 5.3: Parking Requirements for the various categories of uses. Properties located in the Downtown Parking Overlay District shall not be subject to the parking requirements in Table 5.3 (see section 3-315).
 - a. If the property owner cannot provide the required number of spaces onsite, the owner may be allowed to use adjacent or nearby lots if proof is shown of a cross agreement, lease of dedicated parking, staggered hours of usage or another suitable agreement.

Table 5.3: Parking Requirements

Use	Minimum number of parking spaces required
Residential	
Dwelling, Multi-Family	1.5 per dwelling unit
Dwelling: Single and Two Family	Two per dwelling unit
Group Care Facility	1 per each 2 full time staff plus 1 for each 2 residents who are authorized to operate a vehicle
Nursing Home / Personal Care Home	1 per staff plus 1 for each 3 beds of residents
Institutional	
Clinic, Drug Treatment or Medical	1 for 350 sq.ft. of GFA
Community Center	1 for each 100 sq.ft. of GFA

Day Care Center, Adult or Child	1 for each teacher and employee on the peak shift plus 1 per 8 students
Funeral Home	25 for first parlor plus 10 for each additional parlor
Library	1 for each 300 sq.ft. of GFA
Place of Worship	1 for every 4 fixed seats or if no fixed seats, 1 per every 40 sq.ft. in main auditorium or sanctuary
Private Club	1 for each 4 members plus the number of spaces for restaurants if a restaurant is included
Public Parks / Recreation	1 per 4 persons of maximum design capacity for the facility
School, Elementary / Junior	1 for each employee plus a minimum of 4 visitor spaces
School, High School	1 for each employee and 1 for each 7 students
Commercial	
Bars and Nightclubs	1 for each 125 sq.ft. of GFA devoted to seating
Business Service	1 for every 300 sq.ft. of GFA
Financial Institution	1 for every 200 sq.ft. of GFA
Gasoline Service Station or Vehicular Repair Garage	1 for each employee on the peak shift plus 3 for each repair bay
Hotel / Motel	1 for each sleeping room plus additional spaces as required by this ordinance for restaurants, bars, conference rooms or other accessory uses which are open to the public
Commercial Recreation	1 for each 300 sf.ft. of GFA
Office, Business or Professional	1 for every 200 sq.ft. of GFA
Professional Service	1 for every 300 sq.ft. of GFA
Restaurants	1 for every 3 seats and 1 per 2 employees
Retail Store	1 for every 200 sq.ft. of GFA
Shopping Center	1 for every 200 sq.ft. of GFA
Vehicle Sales / Services	1 for every 180 sq.ft. of GFA
Veterinary Office, Animal Hospital or Kennel	1 per 150 sq.ft of GFA plus 1 per staff member on the peak shift
Industrial	
Railroad or Truck Terminal	1 per 2 employees on the peak shift
Wholesale Distribution and Warehousing	1 per 2 employees on the peak shift

12. The Greene County Planning Commission may approve a plan for

providing all or some of the required off street parking spaces on a lot within the any District if the proposed use complies with Table 5.4: Parking Exemptions or provides a plan for providing all or some of the required off-street parking spaces, that cannot be provided on site, through cross agreements, leasing of dedicated parking, staggered hours of usage or another suitable arrangement.

Table 5.4: Parking Exemptions

Gross Floor Area	Amount of Requirement Exempted
5,000 sq. ft. or less	100%
5,001-10,000 sq. ft.	50%
10,001 sq. ft. or greater	25%

- 506.2 Required Parking for Multiple Use: In the event a number of different uses are proposed within the same structure, the applicant may present to the Greene County Planning Commission a written analysis prepared by a professional traffic engineer or consultant. The contemplated use will not necessitate the total cumulative parking spaces authorized by this chapter. Upon review of such a written document, the required number of parking spaces may be adjusted.
- 506.3 Off-street Loading: Off-street loading shall be provided in accordance with the specifications in this section in any non-residential Zoning District wherever any new use is established, or as to the new portion, wherever any existing use is enlarged. The phrase “off-street loading” shall include both “loading” and “unloading”.
- 506.4 Off-street loading spaces in conjunction with warehousing or other industrial uses shall have minimum rectangular dimensions of twelve (12) feet in width and fifty-five (55) feet in length.

Off-street loading spaces in conjunction with offices, retail or service uses shall have minimum rectangular dimensions of twelve (12) feet in width and thirty (30) feet in length.

506.5 Loading spaces shall be provided in accordance with Table 5.5: Loading Spaces.

Table 5.5: Loading Spaces

Use	Spaces Required
Warehousing or other Industrial Use	
Net Floor Area: 0-5,000 sq.ft.	1
Net Floor Area: 5,001-20,000 sq.ft.	2
Each additional 20,000 sq.ft. or fraction thereof	1
Offices, Retail or Service	
Net Floor Area: 0-20,000 sq.ft.	0
Net Floor Area: 20,001-60,000 sq.ft.	1
Each additional 60,000 sq.ft. or fraction thereof	1

*Service shall include hotels, motels, restaurants, eating and drinking establishments.

506.6 Off-street loading spaces shall be located in areas which will not impede traffic on public streets. At no time may loading vehicles obstruct traffic on a public thoroughfare.

506.7 Performance Standards: All uses shall comply with the requirements of this Section. Compliance shall be determined by the Zoning Officer with respect to Permitted Uses and by the Zoning Hearing Board with respect to Special Exceptions. In order to determine whether a proposed use will conform to the requirements of this Ordinance, the Borough may obtain a qualified consultant's report, whose cost for services shall be borne by the applicant.

5-507 TEMPORARY STRUCTURES OR USE

507.1 A permit may be issued for a temporary building which is incidental to the

development and erection of buildings or structures provided that the permit shall not allow the use of such a temporary building for a period of more than 12 months from the date of such permit.

507.2 A permit may be issued for temporary tents or shelters that are erected for special events provided that the permit shall not allow the use of such a temporary tent or shelter for a period of more than ten days from the date of such permit.

507.3 Temporary outdoor storage of merchandise of a seasonal nature shall be permitted by permit if the following are met:

1. It does not occupy buffer areas, parking spaces, driveways, or interferes with traffic flow;
2. It does not damage or obscure landscaping;
3. It leaves a clear pedestrian path of six (6) feet;
4. It does not obstruct visibility;
5. It does not constitute a structure.
6. No display of cars for sale (excluding auto dealers) shall occur on commercial property.

5-508 OUTDOOR STORAGE

508.1 Outdoor storage shall be an accessory use to commercial or industrial properties and shall be subject to the following:

1. Outdoor storage of man-made products shall be screened from view of public rights-of-way and adjacent residential uses.
2. Outdoor storage facilities for fuel (with the exception of firewood) and raw materials shall be enclosed with an approved safety fence compatible with the architectural and landscaping style employed on the lot. In addition to a fence, bulk storage tanks shall be enclosed by a moat or berm to contain potential spillage.
3. All organic refuse or garbage shall be stored in tight, vermin-proof containers.

4. No highly flammable or explosive liquids, solids, or gases shall be stored in bulk above ground, except the following:
 - a. Tanks or drums of fuel connected directly with and located and operated on the same lot as the energy devices or heating appliances they serve.
 - b. Tanks or drums for storage of not more than three hundred (300) gallons of fuel oil (other than that used for home heating) or gasoline or diesel fuel, provided such tanks are located no closer than twenty-five (25) feet to any building or lot line of fifty (50) feet from any right-of-way line.
 5. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transported off the lot by natural causes or forces, nor shall any substance which can contaminate a stream or watercourse, or otherwise render such a stream or watercourse undesirable as a source of water supply or recreation, or which will destroy aquatic life, be allowed to enter any stream or watercourse.
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ARTICLE VI

ENVIRONMENTAL PERFORMANCE STANDARDS

6-601 GENERAL STANDARDS

All uses hereafter established in any zoning district shall comply with the performance standards contained in this section. The performance standards shall apply to an existing use or structure, or portion thereof, when it is extended, enlarged, moved, structurally altered, or reconstructed.

601.1 Fire and Explosive Hazards: 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 equipment as specified by the Department of Labor and Industry, the laws of the Commonwealth and the Municipality fire code. All buildings and structures and activities within such buildings and structures shall conform to the Municipality building and fire codes and other applicable ordinances.

601.2 Radioactivity or Electrical Disturbances: There shall be no activities which emit radioactivity at any point above the most recent background limits set by state and/or federal regulations. There shall be no radio or electrical disturbance adversely affecting the operation of equipment belonging to someone other than the creator of the disturbance.

601.3 Smoke, Ash, Dust, Fumes, Vapors and Gases: There shall be no emission of smoke, ash, dust, fumes, vapors, or gases which violates applicable federal, state, county or Municipality laws and regulations.

601.4 Liquid and Solid Wastes: There shall be no discharge at any point into any public or private sewerage system, watercourse or into the ground of any materials in such a way or of such a nature, as will contaminate or otherwise cause the emission of hazardous materials in violation of any federal, state, county or Municipality laws and regulations. All required discharge and

disposal permits shall be obtained.

601.5 Glare: No direct reflected glare whether from any lighting source or production operation shall be visible from adjoining public streets or adjacent lots when viewed by a person standing on ground level. Glare shall be defined as-direct or indirect light from such activities of greater than one-half (0.5) foot candle at habitable levels.

601.6 Odor: There shall be no emission of odorous gases or other matter in such quantities as to be offensive on adjoining streets or adjacent lots. Odor thresholds shall be measured in accordance with ASTM D-1391-57 "Standard Method for Measurement of Odor in Atmospheres (Dilution Method)."

601.7 Noise: No operation or activity shall cause or create noise in excess of the sound levels prescribed below. For the purposes of this Ordinance, the noise level will be measured in decibels (dBA) which indicate the sound pressure level obtained from a frequency weighing network corresponding to the A-scale on a standard sound level meter.

1. Residential- At no point on or beyond the boundary of any lot within these districts shall the exterior noise level resulting from any use or activity located on such lot exceed a maximum of 60 dBA for more than one (1) hour per 24 hours.
2. Business- At no point on or beyond the boundary of any lot within these districts shall the exterior noise level resulting from any use or activity located on such lot exceed a maximum of 65 dBA for more than eight (8) hours per 24 hours.
3. Industrial Districts- At no point on or beyond the boundary of any lot within these districts shall the exterior noise level resulting from any use or activity located on such lot exceed a maximum of 75 dBA.
4. Where two zoning districts in which different noise levels are

prescribed, share a common boundary, the most restrictive of the noise level standards shall govern.

The following uses or activities shall be exempted from the noise regulations: (1) noises emanating from construction and/or maintenance activities between 7:00 a.m. and 8:00 p.m.; and (2) noises caused by safety signals, warning devices and other emergency-related activities or uses. In addition to these regulations, all uses or activities within the Municipality shall conform to any applicable city, county, state or federal noise regulations.

601.8 Storage: All garbage, trash and rubbish shall be stored in covered, vermin-resistant containers and shall be stored beyond public view.

601.9 Determination of Compliance

1. If during the review of a zoning application it appears that the proposed use or development may violate the performance standards contained in this section, the Municipality may initiate an investigation and may require the applicant to submit such data and evidence as is needed to make an objective determination. The evidence may include, but shall not be limited, to such items as:
 - a. Plans of the existing or proposed constructions and development;
 - b. A description of the existing or proposed machinery, processes and products;
 - c. Specifications for the mechanisms and techniques used or proposed to be used in restricting the possible emission of any of the dangerous and objectionable elements as set forth in this Article; and/or
 - d. Measurements of the amount or rate of emission of said

dangerous and objectionable elements.

2. In order to determine compliance, the Municipality may seek assistance from any governmental agency having interest in or jurisdiction for the particular environmental issue. The Municipality may also require the applicant to submit a report from a qualified technical expert certifying that the proposed use does comply with the performance standard(s). The technical expert(s) shall be person(s) or firm(s) mutually acceptable to the Municipality and applicant; in the event agreement cannot be reached on the technical expert, the Municipality shall make the selection. The cost of the expert's study and report shall be borne by the applicant. A negative report by the technical expert as to the proposed use's compliance with the performance standard(s), and the applicant's refusal or inability to make alterations to ensure compliance, shall be a basis for denying approval of the zoning application.

601.10 Continuing Enforcement: The zoning Officer shall investigate any reported violation of the performance standards and, if necessary request that Council employ qualified experts to assist in the determination of a violation. The costs for the services of such experts shall be paid by the owner if the factory is found to be in violation.

If the facility is found to be in violation, the owner or operator shall be given a reasonable length of time to correct the violation. If at the conclusion of this time period the violation still exists, and the Governing Body has agreed to no time extension, the owner or operator shall be in violation of this Ordinance and subject to the legal penalties and remedies contained herein.

6-602 STORMWATER MANAGEMENT

602.1 Performance Standard

Any landowner or person engaged in the alteration or development of land which may affect stormwater runoff characteristics shall implement such measures as are reasonably necessary to prevent injury to health or property. Such measures shall include such actions as are required to:

1. Assure that the maximum rate of stormwater runoff is no greater after development than prior to development activities; or
2. Manage the quantity, velocity and direction of resulting stormwater runoff in a manner which otherwise adequately protects health and property from possible injury.

602.2 Stormwater Plan Requirements

1. When required by this ordinance, the applicant shall submit a stormwater management plan for the development site prepared and sealed by a registered professional engineer or landscape architect of demonstrated qualifications in stormwater management, along with all calculations and analyses used to prepare the plan. All calculations of pre- and post- development runoff and storage requirements for sites exceeding one acre shall be completed using the U.S. Soil Conservation service (SCS) Soil Cover Complex Method (as contained in SCS Technical Release TR-55). The rational method may be used for development sites less than one acre.
2. If the development site is located within a watershed for which a stormwater management plan has been adopted, pursuant to the state Storm Water Management Act (167 of 1978), then any proposed stormwater control measures shall be consistent with the watershed plan.
3. If the development is proposing to connect with existing storm sewers, the applicant shall demonstrate that the system has the capacity to

handle the additional stormwater flow. All connections shall be approved by the Municipality Engineer.

602.3 Plan Approval

The stormwater management plan for the development site and all proposed control measures shall be reviewed and approved by the Municipality Engineer and Conservation District.

6-603 EROSION/SEDIMENTATION CONTROL

603.1 Applicability: Where any excavation, grading or earthmoving activity, including removal of topsoil, trees or other vegetative cover of land, is proposed, a plan for minimizing soil erosion and sedimentation, both during and after construction is required.

603.2 Erosion/Sedimentation Plan: The erosion/sedimentation plan shall be prepared in accordance with the PA Erosion and Sedimentation Regulations (25 PA Code, Chapter 102) and the standards and specifications of the Greene County Conservation District.

603.3 Plan Review: The Municipality may submit the erosion/ sedimentation plan to the County Conservation District for review and comment.

ARTICLE VII

FLOODPLAIN MANAGEMENT STANDARDS

7-701 See Waynesburg Borough Floodplain Ordinance No. 3 of 2015

ARTICLE VIII

NONCONFORMITIES

8-801 CONTINUATION

Subject to the provisions of this section, a use of building or land existing at the time of the enactment of this Ordinance may be continued even though such does not conform with the provisions of these regulations for the district in which it is located.

8-802 UNLAWFUL USE NOT AUTHORIZED

Nothing in this Article shall be interpreted as authorization for or approval of the continuance of the use of structure or premises in violation of local, state or federal laws in effect at the time of the effective date of this Ordinance.

8-803 ALTERATIONS, REPAIR, ENLARGEMENT OF NONCONFORMING STRUCTURES

803.1 Nothing in this article shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority.

803.2 A nonconforming building or structure (excluding signs) may be altered, enlarged or reconstructed provided the alteration, enlargement or reconstruction complies with the requirements of this Ordinance.

803.3 If a nonconforming structure, or use thereof, is totally destroyed by fire, collapse, or any act of God; it may not be reconstructed. If a nonconforming structure, or use thereof, is partially destroyed by fire, collapsed, or any act of God; it may be repaired at the discretion of the Zoning Officer if work commences within thirty (30) days of the date of destruction and is completed within ninety (90) days of issuance of the building permit. However, said repair shall not make the building or structure more nonconforming, in an aspect, than it was prior to destruction. Repair must

comply with applicable state and local building codes.

803.4 A lawful use in a nonconforming building or structure may expand within the existing building.

803.5 Zoning Hearing Board may approve repair of a nonconforming structure to correct a hazard or unsafe condition and the repair and/or reconstruction is not materially detrimental to the surrounding properties or in the interest of the municipality.

8-804 ALTERATION, ENLARGEMENT OR EXPANSION OF A NONCONFORMING USE

804.1 In order to allow for reasonable economic growth, a nonconforming use may expand in terms of gross floor area, or lot coverage (measured in square feet) if there is no building, up to 30 percent.

804.2 Such expansion shall: (1) comply with applicable area and dimensional requirements for the zoning district in which it is located; (2) not result in making an existing conforming building or structure nonconforming; (3) not involve the extension of the nonconforming use onto any zoning lot other than that which it presently occupies; and (4) not reduce or eliminate required off-street parking and/or loading areas.

804.3 The Zoning Hearing Board shall approve all extensions or enlargements of nonconforming uses. The Board may authorize an expansion or enlargement exceeding the otherwise allowable percentages where the expansion is to provide required off-street parking or loading space or to correct a hazardous or unsafe condition in violation of a local, county, state or federal law, and the expansion is not materially detrimental to surrounding properties or the interests of the municipality.

804.4 In order to enhance the purposes of the Zoning Districts, reconstruction of a nonconforming use is not permitted. A structure with a nonconforming use, may be repaired. If a structure, with a nonconforming use, is partially

destroyed by fire, collapsed, or any act of God; it may be repaired at the discretion of the Zoning Officer if work commences within thirty (30) days of the date of destruction and is completed within ninety (90) days of issuance of the building permit. However, said repair shall not make the building or structure more nonconforming, in any aspect, than it was prior to destruction. Repair must comply with applicable state and local building codes.

8-805 CHANGE OF NONCONFORMING USE

When a nonconforming use is changed to a conforming or more conforming use, it shall not be subsequently changed to a nonconforming use. A nonconforming use may be changed to a similar nonconforming use or one which more closely conforms to the uses authorized in the zoning district. A change of one nonconforming use to another nonconforming use requires review and approval by the Zoning Hearing Board, in accordance with the following:

- 805.1. The proposed use shall be within the same type of use category as the original nonconforming use, such as one personal service business to another, or is a use that more closely conforms to the current district regulations.
- 805.2. The proposed use will not be any more objectionable than the original nonconforming use in terms of congestion; traffic generation and requirements for off-street parking and loading; outdoor storage of wastes, materials, supplies and equipment; height, area and bulk of all structures.
- 805.3. The proposed use shall comply with the applicable district regulations and the environmental performance standards which are contained in Article 6 of this Ordinance.

8-806 ABANDONMENT OF NONCONFORMING USE OR STRUCTURE

A nonconforming use of a building or land which has been abandoned shall not

thereafter be returned to such nonconforming use. A nonconforming use shall be considered abandoned when one or more of the following conditions apply:

- 806.1. A nonconforming use has been discontinued for a period of 12 consecutive months.
- 806.2. It has been replaced by a conforming use.
- 806.3. When the discontinuance is beyond the control of the owner or tenant and was without intent to abandon the use, the Zoning Officer may permit the nonconforming use to continue indefinitely until such a time when intent to abandon is established.

8-807 MANUFACTURED HOMES

- 807.1. Manufactured homes located in all zoning districts except R-3 High Density Residential, are a nonconforming use and shall not be replaced by another manufactured or mobile home.

8-808 NONCONFORMING LOT OF RECORD

- 808.1 In any district, notwithstanding the regulations imposed by any other provision of this Ordinance, a building which complies with applicable zoning requirements except for lot area may be erected, provided that the following requirements are met:

- 1. The lot is shown by a recorded plat or deed to have been owned separately and individually from adjoining tracts of land at a time when the creation of a lot of such size, at such location, was not prohibited by any zoning ordinance, then in effect.
- 2. The lot has remained in separate and individual ownership from adjoining tracts of land continuously during the entire time that the creation of such lot has been prohibited by the applicable zoning ordinance or ordinances.

- 808.2 Construction permitted by the above shall comply with all otherwise

applicable regulations, except lot area and lot width.

8-809 STATUS OF SPECIAL EXCEPTION USES

Any use for which a special exception use approval has been granted as provided by this Ordinance, shall not be deemed to be a nonconforming use, but it shall be deemed a lawful conforming use.

8-810 HISTORICAL LANDMARKS

The applicable provisions for nonconformities shall not apply to any structure designated as a historic landmark by the Pennsylvania Historical Commission or placed on the National Register of Historic Places.

8-811 DISTRICT CHANGES

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to a district of a different classification, the foregoing provisions shall apply to any nonconforming use, structure or lot of record existing therein.

ARTICLE IX

ADMINISTRATION AND ENFORCEMENT

9-901 ZONING OFFICER

901.1 Appointment: The Zoning Officer shall be appointed by the governing body and shall administer and enforce this Ordinance.

901.2 Duties of the Zoning Officer: In order to administer and enforce this ordinance, the Zoning Officer shall:

1. Receive all applications for zoning certificates and occupancy certificates and maintain records thereof.
2. Issue zoning and occupancy certificates for all applications that comply with the literal terms of this Ordinance and other applicable ordinances, except where approvals are required by this Ordinance from the Governing Body, the Planning Commission, Zoning Hearing Board, or other board or agency.
3. Receive, file and forward to the Planning Commission and the Governing Body all applications for conditional uses; maintain records thereof; and issue a zoning certificate when authorized by the Governing Body.
4. Receive, file and forward to the Zoning Hearing Board the records in all appeals, and all applications for special exception uses, variances and changes of nonconforming uses; maintain records thereof; and issue a zoning certificate when authorized by the Zoning Hearing Board.
5. Inspect buildings, structures and uses of land to determine compliance with the provisions of this Ordinance.
6. Issue stop, cease and desist orders, and issue written correction orders for any condition found to be in violation of this Ordinance and other applicable ordinances.

7. Institute, with approval of or at direction of the governing body appropriate legal action to prevent, restrain, abate, or correct any violation of this Ordinance.
8. Revoke any order, zoning or occupancy certificate or occupancy permit issued under a mistake of fact or contrary to the provisions of this Ordinance.
9. Make and maintain accurate and current records of all legal nonconformities under this Ordinance.

9-902 REQUIRED ZONING PERMITS

902.1 Zoning Certificates: A Zoning Certificate shall be obtained from the Zoning Officer before any person may:

1. Occupy or use any vacant land or structure; or
2. Change the use of a structure or land to a different use; or
3. Construct, reconstruct, move, alter, or enlarge any structure or building;
or
4. Change a nonconforming use.

Improvements to land, preliminary to any use of such land, shall not commence prior to the issuance of the zoning certificate.

902.2 Procedure for Obtaining a Zoning Certificate

1. Whenever the proposed activity requires a building permit under the Municipality Building Code, the application for the zoning certificate shall be made prior to or simultaneously with the application for the building permit. However, the building permit shall not be issued until the zoning certificate has been approved.
2. When no building permit is required, the application for the zoning certificate and certificate of occupancy may be made at any time prior

to the use or occupancy of the structure or land.

3. Applications for a zoning certificate shall be submitted in writing on such forms provided by the Municipality along with payment of the required fees in accordance with the Schedule of Fees. The application shall be accompanied by a plot plan showing accurately and completely the location, dimensions and nature of any lot and/or structure involved in the application. The Zoning Officer may request any information necessary to determine the application's compliance with this ordinance.
4. The Zoning Officer shall not issue the zoning certificate until all other required approvals and/or permits have been obtained from municipal, county, state and federal agencies. The applicant shall submit copies of such approvals/permits to the Zoning Officer.

902.3 Changes

After issuance of the zoning certificate, no changes of any kind shall be made to the approved applications, plans and certificate without written approval of the Zoning Officer, or in the case of a conditional or special exception use approval, the Governing Body or the Zoning Hearing Board, as appropriate. Requests for any such change shall be in writing and shall be submitted to the Zoning Officer.

902.4 Duration of Zoning Certificate

A zoning certificate shall expire within 6 months from the date of issuance if the subject use is not commenced or construction has not begun. All work must be completed no later than two years from the date of issuance of the zoning certificate. For purposes of this ordinance, construction shall be considered to have started with the preparation of land, land clearing, grading, filling, excavation for basement, footings, piers, or foundations

erection of temporary forms, the installation of piling under proposed subsurface footings, of the installation of sewer, gas and water lines, or electrical or other service lines from the street.

902.5 Inspections

1. In order to perform the functions of this Ordinance, the Zoning Officer shall have the authority to enter any building, structure, premises, property or development in the Municipality upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this Ordinance.
2. During the construction/development period, the Zoning officer or other authorized official may inspect the premises to determine that the work is progressing in compliance with the information provided on the zoning application and with all applicable Municipality ordinances.

902.6 Revocation of Zoning Certificate

In the event the Zoning Officer discovers that the work does not comply with the approved application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Zoning Officer shall revoke the zoning certificate and proceed with whatever legal action is necessary to correct the violation.

902.7 Certificate of Occupancy

1. A certificate of occupancy shall be obtained before any person may occupy or use any structure or lot. An application for a zoning certificate does not permit occupancy; a certificate of occupancy is also required.
2. Upon completion of the work covered by any zoning certificate or before the occupancy of any land or structure, the applicant shall notify the Zoning Officer who shall examine the such building, structure or use of land within 10 days after notification. If the Zoning Officer shall find

that such construction, erection, structural alteration, or use of building and/or land is in accordance with the provisions of this ordinance, other applicable ordinances, and the approved plans, the certificate of occupancy shall be issued.

902.8 Temporary Occupancy Permits:

The Zoning Officer may issue a temporary occupancy permit which may allow the use or occupancy of a building or structure during structural alteration thereof or may permit the partial use or occupancy of a building or structure during its construction or erection, provided, however, that such a temporary permit shall be valid only for a period not exceeding three months from its issuance, and shall be subject to such restrictions and provisions as may be deemed necessary by the Zoning Officer to ensure the safety of persons using or occupying the building, structure or land involved.

902.9 Permits Issued in Error:

Any permit issued in conflict with the provisions of this Ordinance shall be null and void.

9-903 SCHEDULE OF FEES

The Borough may establish from time to time, fees and charges for the various permits, reviews and other actions required by this ordinance. This schedule, along with an explanation of the collection procedure, shall be posted in the offices of the Zoning Officer. All fees and charges shall be adopted by ordinance by the Governing Body at any regular or special meeting.

9-904 ZONING HEARING BOARD

904.1 Membership of the Board:

The membership of the Board shall be 3 or 5 residents of the Municipality

who are appointed by the Governing Body. Their terms of office shall be three years for three members and five years for five members, so fixed that the term of office of one member shall expire each year. The Board shall promptly notify the Municipality of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the Municipality.

904.2 Removal of Members:

Any Board member may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of Council, taken after the member has received 15 days' advance notice of the intent to take such a vote. A public hearing shall be held prior to the vote if the member shall request it in writing.

904.3 Organization of the Board:

The Board shall elect its officers from its own membership, who shall serve annual terms and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be a majority of all the members of the Board. The Board may make, alter and rescind rules and forms for its procedure consistent with the ordinances of the Municipality and laws of the Commonwealth. The Board shall keep full public records of its business and submit an annual report of its activities to the Governing Body.

904.4 Expenditures for Services:

Within the limits of funds appropriated by Governing Body, the Zoning Hearing Board may employ or contract secretaries, clerks, legal counsel, consultants, and technical services. Members of the Zoning Hearing Board may receive compensation for the performance of their duties, as may be fixed by the Governing Body.

904.5 Functions of the Board

1. Appeals from the Zoning Officer

- a. The Board shall hear and decide appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of the valid ordinance or Map or any valid rule or regulation governing the action of the Zoning Officer.
- b. Nothing contained herein shall be construed to deny the right to proceed directly in court where appropriate.

2. Challenges to Validity of the Ordinance or Map

- a. The Board shall hear challenges to the validity of the Zoning Ordinance or Map, with two exceptions:
 - (1) Questions of an alleged defect in the process of enactment or adoption of the Ordinance or Map shall be raised by an appeal taken directly to the court.
 - (2) Challenges which are accompanied by a request for a curative amendment shall go directly to the Governing Body.
- b. In all challenges, the Zoning Hearing Board shall take evidence and shall make a record thereon. At the conclusion of the hearing, the Board shall decide all contested questions and shall make findings on all relevant issues of fact, which shall become part of the record on appeal to court.

3. Variances

- a. The Board shall hear a request for a variance where it is alleged that the strict application of the provisions of this ordinance inflicts unnecessary hardship upon the applicant. Application for a variance shall be made on the prescribed form obtained from the Zoning Officer. The Zoning Officer shall forward the application to

the Board, which shall determine a time and place of the hearing.

b. The Board may grant a variance, provided the following findings are made where relevant in a given case:

(1) 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 to be circumstances generally created by the provisions of the Zoning Ordinance.

(2) 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 the authorization of a variance is therefore necessary to enable the reasonable use of the property.

(3) That such unnecessary hardship had not been created by the appellant.

(4) 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.

(5) That the variance, if authorized, will represent the minimum variance which will afford relief and represent the least modification possible of the regulation in issue.

c. A request for variance in any floodplain district, shall be decided in accordance with the provisions of Section 7-708 of this Ordinance.

- d. The Board shall request the review and comments of the Planning Commission on any variance application, which shall be made part of the public record. The Board may attach to any variance such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this zoning Ordinance.
- 4. Special Exceptions
 - a. Where this Ordinance states that special exceptions may be granted or denied by the Board, the Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria as specified in this Ordinance. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it may deem necessary to implement the purpose of this Ordinance.
- 5. Unified Appeals
 - a. Where the Board has jurisdiction over a zoning matter pursuant to Subsections (1) through (3) above, the Board shall also hear all appeals which an applicant may elect to bring before it with respect to any municipal ordinance or requirement pertaining to the same development plan or development. In any such case, the Board shall have no power to pass upon the nonzoning issues, but it shall take evidence and make a record thereon as provided in section 904.5 of this Ordinance. At the conclusion of the hearing, the Board shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court.
- 6. Changes of Nonconforming Uses
 - a. The Zoning Hearing Board shall hear requests for a change of one nonconforming use to another nonconforming use in accordance

with the provisions of Article 8 of this Ordinance.

904.6 Applications to the Board:

All applications and appeals to the Board shall be in writing and shall refer to the specific provision of this ordinance which is involved and describe the nature of the appeal, challenge or application for special exception use or variance. The required fees shall be submitted with the application.

An appeal from a decision of the Zoning Officer or a validity challenge may be filed by the affected landowner, by any officer or agency of the municipality or any person aggrieved. Requests for a variance or special exception may only be filed by the landowner or a tenant with the permission of the landowner.

904.7 Time Limitations:

No person shall be allowed to file any proceeding with the Board later than 30 days after an application for development, preliminary or final, has been approved by an appropriate municipal officer or body, if such proceeding is designed to secure reversal or to limit the approval in any manner, unless such person alleges and proves that he had no notice, knowledge, or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest.

The failure of anyone, other than the landowner, to appeal from an adverse decision on a tentative approval of a site development application or from an adverse decision by a Zoning Officer on a challenge to the validity of an Ordinance or Map, shall preclude an appeal from a final approval, except in the case where the final submission substantially deviates from the approved tentative or preliminary approval.

904.8 Hearings: The following procedures shall apply:

1. Public notices shall be given and written notice shall be given to the applicant, the Zoning Officer and to any person who has made timely request for the same. Written notice shall be given at such time and in such manner as shall be prescribed by rules of the Board. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one (1) week prior to the hearing.
2. A public hearing shall be held within 60 days from the date of the applicant request, unless the applicant agrees in writing to an extension of the time.
3. Hearings shall be conducted by the Board, or the Board may appoint one member as a hearing officer. The decision, or where no decision is called for, the findings shall be made by the Board, but the parties may waive the decision or finding by the Board and accept the decision or findings of the hearing officer as final.
4. Parties to the hearing shall be the municipality, any person who is affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have the power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.
5. The Chairman or acting chairman of the Board or the hearing officer presiding shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and documents requested by the parties.
6. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and

argument and cross-examine adverse witnesses on all relevant issues.

7. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.
8. The Board or the Hearing Officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or Hearing Officer or shall be paid by the person appealing from the decision of the Board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.
9. The Board or the hearing officer shall: (1) not communicate, directly or indirectly, with any party or his/her representatives in connection with any issue involved except upon notice and opportunity for all parties to participate; (2) not take any notice of any communication, reports, staff memoranda or other materials unless the parties are afforded an opportunity to contest the material so noticed; and (3) not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.
10. The Board or Hearing Officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Board or Hearing Officer. When the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore. Conclusions based on any provision of this Ordinance or of

any law ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a Hearing Officer, and there had been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available to the parties within forty-five (45) days and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than thirty (30) days after the report of the Hearing Officer. Where the Board fails to render the decision within the period required by this Subsection, or fails to hold the required hearing within sixty (60) days from the date of the applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as herein above provided, the Board shall give public notice of the said decision within ten (10) days from the last day it could have met to render a decision in the same manner as provided in Subsection (1) of this Section. If the Board shall fail to provide such notice, the applicant may do so. Nothing in this Subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

11. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide by mail or otherwise, brief

notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

904.9 Stay of Procedures.

1. Upon filing of any appeal proceeding before the Zoning Hearing Board and during its pendency before the boards, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action there under, shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals, on petition, after notice to the Zoning Officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such persons to post bond as a condition to continuing the proceedings before the Board.
2. After the petition is presented, the court shall hold a hearing to determine if the filing of an appeal is frivolous. At the hearing, evidence may be presented on the merits of the case. It shall be the burden of the applicant for a bond to prove the appeal is frivolous. After consideration of all evidence presented, if the court determines that the appeal is frivolous, it shall grant the petition for a bond. The right to petition the court to order the appellants to post bond may be waived by the appellee, but such waiver may be revoked by him if

an appeal is taken from a final decision of the court.

3. The question whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court. An order denying a petition for bond shall be interlocutory. An order directing the responding party to post a bond shall be interlocutory.
4. If an appeal is taken by a respondent to the petition for a bond from an order of the court dismissing a zoning appeal for refusal to post a bond and the appellate court sustains the order of the court below to post a bond, the respondent to the petition for a bond, upon motion of the petitioner and after hearing in the court having jurisdiction of zoning appeals, shall be liable for all reasonable costs, expenses and attorney fees incurred by the petitioner.

9-905 APPEALS

- 905.1. Any person aggrieved by any action or decision of the Zoning Officer involving 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 or action of the Zoning Officer.
- 905.2. Upon receipt of such appeal the Board shall conduct a hearing on the appeal in accordance with the provisions of section 904.8.
- 905.3. Zoning appeals to court shall be taken to the Court of Common Pleas of Greene County in accordance with the procedures prescribed in Article X-A of the Pennsylvania Municipalities Planning Code.

9-906 AMENDMENTS TO THE ZONING ORDINANCE OR MAP

- 906.1. The Governing Body may amend this ordinance as proposed by a member of the Governing Body, by the Greene County Planning Commission, or by a petition of a landowner who desires to challenge the validity of the ordinance or map or any provision thereof may submit a curative

amendment to Borough Council, as provided by the Municipalities Planning Code.

- 906.2. An amendment proposed by the Waynesburg Borough Council shall be prepared by the Waynesburg Borough Solicitor, Zoning Officer or Greene County Planning Commission. If a proposed amendment is not prepared by the Greene County Planning Commission, said proposed amendment shall be referred to the Greene County Planning Commission for review and comments at least 30 days prior to the public hearing.
- 906.3. The proposed amendment shall be referred to the Greene County Economic Development for review and comment at least 45 days prior to the public hearing.
- 906.4. If the proposed amendment would effect a change in the Official Zoning District Map, the following is required:
 1. Notice of said public hearing shall be conspicuously posted by the Code Official at points deemed sufficient by the Borough along the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one week prior to the date of the hearing.
 2. Notice of the public hearing must be mailed by the Borough at least 30 days prior to the date of the hearing by first class mail to the addresses to which real estate tax bills are sent for all real property located within the area being rezoned, as evidences by tax records within the possession of the municipality. The notice shall include the location, date and time of the public hearing. This shall not apply when the rezoning constitutes a comprehensive rezoning.
- 906.5. After advertising (and posting of the property, if any) has occurred, Borough Council shall hold a public hearing thereon pursuant to public notice, and pursuant to mailed notice and electronic notice to an owner of a tract or

parcel of land or an owner of the mineral rights in a tract or parcel of land who has made a timely request in accordance with Section 109 of the MPC.

9-907 MUNICIPAL CURATIVE AMENDMENTS:

907.1. The municipality, by formal action, may declare its Zoning Ordinance or portions thereof substantively invalid and propose to prepare a curative amendment to overcome such invalidity.

1. Within 30 days following such declaration and proposal, the Governing Body shall:
 - a. By resolution make specific findings setting forth the declared invalidity of the Zoning Ordinance which may include: (1) references to specific uses which are either not permitted or not permitted in sufficient quantity, (2) reference to a class of use or uses which require revision, or (3) reference to the entire ordinance which requires revisions.
 - b. Begin to prepare and consider a curative amendment to the Zoning Ordinance to correct the declared Invalidity.
2. Within 180 days from the date of the declaration and proposal, the municipality shall either enact a curative amendment or vote to reaffirm the validity of its Zoning ordinance. The procedures for adopting a curative amendment shall be as prescribed by Section 906.1 of this Ordinance.
3. Upon the initiation of the procedures set forth in Subsection 1 above, the Governing Body shall not be required to entertain or consider any landowner's curative amendment. Similarly, the Zoning Hearing Board is not required to give a report on any challenge to the validity of the Ordinance if the said challenge is based upon grounds identical to or substantially similar to those specified in the Governing Body's

resolution.

4. Upon completion of the procedures as set forth in Subsections 1 and 2, no rights to a cure pursuant to the provisions of Section 906.2 of this ordinance shall, from the date of the declaration and proposal, accrue to any landowner on the basis of the substantive invalidity of the unamended Zoning Ordinance for which there has been a curative amendment pursuant to this Section.
5. The municipality may not again utilize the above procedure for a municipal curative amendment for a 36-month period following the date of the enactment of a curative amendment, or the reaffirmation of the validity of its Zoning Ordinance. However, if after the date of declaration and proposal there is a substantially new duty or obligation imposed upon the municipality by virtue of a change in statute or by virtue of a Pennsylvania Appellate Court decision, the municipality may utilize the provisions of this Section to prepare a curative amendment to this Ordinance to fulfill said duty or obligation.

9-908 ENFORCEMENT NOTICE.

- 908.1 If it appears to the Zoning Officer that a violation of this Ordinance has occurred, the Zoning Officer shall initiate enforcement proceedings by sending an enforcement notice as provided in this Section.
- 908.2 The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record.
- 908.3 An enforcement notice shall state at least the following:
 1. The name of the owner of record and any other person against whom the Zoning Officer intends to take action.

2. The location of the property in violation.
3. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance.
4. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
5. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a period of ten (10) days.
6. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

9-909 CAUSES OF ACTION.

909.1 In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance, Borough Council or, with the approval of the Borough Council, an officer of the Borough, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriated action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation.

909.2 When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Borough at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on Borough Council. No such action may be maintained until such notice has been given.

9-910 ENFORCEMENT REMEDIES.

910.1 Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Borough, pay judgment of not more than five hundred (\$500.00) plus all

court costs, including reasonable attorney fees incurred by the Borough as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. If the defendant neighbor pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice, determining that there has been a violation, further determines that there was a good faith basis for the person, partnership or corporation violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have only one (1) such violation until the fifth (5) day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation. These remedies shall be in addition to any other remedies provided by law. Any domicile initiated or any structure constructed, reconstructed, enlarged, altered, or relocated in noncompliance with Article 7, Floodplain Management Ordinance may be declared by the Governing Body to be a public nuisance and abatable as such.

- 910.2 The Court of Common Pleas, upon petition, may grant an Order of Stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.
- 910.3 Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Borough the right to commence any action for enforcement pursuant to this Section.
- 910.4 District Justices shall have initial jurisdiction over proceedings brought under this Section.

APPENDIX

Waynesburg Zoning Use Table - Primary And Accessory Uses
October 2017

PRIMARY USES	ZONING DISTRICTS								
	R-1: Residential	R-2: Residential	R-3: Residential	B-1: General Business	C: Conservation	U-1: University	U-2: University Fields	M-1: Manufacturing	
RESIDENTIAL USES									
Apartment, 2nd story and above				P					
Conversion Apartment		SE	SE	SE					
Dormitories						P			
Dwelling, Manufactured Home			P						
Dwelling, Multi-family		SE	SE	P		SE			
Dwelling, Single-Family Detached	P	P	P	P		P			
Dwelling, Townhouse		P	P	P		P			
Dwelling, Two Family	SE	P	P	P		P			
Group Care Facility		SE	SE	SE		SE			
Manufactured Home Park			P						
Nursing Home, Institutional Facility				SE		SE			
Personal Care Home		SE	SE	SE		SE			
Student Housing						P			
INSTITUTIONAL USES									
Athletic Fields							P		
Cemetery	SE	SE	SE						
Clinic, Drug Treatment								SE	
College / Administration Offices						P			
College Classrooms						P			
Community Center	SE	P	P	P		P			
Community Garden	SE	SE	SE	P	P	SE	P	P	
Day Care Center, Adult or Child				SE		SE			
Funeral Home	SE	SE	SE	P		SE			
Library				P		P			
Medical Marijuana, Dispensary								SE	
Medical Office / Clinic				P		SE			
Place of Worship	SE	SE	SE	SE		SE			
Private Club		SE	SE	P		SE			
Public / Essential Services	P	P	P	P		P		P	
Public Parks / Recreation	P	P	P	P	P	P	P		
Public Parking Lot		SE	SE	SE		SE	P	P	
Public Use or Building	SE	SE	SE	P		SE			
School	SE	SE	SE	P		P			
Veterinary Office (Clinic or Hospital)				P		SE			
Wireless Communications Facility, Tower-Based (located in the ROW)				SE	SE	SE	SE	SE	
Wireless Communications Facility, Tower-Based, Less than 40' (located out of the ROW)				SE	SE	SE	SE	SE	
Wireless Communications Facility, Tower-Based, More than 40' (located out of the ROW)				SE	SE	SE	SE	SE	
Wireless Communications Facility on Existing Structures	SE	SE	SE	SE	SE	SE	SE	SE	

P = Permitted by right (decision by Zoning Officer)
SE = Special Exception (decision by Zoning Hearing Board)

Note: If there are discrepancies between this table and Article III, the regulations in Article III shall apply.

Waynesburg Zoning Use Table - Primary And Accessory Uses
October 2017

PRIMARY USES	ZONING DISTRICTS							
	R-1: Residential	R-2: Residential	R-3: Residential	B-1: General Business	C: Conservation	U-1: University	U-2: University Fields	M-1: Manufacturing
COMMERCIAL USES								
Adult oriented uses								SE
Agri-Business, Sales and Processing				P				P
Bars and Nightclubs				P				
Bed and Breakfast	SE	SE	SE	P		SE		
Business Service				P		SE		
Car Wash				SE		SE		
Commercial Recreation				P		SE		
Commercial School				P		SE		
Contractor's Office				P		SE		P
Farmer's Market				P		SE		
Financial Institution				P		SE		
Gasoline Service Station				SE		SE		P
Hotel / Motel				SE		SE		
Kennel				SE				SE
Laundromat				P		SE		
Microbrewery				P				
Nursery / Greenhouse				SE		SE		SE
Office, Business / Professional				P		SE		P
Personal Service				P		SE		
Printing and Publishing Establishment				SE				P
Public Parking Garage				SE		SE		
Restaurant				P		SE		P
Retail Store				P		SE		P
Shopping Center				SE		SE		
Urban Agriculture	P	P	P	P	P	P	P	P
Vehicular Repair Garage				SE				P
Vehicle Sales / Services				SE				P
INDUSTRIAL USES								
Light Industrial								P
Manufacturing								SE
Manufacturing of PA LCB Controlled Beverages								SE
Medical Marijuana, Growing / Processing								SE
Railroad or Truck Terminal								P
Research and Development								P
Salvage Yard								SE
Self Service Storage Units				SE		SE		P
Wholesale Distribution and Warehousing								SE

Waynesburg Zoning Use Table - Primary And Accessory Uses
October 2017

ACCESSORY USES	ZONING DISTRICTS							
	R-1: Residential	R-2: Residential	R-3: Residential	B-1: General Business	C: Conservation	U-1: University	U-2: University Fields	M-1: Manufacturing
Accessory Dwelling Structure	P	P	P			P		
Accessory uses common in residential districts (such as swimming pools, sheds, play structures, garages, gazebos, etc.)	P	P	P					
Accessory uses incidental to primary use (dependent on Zoning Officer approval)								SE
Drive Through				SE				
Family Day Care	P	P	P			P		
Gas Station				SE				SE
Greenhouse								
Home-Based Business, No Impact	P	P	P	P		P		
Home Occupation	SE	SE	SE	SE		SE		
Parking Lot		SE	SE	P	SE	P	P	P
Solar Energy System, small	SE	SE	SE	SE		SE		SE
Wind Energy System, small	SE	SE	SE	SE		SE		SE

Zoning Map

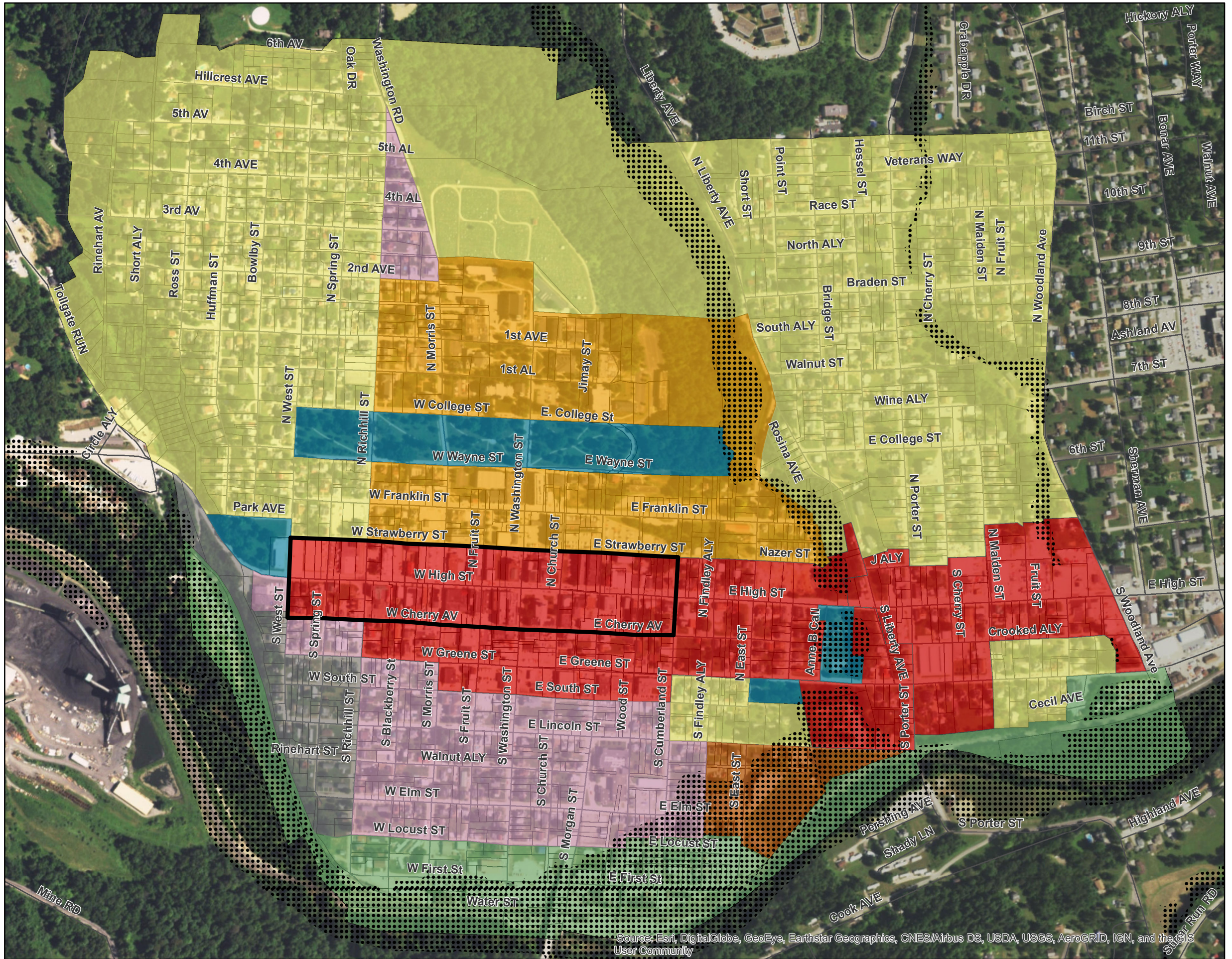
Waynesburg Borough
October 2017

- Districts
- B1 - Business
 - C - Conservation
 - M1 - Manufacturing
 - R1 - Low Density Residential
 - R2 - Medium Density Residential
 - R3 - High Density Residential
 - U - University
 - U2 - University Fields
 - Downtown Parking Overlay

Flood hazard area
Subject to inundation by the 1%-annual-chance flood

Roads
 Parcels

0 0.05 0.1 Miles



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community