

PART 3

ESTABLISHMENT OF DISTRICTS

§301. ESTABLISHMENT OF DISTRICTS AND THE ZONING DISTRICT MAP.

For the purposes of this Chapter, the Borough is hereby divided into the following districts:

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| A. | R-1 District | Single-Family Residential District (Low Density). |
| B. | R-2 District | Multifamily Residential District (High Density). |
| C. | C District | Commercial District. |
| D. | L-I District | Industrial District |
| E. | FP District | Floodplain District. |
| F. | S District | Conservancy District. |

The boundaries of districts shall be as shown on the map attached hereto and made a part of this Chapter, which map shall be known as the "Zoning District Map of the Borough of East Conemaugh." Said map and all notations, references and data shown thereon are hereby incorporated by reference into this Chapter and shall be as much a part of this Chapter as if all were fully described herein.

(Ord. 1/3/1994, §301)

§302. INTERPRETATION OF DISTRICT BOUNDARIES.

1. Where district boundaries are indicated as approximately following the center lines of streets, highways, alleys, street lines, highway right-of-way lines or streams, such centerlines shall be construed to be such boundaries.
2. Where district boundaries are so indicated that they approximately follow lot lines, such lot lines shall be construed to be such boundaries.
3. Where district boundaries are so indicated that they approximately follow or are parallel to the centerlines of streets, highways or the rights-of-way of same, such district boundaries shall be construed to be parallel thereto and at such distance therefrom as indicated on the Zoning District Map.
4. Where the boundary of a district follows a stream or other body of water, another municipality or municipality boundary, the boundary shall be deemed to be the limits of jurisdiction of the municipality, unless otherwise indicated.

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5. Where the boundary of a district follows a railroad right-of-way, such district boundaries shall be construed to the centerline of the right-of-way.

(Ord. 1/3/1994, §302)

PART 4

GENERAL PROVISIONS

§401. CONFORMANCE AND PERMITS.

No building or land shall, after the effective date of this Chapter, except for existing nonconforming uses, be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations herein specified for the district licenses required by all laws and ordinances.

(Ord. 1/3/1994, §401)

§402. COMPLIANCE WITH REGULATIONS.

No building shall hereafter be erected or altered to exceed the height, to accommodate or house a greater number of families, to occupy a greater percentage of lot area or to have a narrower or smaller rear yard, side yard or front yard than is herein specified for the district in which the building is located.

(Ord. 1/3/1994, §402)

§403. YARDS.

No part of a yard or other open space about any building required for the purpose of complying with the provisions of this Chapter shall be included as a part of a yard or open space similarly required for another building.

(Ord. 1/3/1994, §403)

§404. SUBSTANDARD DWELLINGS.

1. No structure shall be used or occupied as a dwelling if such structure is in need of such major structural repairs as to render it unsafe or unsanitary, or if the premises do not have connection with the municipal sewer system or alternative sanitary sewage facilities approved by the local public health authorities having jurisdiction.
2. No structure shall be occupied as a dwelling unless said structure is permanently attached to the ground by a permanent foundation, crawl space or permanently attached to an ongrade slab except for mobile homes located in a mobile home park.
3. All construction must comply with the Borough's building, plumbing and electrical codes.

(Ord. 1/3/1994, §404)

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§405. USES REQUIRING SITE PLAN APPROVAL.

1. Building permits issued for any use in a C, L-I or S District shall require site plan approval by the Borough Planning Commission. The site plan shall be submitted to the Commission at least 10 days prior to the regularly scheduled or special meeting at which it is to be reviewed. In addition to conforming to any specific requirements set forth in this Chapter, the Planning Commission may recommend changes in the site plan which are deemed necessary to promote orderly development of the area.
2. Six copies of the plan are to be submitted, four for use of the Planning Commission and two shall be reviewed by the Borough Engineer.
3. In addition to specific requirements of the district regulations, the site plan, drawn to accurate scale, will indicate the following:
 - A. Location of the lot or lots with respect to adjacent streets and property owners.
 - B. Critical dimensions of setback yard area, paving, driveways, parking areas, landscape areas and other prominent features.
 - C. Traffic circulation within the site.
 - D. Location of vehicular access to the site.
 - E. The height and bulk of structures.
 - F. Location and size of signs, walls and fences to be constructed on the site.
 - G. Provisions for storm drainage including the drainage flow, catch basin size and location of any storm sewers and discharge points from the site.
 - H. Connections to all public utilities serving the site.
4. In considering any plan hereunder, the Planning Commission will endeavor to assure safety and convenience of traffic movement, harmonious and beneficial relationship of buildings and uses on the site as well as to contiguous properties, and overall development in a manner not detrimental to the public at large. The Planning Commission shall report its findings and recommendations to the Zoning Officer within 10 days following the review meeting.

(Ord. 1/3/1994, §405)

§406. PUBLIC UTILITY USES.

Public utility uses for the transportation, distribution and control of water, gas, electricity, oil, steam, telegraph and telephone communications, cable television and their supporting members (other than buildings and railroads) shall not be required to be located on a zoned lot, nor be held to reduce yard dimensions for other buildings on a lot.

(Ord. 1/3/1994, §406)

§407. LOTS OF RECORD NOT MEETING LOT AREA REQUIREMENTS.

Nothing in the district regulations shall be held to prohibit the erection of a one-family dwelling upon a lot whose size is inadequate to meet the lot area regulations set for the district, provided such lot on the effective date of this Chapter was held under separate ownership from the adjoining lots or is a lot in a recorded plan which complies with all district regulations except lot area requirements.

(Ord. 1/3/1994, §407)

§408. SITE RESTORATION PLAN.

A site restoration bond to ensure restoration of the site to an approved condition may be required by the Borough.

(Ord. 1/3/1994, §408)

§409. TEMPORARY USE OF LAND.

1. Temporary use of the land for the operation of recreation uses may be permitted in Residential District R-2 provided that, for new uses, there is filed with such a request the written consent of the owner of 80% or more of the area of property lying within 200 feet of the proposed use; and, further, that the existing and new uses be on an annual permit basis, the fee to be fixed by the Borough, and no permanent building or fixtures be involved or built. A temporary parking lot may also be permitted under the same conditions.
2. Sanitary facilities must be provided by the owner before use of the recreational facility.

(Ord. 1/3/1994, §409)

§410. CONTINUANCE.

The lawful use of a building, property or land existing at the time of the effective date of this Chapter may be continued, even though such use does not conform to the provisions hereof. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same, to a more restricted use, or to a conforming use; such use shall not thereafter be changed to a less restricted one. Whenever the use of a building, property or land becomes nonconforming through a change in this Chapter or district boundaries, such as may be continued and if no structural alterations are made, it may be changed to another nonconforming use of the same or of a more restricted classification. Such a determination shall be made and properly certified by the Planning Commission prior to the issue of a building or occupancy permit.

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(Ord. 1/3/1994, §410)

§411. DISCONTINUANCE OF USE.

Whenever a nonconforming use of a property, building, sign, structure or part thereof has been discontinued for a period of 12 consecutive months, said nonconforming use shall be presumed to be abandoned and the use of the premises thereafter shall be in conformance with the regulations of the district.

(Ord. 1/3/1994, §411)

§412. ALTERATIONS, EXTENSIONS, ENLARGEMENT.

No existing building or premises devoted to a use not permitted in the district in which such building or premises is located shall be enlarged, extended, reconstructed or structurally altered, unless such use is changed to a use permitted in the district in which such building or premises is located, or unless approved by the Zoning Hearing Board.

(Ord. 1/3/1994, §412)

§413. PROVISIONS FOR RECONSTRUCTION.

Any building or structure devoted to a nonconforming use which is damaged by fire, flood, wind or other natural or manmade catastrophe, to the extent of 75% or more of its fair market value immediately prior to damage, shall not be repaired or reconstructed except in such manner as shall not be detrimental to the character of the neighborhood. In the event that the Zoning Officer's estimate of the extent of damage of fair market value is not acceptable to the applicant for the building permit to repair or reconstruct such building or structure, the applicant may appeal to the Zoning Hearing Board. If the applicant's appeal is sustained by the Board:

- A. The owner shall obtain a building permit.
- B. The owner shall submit a plan to be approved by the Zoning Hearing Board.
- C. Building construction shall be commenced within 180 days from the date the building was destroyed and shall be carried on without interruption.

(Ord. 1/3/1994, §413)

§414. CONSTRUCTION IN PROGRESS.

No building or structure designed or intended to be utilized for a nonconforming use shall be constructed or allowed unless construction is already underway at the time of the enactment or subsequent amendment of this Chapter, and is being diligently prosecuted so

that such building or structure will be completed within 18 months from the time of the enactment or subsequent amendment of this Chapter. All outstanding building permits for construction which do not meet those requirements are hereby rendered null and void. Said structure must be completed before a certificate of use and occupancy is granted (§1103).

(Ord. 1/3/1994, §414)

§415. FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS.

All construction, use and occupancy, including the planning therefore of structures, accessory uses and land shall comply with all applicable Federal, State and local laws and regulations.

(Ord. 1/3/1994, §415)

PART 5**PROVISIONS GOVERNING SINGLE-FAMILY RESIDENTIAL DISTRICTS****"R-1" Single-Family Residential District.**

The "R-1" Single-Family Residential District is composed of certain quiet, low-density residential areas of East Conemaugh Borough, plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district; to protect the amenities of certain areas of East Conemaugh Borough where the pattern has already been established with single-family development on relatively large lots; to promote and encourage a suitable environment for family life, and to prohibit all activities of a commercial nature except home offices of doctors or ministers and certain home occupations, controlled by specific limitations governing the size and extent of such nonresidential activities. To these ends, development is limited to a relatively low concentration with relatively large lot size, and permitted uses are limited basically to single-family dwellings providing homes for the residents, plus certain additional uses such as schools, parks, churches and certain public facilities which serve the residents of the district.

§501. USE.

In this district, the land and structures may be used, and structures may be erected, altered, enlarged and maintained for the following uses only:

A. Permitted Uses.

- (1) One-family detached dwelling.
- (2) Public school or private school having a curriculum similar to that ordinarily given in a public school, including religious instruction in parochial schools.
- (3) Churches and similar places of worship.
- (4) Convent, monastery, rectory or parish house to be occupied by not more than 10 persons.
- (5) Temporary building and use for construction purposes, not to exceed a period of 1 year.
- (6) Accessory uses customarily incidental to any of the above permitted uses and including:
 - (a) Home occupation.

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- (b) Private garage.
 - (c) Fence or ornamental wall not over 7 feet in height.
 - (7) Fence or ornamental wall not over 4 feet in height (front yard only).
 - (8) Offstreet parking and loading facility.
 - (9) Cultivation of plants, noncommercial.
 - (10) Private swimming pool appurtenant to a one-family dwelling within the width requirements of the district for the principal building and when the swimming pool or the property on which it is located is adequately fenced to prevent free access of small children and meets all applicable health and sanitary requirements
 - (11) Signs as regulated herein.
 - (12) Parking of boats, boat trailers and travel trailers not used as dwellings on the premises.
 - (13) Such permitted accessory uses as listed in the definition of "accessory use" and which are incidental to residential use.
 - (14) Uses permitted by special exception.
 - (15) Similar type uses specifically approved by the Zoning Hearing Board.
- B. Height. The maximum height of buildings hereafter erected or altered shall be as follows:
- (1) One-Family Detached Dwelling. Thirty-five feet or 2 1/2 stories.
 - (2) Church or Similar Place of Worship. Forty-five feet for the principal building and 75 feet for steeples or towers.
 - (3) Accessory Building. Twenty feet.
 - (4) Any Other Permitted Building. Thirty-five feet or 2 1/2 stories
- C. Lot Area. The minimum lot area for every building hereafter erected or altered shall be as follow:
- (1) One-Family Detached Dwelling, Convent, Monastery, Rectory or Parish House. A minimum of 8,000 square feet and width at the building line of 75 feet.
 - (2) Church or Similar Place of Worship. One and one-half acres and width at the building line of not less than 200 feet.

- (3) Public or Private School.
 - (a) Elementary School. Five acres plus 1 acre for every 100 students at design capacity.
 - (b) Junior High School. Eight acres plus 1 acre for every 100 students at design capacity.
 - (c) High School. Twelve acres plus 1 acre for every 100 students at design capacity.
 - (d) All schools must comply with Pennsylvania Department of Education regulations if they are greater than the above.
- D. Yard Areas Setback. No building or structure shall be erected or enlarged unless the minimum yard areas and setbacks are provided as follows:
 - (1) Front Yard. Not less than 25 feet.
 - (2) Side Yard. Not less than 10 feet.
 - (3) Rear Yard. Not less than 15 feet.
- E. Percentage of Lot Coverage. All buildings, including accessory uses, shall cover not more than 35% of the area of the lot.
- F. Dwelling Standards. Every one-story dwelling hereafter erected or altered shall have a habitable living area of not less than 850 square feet. Every dwelling of more than one story hereafter erected or altered shall have a total floor area of not less than 1,000 square feet.
- G. Off-Street Parking Facilities. Shall be provided as required or permitted.

(Ord. 1/3/1994, §501)

PART 6**PROVISIONS GOVERNING MULTIFAMILY RESIDENTIAL DISTRICTS****"R-2" Multifamily Residential District.**

The "R-2" Multifamily Residential District is composed of certain medium density residential areas of East Conemaugh Borough representing a compatible mingling of single-unit and multiple-unit dwellings, and mobile home trailer parks by special exception plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district; to promote and encourage a suitable environment for family life, and to prohibit all activities of a commercial nature except home offices of doctors or ministers, funeral homes, membership clubs, rooming houses, tourist homes and certain home occupations, controlled by specific limitations governing the size and extent of such nonresidential activities. To these ends, development is limited to a medium concentration, and permitted uses are typically single and two-unit dwellings, row dwellings, and low-rise apartments, plus certain additional uses such as schools, parks, churches and certain public facilities which serve the residents of the district. However, high-rise apartments, with corresponding proportions of open space, also may be developed under prescribed standards of density and open space.

§601. USE.

In this district, the land may be used and structures may be erected, altered, enlarged and maintained for the following uses only:

A. Permitted Uses.

- (1) Any use and accessory use permitted in the R-1 District.
- (2) Two-family dwelling.
- (3) Multiple-family dwelling.
- (4) Apartments and high-rise residential buildings.
- (5) Row dwelling with not more than eight dwelling units in one structure.
- (6) Uses Permitted by Special Exception.
 - (a) Mobile home trailer park.
 - (b) Funeral home.
 - (c) Fraternity or sorority, excepting that the chief activity of which is a service customarily carried on as a business.

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- B. Height. As permitted in the R-1 District, except for multiple-family dwellings. High-rise apartment buildings shall not exceed 10 stories or 150 feet in height.
- C. Lot Area. The minimum lot area for every building hereafter erected or altered shall be as follows:
- (1) One-Family Detached Dwelling Convent, Monastery, Rectory or Parish House. Six thousand five hundred square feet and a width at the building line of not less than 60 feet.
 - (2) Two-Family Dwelling. Four thousand five hundred square feet per dwelling unit and a width at the building line of not less than 60 feet.
 - (3) Multiple-Family Dwelling. Not less than 850 square feet per dwelling unit or apartment and a width at the building lines of not less than 150 feet. The minimum size lot for multiple-family dwelling is 1 acre.
 - (4) Row Dwelling. Not less than 2,700 square feet per unit and a width at the building line of not less than 75 feet for a row dwelling containing three or more dwelling units under one ownership. If a row dwelling is arranged, designed or intended to be sold or owned in separate ownership between party walls, the minimum width of lot between centerlines of party walls shall be 16 feet, and the 75 feet minimum width of total site frontage shall apply for the entire structure. The minimum size lot for a new dwelling structure shall be 1/4 acre (10,890 square feet) per unit. The minimum size lot for a high-rise apartment building shall be 850 square feet per dwelling unit and a minimum width at the building line of 100 feet.
 - (5) Church and Similar Place of Worship. As required in the R-1 District.
 - (6) Public or Private School. As required in the R-1 District.
- D. Yard Area Setbacks.
- (1) One-Family Detached Dwelling, Two-Family Dwelling.
 - (a) Front Yard. Not less than 20 feet.
 - (b) Side Yard. Not less than 8 feet.
 - (c) Rear Yard. Not less than 10 feet.
 - (2) Multiple-Family Dwelling, Row Dwelling, High-Rise Building. All yards to be equal to building height or:
 - (a) Front Yard. Not less than 25 feet.
 - (b) Side Yard. Not less than 15 feet.

- (c) Rear Yard. Not less than 25 feet, whichever is greater.
- (3) Church and Similar Place of Worship.
 - (a) Front Yard. Not less than 40 feet.
 - (b) Side Yard. Not less than 40 feet.
 - (c) Rear Yard. Not less than 30 feet.
- (4) Corner Lots. The setback requirement for corner lots shall conform to the setback requirements for each of the intersecting streets.
- (5) Exception. Where more than 50% of the lots within a block contain existing structures, the front yard setback may be reduced to conform to the setback lines of existing structures.
- E. Percentage of Lot Coverage. All buildings, including accessory uses, except multifamily dwellings, shall cover not more than 35% of the area of the lot. Multifamily dwellings shall cover not more than 40% of the area of the lot.
- F. Dwelling Standards. Every one-story dwelling unit hereafter erected or altered shall have a building area of not less than 850 square feet per dwelling unit. Every dwelling unit of more than one story hereafter erected or altered shall have a total floor area of not less than 1,000 square feet per dwelling unit.
- G. Off-Street Parking Facilities. Shall be provided as required or permitted.

(Ord. 1/3/1994, §601)

§602. SUPPLEMENTARY RESIDENTIAL USE.

Within the R-2 and C Districts, the following regulations shall apply:

- A. Permitted Uses. Conversion apartments for family occupancy and efficiency apartments.
- B. Dwelling Standards.
 - (1) Each conversion apartment must provide a minimum of not less than 400 square feet of habitable living space.
 - (2) Each living unit contains not less than one private bathroom and three habitable rooms, at least one of which shall be a bedroom.
 - (3) Separate and private sanitary facilities, cooking and dining accommodations shall be provided for each living unit.

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- (4) Fire and safety provisions must be adequate to meet local standards.
- (5) Parking shall be provided as required under Part 14.
- (6) Efficiency apartments may be permitted for single occupancy which contain floor area other than specified in subsection (1), above; provided, the intent of subsections (2), (3) and (4) above are achieved. Adequacy of compliance shall be determined by the Zoning Hearing Board prior to granting a permit.

(Ord. 1/3/1994, §602)

PART 7

PROVISIONS GOVERNING COMMERCIAL DISTRICTS

"C" Commercial District.

The "C" General Commercial District is intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking other than stocking and delivery of light retail goods, or by any nuisance factors other than occasioned by incidental light and noise for congregation of people and passenger vehicles. This includes such uses as retail stores, theaters and other amusement enterprises, business offices, newspaper offices and printing presses, restaurants, bars and community garages or community parking areas subject to special regulations. Residential use is limited or restricted because it could substantially interfere with the development or continuation of the commercial structures and uses in the district. This district classification is intended to be located so as to serve more than an immediate neighborhood on or at the confluence of major access highways, so as to serve this purpose.

§701. USE.

In this district, the land structures may be used and structures may be erected, altered, enlarged and maintained for commercial uses listed hereunder, provided:

- A. All merchandise and products shall be sold at retail, unless otherwise stated hereunder.
 - (1) There may be manufacture, compounding, processing or treatment of products which is clearly incidental and essential to a retail store or business, only when the major portion of such products is to be sold at retail on the premises.
 - (2) Such uses, operations or products are not noxious or offensive by reason of emission of odor, dust, smoke, gas, vibration, noise or other similar causes.
- B. In any "C" District the uses shall, in addition to conforming to any and all regulations pertaining thereto that are specifically set forth in this Chapter, be in accordance with a site plan or plans approved by the Planning Commission as required in §405. The site plan shall show, as proposed, the location of main and accessory structures on the site and in relation to one another; traffic circulation features within the site; the location of vehicular access onto the site; the height and bulk of structures; the provision of automobile parking space; the provision of other open space on the site; the landscaping, paving, fences and walls on the site; the display of signs and surface drainage plan.
- C. In approving site plans, the Planning Commission may act on site plans submitted to it or may act on its own initiative in proposing and approving a site plan.

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D. In considering any site plan hereunder, the Planning Commission shall endeavor to assure safety and convenience of traffic movement both within the site covered and in relation to access streets, harmonious and beneficial relationship of structures and uses on the site as well as contiguous properties. To this end, the Planning Commission may limit vehicular access by plan.

E. Permitted Uses.

- (1) Art, book, school supply and stationery store.
- (2) Amusement establishment, including bowling alleys, dance halls, similar places of recreation when conducted wholly within a completely enclosed building.
- (3) Automobile repair, minor.
- (4) Auto accessory store, automobile and truck sales and incidental service.
- (5) Bakery shop, including the baking and processing of food products.
- (6) Bank, financial institution, savings and loan association, drive-in or main office.
- (7) Barber shop, beauty shop, chiropody, massage or personal service.
- (8) Bicycle repair, sales, rental.
- (9) Blueprinting, photostating establishment.
- (10) Bus passenger terminal.
- (11) Cabinet shop.
- (12) Camera and photographic supply shop, retail sales and service.
- (13) Candy or ice cream store.
- (14) Confections.
- (15) Custom dressmaking, millinery, tailoring or shoe repair when conducted for retail sales on the premises only.
- (16) Delicatessen.
- (17) Department store.
- (18) Drugs, tobacco and sundries.

- (19) Dry cleaning or pressing establishment, when employing facilities for the cleaning or pressing of dry goods received on the premises from retail trade only and including no wholesale cleaning or pressing business, and when using nonflammable solvents as approved by the Fire Department.
- (20) Dry goods store, haberdashery, wearing apparel store.
- (21) Duplicating or off-set reproduction shop.
- (22) Electrical appliances store, sales, service, repair, but excluding appliance assembly or manufacture.
- (23) Florist shop, conservatory for retail trade on the premises outdoor planting beds for sale or nursery.
- (24) Food, fruit or vegetable store.
- (25) Funeral home, mortuary.
- (26) Furniture store, upholstery when conducted as a secondary operation to the sale of furniture and furnishing.
- (27) Furrier, conducted as a retail operation for trade on the premises only.
- (28) Garden supplies, seed store, nursery.
- (29) Gift store.
- (30) Hardware store.
- (31) Health club.
- (32) Hobby store.
- (33) Hotel, motor hotel, club or restaurant.
- (34) Household appliance store, sales and service.
- (35) Interior decorating business, including upholstering and making of draperies, slip covers and similar articles when conducted as a part of the retail operations and secondary to the main use.
- (36) Jewelry store.
- (37) Laundry, self-service, including self-service dry cleaning establishment.
- (38) Liquor store, including beer distributors.
- (39) Meatmarket.

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- (40) Medical clinic.
- (41) Newsstand.
- (42) Office, business or professional.
- (43) Paint, wallpaper sales.
- (44) Photographer's studio, art gallery, including the developing of film when conducted as a part of the retail business on the premises.
- (45) Physician, dentist, chiropractor, architect, engineer, realty office.
- (46) Plumbing, heating, similar business showroom, excluding shop or repair facilities.
- (47) Post Office.
- (48) Printing shop.
- (49) Restaurant, cafeteria and snack bar, including alcoholic beverages.
- (50) Service station, public garage or other motor vehicle services, provided no repair work is performed outdoors; provided all pumps, underground storage tanks, lubricating and other devices are located not less than 15 feet from any street right-of-way; provided all fuel oil, or similar substances are stored inside or underground; and provided all automobile parts, dismantled vehicles, and similar articles are stored-within a building. Tank size will not exceed 8,000 gallons and the number of tanks will not exceed three.
- (51) Tavern licenses to dispense hard beverages (providing no live entertainment occurs on the premises).
- (52) Tobacco store.
- (53) Travel agency.
- (54) Valet shop including a drycleaning and/or laundry pick-up station and shoe repairs.
- (55) Watch repair.
- (56) Living quarters, second floor only.
- (57) Accessory uses customarily incidental to any of the uses, and including:
 - (a) Off-street parking and loading facilities, §1401.

- (b) Fence or ornamental wall not over 6 feet in height.
 - (c) Sign as regulated.
 - (d) Cultivation of plants, noncommercial, where used for landscaping or buffer areas.
- (58) Similar type retail or local service use not specifically listed herein when authorized by the Zoning Hearing Board after receipt and review of recommendations from the Planning Commission.

All activities as permitted or required in the "C" District shall be conducted wholly within an enclosed building, with the exception of the accessory uses listed above.

- F. Height. The maximum height of buildings hereafter erected, altered or enlarged shall be six stories or 60 feet.
- G. Lot Area. The minimum lot area for any commercial use shall be 9,600 square feet with a minimum width at the building line of 80 feet.
- H. Yard Areas Setback.
- (1) No building shall be hereafter erected, altered or enlarged unless the following yards are provided and maintained in connection with such building, structure or enlargement:
 - (a) Front Yard. Not less than 10 feet.
 - (b) Side Yard. Not less than 5 feet where abutting a street or alley. None required for interior lot, except where abutting upon an "R" District, there shall be provided a side yard equal to 1/2 the required front yard in such abutting "R" District, plus a buffer area of not less than 5 feet.
 - (c) Rear Yard. Not less than 5 feet.
 - (2) A one-story accessory building may be located within a required rear yard except for the 5 feet adjacent and parallel to the rear lot line or alley line, but not upon any required buffer area, for the storage of motor vehicles, the loading or unloading of vehicles under roof, or the storage of stock and merchandise customarily associated with the principal use.
 - (3) Where abutting an "R" District, there shall be provided in addition to the rear yard requirement, a buffer area of not less than 10 feet. Where second-story dwelling units or living quarters are used for habitation, there shall be a minimum of 850 square feet of lot area per dwelling unit.

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- (4) High-rise apartments shall have a minimum of 850 square feet of lot area per unit and a maximum of 50 units per acre.
- I. Percentage of Lot Coverage. All buildings including accessory uses shall cover not more than 75% of the area of the lot.
- J. Off-Street Parking. Off-street parking shall be provided as required in this Chapter.
- K. Planting Areas.
 - (1) Landscape development shall be required to include an area of at least 5 feet in width along all streets, with the exception of approved entrances which border the proposed development, which shall be planted and maintained with trees and shrubbery to serve as a suitable screen for the parking and storage area.
 - (2) A planting screen, consisting of suitable shrubbery and trees maintained at a minimum height of 8 feet by 10 feet in width, shall be planted wherever the district abuts a residential district.

(Ord. 1/3/1994, §701)