

ARTICLE 1900. Express Standards for Permitted and Conditional Uses, as Applicable

§ 212-1901. Agricultural Use Regulations.

The following agricultural uses are permitted where indicated in § 212-404, subject to the district requirements and any other applicable requirements of the Borough's ordinances.

- A. Crop farming: the raising, keeping and sale of field, truck and tree crops. This use shall not be detrimental to natural features.
 - (1) The use of untreated human sewage as fertilizer is prohibited.
 - (2) Outbuildings, including those for storage of manure, odor- or dust-producing substances, shall be located at least two hundred (200) feet from the lot line.
- B. Nursery.
 - (1) The floor area for retail sales shall not exceed one thousand two hundred (1,200) square feet.
 - (2) Outbuildings, including those for storage of manure, odor- or dust-producing substances, shall be located at least two hundred (200) feet from the lot line.
- C. Greenhouse:
 - (1) The floor area for retail sales shall not exceed one thousand two hundred (1,200) square feet. The growing area is not considered a sales area.
 - (2) The heating plant shall be located at least one hundred (100) feet from the lot line.
 - (3) Outbuildings, including those for storage of manure, odor- or dust-producing substances, shall be located at least two hundred (200) feet from the lot line.
- D. Animal husbandry:
 - (1) The minimum lot size shall not be less than five (5) acres.
 - (2) The keeping or raising of livestock and poultry on parcels of land less than ten (10) acres in area shall be limited to the keeping and raising of two (2) head of livestock or fifty (50) fowl per one (1) acre.
 - (3) All grazing or pasture area shall be adequately fenced.
 - (4) Any building used for the keeping or raising of livestock or poultry shall be situated not less than two hundred (200) feet from any street line, dwelling or well other than the owner's well and not less than one hundred (100) feet from the owner's well or any lot line.
 - (5) The raising of garbage-fed pigs and ferrets is not permitted.
 - (6) Riding academies, livery or boarding stables, commercial dog kennels and the raising of animals for fur or skins is not included in this use.
 - (7) Outbuildings, including those for storage of manure, odor- or dust-producing substances, shall be located at least two hundred (200) feet from the lot line.
- E. Kennel:
 - (1) The minimum lot size shall not be less than five (5) acres.
 - (2) No animal shelter or runs shall be located closer than two hundred (200) feet from any lot line adjoining a residential use or zoning district and at least one hundred (100) feet from any other lot line.

- (3) Outbuildings, including those for storage of manure, odor- or dust-producing substances, shall be located at least two hundred (200) feet from the lot line.
- (4) Outdoor runs and similar facilities shall be constructed for easy cleaning, shall be adequately secured by a fence with a self-latching gate and shall be screened by a six (6) foot high compact hedge or one hundred (100%) percent opaque fence on all sides which are visible from any street or residential lot.
- (5) The kennel shall be licensed by the Allegheny County Department of Agriculture, Bureau of Dog and Law Enforcement if necessary, but shall nevertheless comply with all applicable rules and regulations of the Commonwealth and Allegheny County concerning the licensing and registration of animals.

F. Stable (Commercial)

- (1) The minimum lot size shall not be less than five (5) acres.
- (2) The minimum pasture area for grazing per horse shall not be less than two (2) acres.
- (3) All grazing and pasture areas shall be adequately fenced.
- (4) No shelter shall be located closer than two hundred (200) feet from any lot line.
- (5) Outbuildings, including those for storage of manure, odor- or dust-producing substances, shall be located at least two hundred (200) feet from the lot line.

G. Farm Market.

- (1) Size of the structure. The maximum size of the structure of a farm market provided for in this Chapter shall be one hundred (100) square feet, :
- (2) Minimum yards. The minimum yards (set back building lines) for all buildings, structures, and uses pertaining to a farm market provided for in this Chapter shall be as follows:
 - a. Front yard: one hundred (100) feet.
 - b. Each side yard: fifty (50) feet.
 - c. . Rear yard: ninety (90) feet.

- H. There shall be no limit of the number of structures or uses on a zoning lot being used for residential and agricultural purposes, provided all other provisions of this Chapter are in compliance.

§ 212-1902. Residential Use Regulations.

The following residential uses are permitted where indicated in § 212-205(B), subject to the district requirements and any other applicable requirements of the Borough's ordinances.

- A. Single-family detached: single-family detached dwellings on individual lots with no public or community open space.
- (1) All dwelling units shall be situated on permanent brick to grade foundation walls, including footings constructed below the frost line.
- B. Duplex:
- (1) All dwelling units shall be situated on permanent brick to grade foundation walls, including footings constructed below the frost line.
 - (2) All dwellings shall comply with the provisions of § 212-1904, contained in this Article.

- C. Townhouse: single-family attached dwelling structures, with one (1) dwelling unit from ground to roof, having individual outside access.
 - (1) Six (6) units are the maximum number permitted in any one (1) structure.
 - (2) Dwelling units sharing a common back wall shall not be permitted.
 - (3) All dwelling units shall be situated on permanent brick to grade foundation walls, including footings constructed below the frost line.
 - (4) All dwellings shall comply with the provisions of § 212-1904, contained in this Article.
- D. Apartment: multifamily dwelling structures where individual dwelling units share a common access. Each unit shares with other units a common yard area.
 - (1) All dwelling units shall be situated on permanent brick to grade foundation walls, including footings constructed below the frost line.
- E. Conversion: conversion of an existing building to two (2) or more dwelling units in a single-family structure, subject to the following provisions:
 - (1) All exterior architectural changes are subject to the approval of the governing body.
 - (2) Stairways leading to the second or any higher floor shall be located within the walls of the building wherever practical, and stairways and fire escapes shall otherwise be located on the rear wall in preference to either side wall and in no case on a front wall or side wall facing a street.
 - (3) Yard requirements are applicable upon conversion of the structure. Maximum height of the structure shall not exceed the requirements of the district.
- F. Boardinghouse:
 - (1) The minimum lot area per sleeping room shall be one thousand (1,000) square feet in addition to any other lot area requirements.
 - (2) Conversion of an existing building for boardinghouse purposes shall meet the applicable provisions of § 212-26E.
 - (3) Lot area and dimensional requirements shall be as specified for apartment uses under § 212-49 in the applicable zoning district.
- G. Mobile home park: a parcel of land under a single ownership which has been planned and improved for the placement of mobile homes for dwelling or sleeping purposes and for nontransient use, provided that:
 - (1) All provisions of Chapter 184, Subdivision and Land Development, regulating mobile homes parks in the municipality are met.
 - (2) The minimum lot size for a mobile home park is five (5) acres.
 - (3) The minimum number of spaces completed and ready for occupancy before the first occupancy is permitted shall be nine (9).
 - (4) Every mobile home slab shall have access to a public or private street in accordance with appropriate subdivision regulations.
 - (5) All mobile homes shall be situated on the lot in such a manner that the longest side is parallel to the street.
 - (6) Sewage treatment shall meet the regulations and standards provided by the Department of Environmental Protection.
 - (7) Minimum lot size per dwelling unit shall be four thousand (4,000) square feet.
 - (8) Each mobile home shall be situated on a concrete slab.

H. Retirement community for the elderly, provided that all of the following requirements are met:

- (1) A retirement community for the elderly may include one (1) or more of the following uses:
 - (a) Single-family, two-family, townhouse or garden apartment dwellings.
 - (b) Assisted living facility or independent living facility, as defined herein.
 - (c) Personal care boarding home and/or nursing home, subject to § 212-27I.
- (2) The maximum dwelling unit density shall be eighteen (18) units per acre.
- (3) If a personal care boarding home or nursing home is proposed as part of the retirement community for the elderly, the minimum site area required for the personal care boarding home or nursing home shall be deducted from the total site area and the remaining site area shall be utilized to calculate the maximum permitted dwelling unit density in the retirement community.
- (4) Recreational facilities appropriate to the needs of the residents shall be provided, subject to approval by Borough Council.
- (5) One (1) or more of the following supporting uses may be included in a residential building proposed as an independent living facility or assisted living facility, subject to approval by Borough Council;
 - (a) Common dining facilities.
 - (b) Common leisure and/or recreational area.
 - (c) Postal station for use of the residents and staff only.
 - (d) Banking facility, including automated teller machine (ATM), for use of the residents and staff only.
 - (e) Pharmacy and/or medical offices for use of the residents only.
 - (f) Personal services for the use of the residents only, including beauty shop, barbershop, common laundry facilities, dry-cleaning valet.
 - (g) Ice cream parlor and/or florist or gift shop for the use of the residents and their invited guests only.
 - (h) Elderly day-care center licensed by the Commonwealth of Pennsylvania.
 - (i) Taxi, van or similar transportation services for the residents.
- (6) Off-street parking for a personal care boarding home or nursing home shall be provided in accordance with the requirements of § 212-27I.
- (7) Safe vehicular access and areas for discharging and picking up guests shall be provided.
- (8) Ingress, egress and internal traffic circulation shall be designed to ensure safety and minimize congestion and the impact on local streets. The lot shall be served by frontage on a public street.
- (9) Total site area shall be a minimum of one (1) acre.
- (10) The facility shall be accessible for fire fighting purposes and evacuation at all levels and on all sides, otherwise the facility shall not be more than two (2) stories.
- (11) Any additional standards that are needed to protect the public health, safety, and welfare or to address the unique characteristics of a particular site defined by the Borough Council shall be complied with by the landowner and/or developer.

I. Bed and Breakfast:

- (1) No more than five (5) bedrooms may be available or used for such use in any building.

- (2) Not more than one (1) ground sign shall be permitted on the lot. The maximum permitted sign area shall be twenty (20) square feet.
- (3) Service meals shall be limited to breakfast only to overnight guests of the facility.
- (4) All off-street parking spaces shall be provided on the lot. The number of off-street parking and loading spaces shall be provided as defined by Article 2200 of this Chapter. All parking spaces and driveways shall be surfaced with bituminous, brick, concrete or stone block paving material.
- (5) The owner and/or manager of the facility shall reside therein.
- (6) An overnight guest shall not occupy the facility for more than fourteen (14) consecutive nights in a thirty (30) day period.
- (7) Means of ingress and egress to the lot shall be from an arterial or collector street only.

§ 212-1903. Design Standards for Multi-Family Structures and Sites

- A. Applicability. The following site design standards shall be used in the development or redevelopment of all multi-family structures located in the R-3, R-4, M1, M-2 zoning districts, and multi-family structures permitted within Conservation Subdivisions, under 212-XXXX.

No development approval shall be granted, nor building permit issued, that does not meet these design standards, except as provided herein. On the event that there are conflicting standards with other provisions of other Borough ordinances, the stricter standards shall apply.

- B. Definitions. The following definitions shall apply to this section.

ARTICULATION – Shifts in the plane of walls, setbacks, stepbacks, overhangs, and details in order to create variation in a building façade and divide large buildings into smaller identifiable sections.

BALCONY – An unenclosed platform that projects from or recesses into the wall of a building, is surrounded by a parapet or railing on its open side(s), and is entirely supported by the building. When such platform is both roofed and enclosed it is considered interior space and not a balcony.

BAY WINDOW – A window which projects outward from the building façade in a semicircular, rectangular, or polygonal design. The base of the projected area of each bay window shall be at least one (1) foot above the level of the floor, shall not be used as an extension of interior floor space, and shall not span more than eight (8) feet along street facing facades.

GABLE – The vertical triangular portion of the end of a building created by two (2) sloping planes, extending from the level of the cornice or eaves to the ridge of the roof.

MULTI-FAMILY – A structure or combination of structures in which two (2) or more families cohabitate. Multi-family includes attached dwelling units, such as townhouses, as well as well as attached or detached structures such as duplexes, triplexes, quadplexes or apartments.

MASSING, BUILDING MASS – Building mass refers to height, width and depth of a building structure. Massing means grouping of three (3)-dimensional building forms to achieve variation.

PARAPET AND CORNICE – Parapet is the vertical extension of the main walls of a building above the roof line. Cornice is the horizontal projection, molded or otherwise decorated, that crowns the top of the building.

PORCH – A covered, yet unenclosed floor projecting from and structurally connected to a residential building.

SCALE – The relationships of a development and/or its elements in terms of size, height, bulk, intensity, and aesthetics, to one another and the surroundings. Human scale would identify the relationship of building with the human being.

C. Building Design.

- (1) Intent and Purpose. These building design standards are intended to create and add to the visual interest of Franklin Park’s streets; to ensure quality and consistency in building architectural character and style; to ensure compatibility with adjacent development, as applicable; to avoid featureless building massing; to provide building design details to reduce the visual scale of large multi-family buildings; to achieve unity of design through the use of similar materials; to ensure use of building materials that are durable and attractive; and to ensure accessory structures are compatible in design with the primary buildings they serve.
- (2) All building plans for multi-family development shall be prepared and sealed by an AIA certified architect.
- (3) Building Height/Massing/Form
 - a. Intent

These standards are intended to achieve the following purposes:

 - i. Provide a distinctive, quality, consistent, architectural character and style in new multi-family development that avoids monotonous and featureless building massing and design.
 - ii. Ensure building design and architectural compatibility within a multi-family development.
 - iii. As applicable, new building design should respect the context of adjacent residential neighborhoods, including the height, scale, mass, form, and character of surrounding development.
 - b. Building Height, General – See Chapter 212-49 of this Chapter for applicable building height standards for each zoning district.

- c. Building Length/Number of Townhome Units
 - i. The maximum length of a multi-family residential building shall be two hundred (200) feet.
 - ii. No more than six (6) townhome dwelling units shall be attached in any single row.
- d. Building Mass and Form
 - i. Multi-family building design should incorporate visually heavier and more massive elements at the building base, and lighter elements above the base. A second story, for example, should not appear heavier or demonstrate greater mass than that portion of the building supporting it.
 - (a) The following common building materials are listed in order from heaviest to lightest: stone, brick, wood, and stucco.
 - (b) In instances where the same building material is used in differing colors, darker hues will be considered heavier than lighter hues.
 - ii. All buildings shall be designed to provide complex massing configurations with a variety of different wall planes and roof planes. Plain, monolithic structures with long, monotonous, unbroken wall and roof surfaces of fifty (50) feet or more are prohibited. At least every fifty linear feet (50), wall and roof planes shall contain offsets or setbacks with a differential in horizontal plane of at least four (4) feet. (see figure 1)

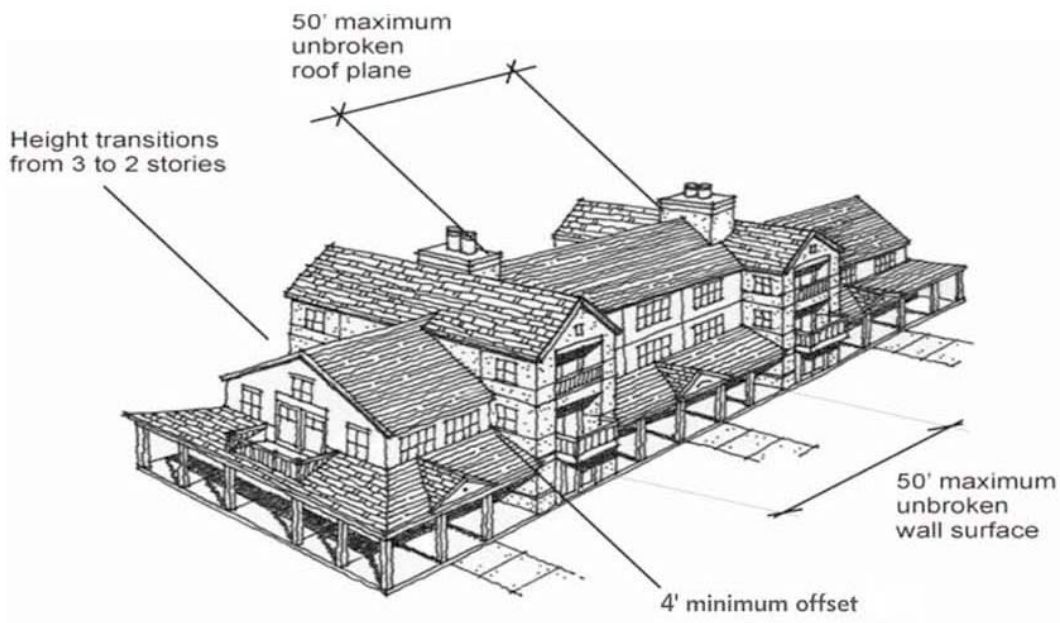


Figure 1 – Examples of Varied Roof Planes and Wall Surfaces

- iii. The façades of single-family attached townhomes should be articulated to differentiate individual units.
- e. Small Multi-Family Buildings

- i. To the maximum extent practicable, the massing and use of exterior materials on small multi-family buildings of ten (10) units or less, including duplexes but not including townhomes, should be arranged so as to give the building the appearance of a large single-family detached home. (See figure 2)



Figure 2 - Examples of Multi-Family Buildings Resembling Single Family Homes

- (4) Architectural Detail: Style, Roof Form, Building Façades, Entries, and Windows
 - a. Intent

The following guidelines and standards governing architectural detail are intended to provide a distinctive, quality, architectural character in new multi-family developments. In particular, architectural details help to reduce the visual scale of large multi-family buildings and development.
 - b. Consistency in Architectural Style

Each building in a multi-family development should have a definitive, consistent style. Mixing of various architectural styles on the same building dilutes the character of a building and is inappropriate. (see figure 3)

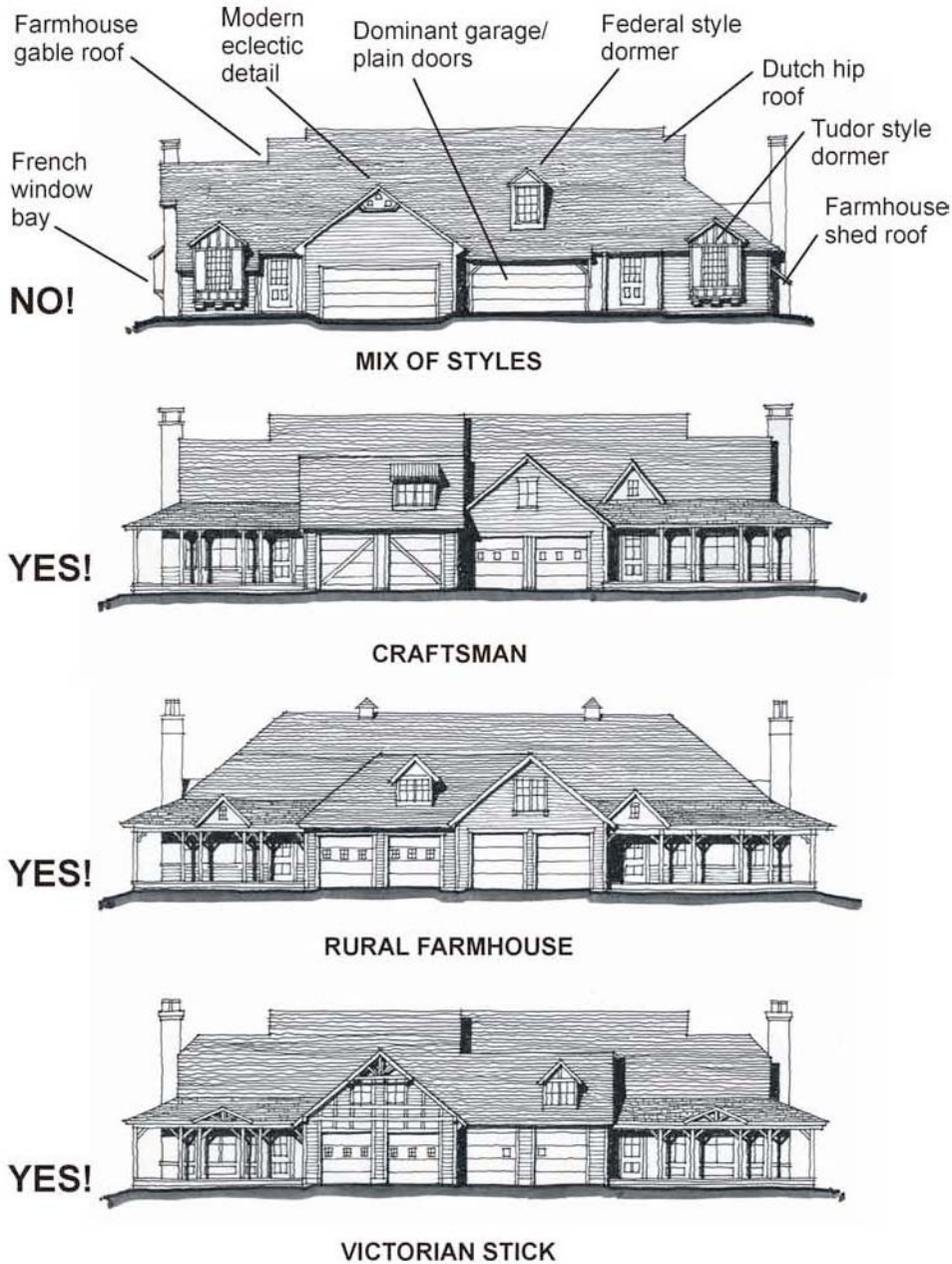


Figure 3– Example of Consistent Styles

c. Four-Sided Design Required

All sides of a multi-family building shall display a similar level of quality and architectural interest. The majority of a building’s architectural features and treatments shall not be restricted to a single façade.

d. Pedestrian-Scale Entrance Required

All building entries adjacent to a collector or residential (local) public street or to a public street or private drive with on-street parking shall be pedestrian-scaled. Pedestrian-scaled entries are those that provide an expression of human activity or use in relation to building size. Doors, windows, entranceways, and other features such as corners, setbacks, and offsets can be used to create pedestrian scale.

e. Articulated Building Fronts

Fronts of buildings should be articulated through the use of bay windows, insets, balconies, porches, or stoops related to entrances and windows. (see figure 4)



Figure 4 – Example of articulation of building fronts with windows, balconies and insets

f. Windows

- i. All multi-family building elevations shall contain windows, except when necessary to assure privacy for adjacent property owners.
- ii. At least fifteen percent (15%) of each street facing façade shall be comprised of windows
- iii. Windows should be located to maximize the possibility of occupant surveillance of entryways, recreation areas, and common areas.

g. Garage Doors

Garage doors of attached garages shall not comprise more than fifty percent (50%) of the total length of a multi-family building's front façade, and the setback of every two (2) single-bay garage doors or every double garage door shall be offset by at least four (4) feet from the plane of an attached adjacent garage door(s). (see figure 3 for illustrations of this requirement) On lots without alley access, street-facing garages shall not extend forward of the primary building entrance. Side-facing garages are preferable.

h. Roofs

- i. All multi-family buildings with pitched roofs shall have a pitched roof with a minimum slope ratio of 6:12.

- ii. On buildings where sloping roofs are the predominant roof type, each building shall have a variety of roof forms. For instance, a gable or hip configuration should be used with complimentary sheds, dormers, and other minor elements. Other roof forms will be considered on a case-by-case basis.
- iii. On buildings where flat roofs are the predominant roof type, parapet walls shall vary in height and/or shape at least one (1) every fifty (50) feet of building wall length.
- iv. Roof forms shall be designed to correspond and denote building elements and functions such as entrances and arcades.

(5) Building Materials

a. Intent

The following guidelines and standards are intended to:

- i. Unify design through the use of similar materials throughout multi-family developments.
- ii. Select high-quality building materials that are durable, attractive, and have low maintenance requirements.

b. Submittal Requirements

Applicants shall submit a sample building material board at the time of preliminary plan approval.

c. Design Guidelines and Standards

i. Exterior Materials:

- (a) For all multi-family buildings and single-family townhomes, an amount equal to seventy-five percent (75%) of the total net exterior wall area of each building elevation, excluding gables, windows, doors, and related trim, shall be brick, stone, or natural wood.
- (b) Brick or stone to grade foundations shall be required for all multi-family buildings.

ii. Roof Materials.

Predominant roof materials shall be high quality, durable material such as, but not limited to: wood shake shingles, clay or concrete tiles, composition shingles, and asphalt shingles.

iii. Design Compatibility Required.

- (a) Detached garages and carports and other accessory structures, including but not limited to grouped mailboxes, storage and maintenance facilities, recreational facilities, picnic shelters, and gazebos, shall incorporate compatible materials, scale, colors, architectural details, and roof slopes as the primary multi-family buildings, except that flat and shed roofs are prohibited.

iv. Articulation of Rear Walls.

- (a) Rear walls of detached garages and carports that back onto the perimeter street shall be articulated through the use of one (1) or more of the following elements:
 - 1. Windows;
 - 2. A trellis; or

3. A variety of roof planes.

D. LANDSCAPING AND SCREENING

(1) Intent. Landscaping, which is a visible indicator of quality development, shall be an integral part of multi-family projects, and not merely located in leftover portions of the site. Landscaping is intended to visually tie the entire development together, define major entryways and circulation (both vehicular and pedestrian) and parking patterns, and, where appropriate, help buffer less intensive adjacent land uses. All landscape plans shall be prepared and sealed by an ASLA certified landscape architect. All street tree planting shall conform to the standards contained in Ordinance No. 503-01. Borough of Franklin Park Street Tree Landscaping Design.

(2) Interference with Drainage Patterns

a. Design Guidelines and Standards

- i. Landscaping, fencing, and screening shall not impede the flow of drainage from the site.

(3) Plant Materials

a. Intent

Incorporate a variety of plant species into the planting plan to reinforce neighborhood building clusters, primary access-ways, and open space areas.

b. Design Guidelines and Standards

- i. Site landscaping shall be placed to define or frame open areas.
- ii. Site landscaping shall be placed to accentuate the primary site vehicular circulation routes.
- iii. Site landscaping shall include plants similar in form and scale to existing vegetation in the neighborhood or area.
- iv. A variety of plant types, sizes, and species should be used so that on-site landscaping displays a variety of leaf size, texture, and color.
- v. The use of bio-retention areas shall be encouraged as part of the landscaping plan.
- vi. Plant materials shall be selected for energy efficiency, drought tolerance, and those that are deer and disease resistant.
- vii. Each landscaped area, including parking islands, shall be covered in live material. Live material includes trees, shrubs, ground cover, and sod. Woody mulch or other natural materials other than exposed gravel and aggregate rock may cover areas not covered in live material.
- viii. The minimum tree requirements for multi-family developments are one (1) tree per dwelling unit.

(4) Site Perimeter Landscaping Abutting Street Edges

a. Intent

Provide an attractive, shaded environment along street edges that gives visual relief from continuous hard street edges, provides a visual cohesion along streets, helps buffer automobile traffic, focuses views for both pedestrians and motorists, and increases the sense of neighborhood scale and character.

b. Design Guidelines and Standards

- (b) The perimeter of all parking areas shall be screened by either of the following methods:
 - 1. A berm three (3) feet high with a maximum slope of 3:1 in combination with coniferous and deciduous trees and shrubs; or
 - 2. A low continuous landscaped hedge at least three (3) feet high, planted in a triangular pattern so as to achieve full screening at maturity; or
 - 3. A low decorative masonry wall three (3) feet high in combination with landscaping (landscaping shall be planted between the wall and the public right-of-way, sidewalk, or boundary); or
 - 4. A combination of these methods.
- (8) Building Foundation Landscaping
 - a. Intent

Articulate building façades with landscaping to provide visual interest.
 - b. Design Guidelines and Standards
 - i. Building foundations shall be planted with ornamental plant material, such as ornamental trees, flowering shrubs and perennials, and ground covers.
 - ii. Planting shall be massed and scaled as appropriate for the entryway size and space.
 - iii. Landscaping should break down in scale and increase in detail, color, and variety to mark entryways into developments.
- (9) Service Area Screening
 - a. Intent

Service areas create visual and noise impacts on surrounding uses and neighborhoods. These standards visually screen on-site service areas, including trash collection areas, from public rights-of-way and adjacent uses.
 - b. Design Guidelines and Standards
 - i. To the maximum extent feasible, trash containers and collection areas shall be oriented toward rear service corridors. Trash collection or compaction areas shall be located a minimum of twenty (20) feet from any public street, public sidewalk, or property line adjacent to a residential use.
- (10) Mechanical/Utility Equipment Screening
 - a. Intent

Mechanical and utility equipment can detract from the quality of a development and the character of an area. These standards mitigate the negative visual and acoustic impacts of mechanical and utility equipment systems located in a multi-family development.
 - b. Design Guidelines and Standards
 - i. Mechanical/utility screening shall be an integral part of the building structure and architecture and not give the appearance of being “tacked on” to the exterior surfaces.
- (11) Fencing and Walls
 - a. Intent

While fences and walls are often necessary to buffer uses, they can create a visually monotonous streetscape. These standards provide fencing and walls that are visually-

appealing, complement the design of the overall development and surrounding properties, and provide visual interest to pedestrians and motorists.

- b. Design Guidelines and Standards
 - i. Applicability. This subsection applies to all perimeter fences and walls.
 - ii. Setbacks and Height.
 - (a) Solid screening fences must be setback a minimum of fifteen (15) feet from an adjacent public right-of-way.
 - (b) Solid screening fences no greater than three (3) feet in height or see-through fences must be setback a minimum of four (4) feet from an adjacent public right-of-way.
 - (c) No setback is required for fences on an interior property line.
 - (d) Unless otherwise restricted by (b) above, the maximum height of a fence or wall shall be eight (8) feet.
 - iii. Materials. Walls and fences shall be constructed of high quality materials, such as decorative blocks, brick, stone, treated wood, and ornamental metal. Other materials will be considered on a case-by-case basis. Chain link fencing shall not be allowed.
 - iv. Breaks for Connection. Breaks in the length of a perimeter fence shall be made to provide for required pedestrian connections to the perimeter of a site or to adjacent development, such as perimeter sidewalks and public trails.
 - v. Maximum Length. The maximum length of continuous, unbroken, and uninterrupted fence or wall plane shall be fifty (50) feet. Breaks in the fence plans shall be provided through the use of columns, landscaping pockets, transparent sections, and/or a change to different materials.
 - vi. Landscaping. The setback area between a fence or wall and the public street shall be landscaped with sod, shrubs, and/or trees, using a variety of species to display a variety of leaf size, texture, and color. Use of landscaping beyond the minimum required in these standards is strongly encouraged to soften the visual impact of fences and walls.

§ 212-1904. Institutional and recreational use regulations.

The following institutional and recreational uses are permitted where indicated in § 212-24C, subject to the district requirements and any other applicable requirements of the Borough's ordinances.

- A. Place of worship: place of religious worship, provided that the following requirements are met:
 - (1) It shall provide safe and adequate traffic flow.
 - (2) It shall provide adequate ingress and egress of pedestrian flow.
 - (3) It shall prohibit glare due to site lighting.
 - (4) It shall provide buffering in conformance with the provisions of § 212-54.

- (5) Day care is permitted as a conditional use in places of worship subject to requirements of § 212-27F, and provided that outdoor play areas shall be sufficiently screened and insulated so as to protect the neighborhood from inappropriate noise and other disturbance, and sufficient facilities for passenger loading and unloading shall be provided.

B. School.

- (1) access to a collector street is required.
- (2) It shall provide safe and adequate traffic flow for passenger vehicles and school busses.
- (3) It shall prohibit glare due to site lighting.
- (4) It shall provide sufficient screening of outdoor play areas to protect the neighborhood from inappropriate noise and other disturbance.
- (5) It shall provide fencing to control pedestrian ingress and egress.

C. Community center:

- (1) The use shall not be conducted as a private, gainful business.
- (2) No outdoor recreation area shall be located nearer to any lot line than the required front yard depth.
- (3) It shall provide safe and adequate traffic flow.
- (4) It shall prohibit glare due to site lighting.
- (5) It shall provide sufficient screening of outdoor play areas to protect the neighborhood from inappropriate noise and other disturbance.
- (6) It shall provide fencing to control pedestrian ingress and egress.
- (7) In all districts, access to a collector street is required.

D. Day Care

- (1) Proof of a valid license to operate child day care facilities issued by the Pennsylvania Department of Public Welfare shall be provided to the Borough prior to the issuance of an occupancy permit by the Borough for the use.
- (2) All day care facilities shall provide a minimum area for indoor play at a ratio of forty (40) square feet per child.
- (3) All day care facilities shall provide outdoor play space at a minimum ratio of sixty-five (65) square feet per child using the outdoor play facility. Long, linear configurations shall be avoided to assure the functionality of the space as a play area. At no point shall the play area be less than twenty (20) feet in width.
 - a. The outdoor play area shall adjoin the building where the child day care facility is located.
 - b. The outdoor play area shall be no closer than thirty (30) feet to a private/public street right-of-way, or ten (10) feet to any other property lines.
 - c. The outdoor play space shall be completely enclosed by a safe and adequate fence or wall a minimum of four (4) feet in height, unless a greater height is required by the Borough Council. Any outdoor play area potentially susceptible to encountering vehicles leaving the roadway, travel lanes, or access ways shall be protected by a barrier capable of preventing the vehicle from entering the play area.
 - d. Non-yielding surfaces, such as concrete, asphalt, gravel, etc., are prohibited beneath any piece of permanently installed play equipment. Certain rubber padding may be

permissible over hard surfaces when approved by the Borough Council. Non-yielding surfaces shall not exceed one-quarter (1/4) of the required outdoor play space.

- (4) Safe vehicular access and off-street areas for the discharge and pick-up of children shall be provided in the following manner:
 - a. Minimum dimensions of discharge and pick-up areas shall measure eight by fifty-five (8 x 55) feet.
 - b. Discharge and pick-up areas shall be so located and designed so that the vehicles intended to use them can maneuver safely and conveniently to and from a public right-of-way and complete the discharge and pick-up without obstructing or interfering with the use of any public right-of-way, any parking space, or parking lot aisle.
 - c. No area allocated as a discharge and pick-up area may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for discharge and pick-up areas. All off-street discharge and pick-up areas shall be separated from walkways, sidewalks, parking lot aisles, streets, and alleys by curbing or other protective devices as approved by the Borough Engineer.
- (5) In Residential Districts R3 and R4, the use shall be conducted in a building designed as a single-family detached residence or in a structure used for religious purposes. Day-care in a structure used for religious purposes shall be limited to no more than one (1) person per fifty (50) gross feet of area used or intended for use in the care of persons attending the care facility.
- (6) In mixed use districts, the use shall be conducted in a building designed as a single-family residential structure or used for religious purposes or in areas of other structures not used for residential use.
- (7) Sufficient facilities for passenger loading and unloading shall be provided.
- E. Nursing home or personal care boarding home: subject to the following additional provisions:
 - (1) A minimum lot area of one (1) acre, plus eight hundred (800) square feet per resident shall be required.
 - (2) No more than eighty (80) resident patients shall be accommodated in any one (1) building devoted entirely to a nursing home or personal care boarding home or a combination thereof.
 - (3) The site shall be designed to provide a safe and adequate traffic flow, particularly at the change of shifts.
 - (4) Site lighting shall be designed to eliminate glare on adjoining streets or properties.
- F. Hospital:
 - (1) It shall provide sufficient facilities for passenger loading and unloading.
 - (2) It shall provide safe and adequate traffic flow.
 - (3) It shall prohibit glare due to site lighting.
 - (4) It shall provide adequate ingress and egress of pedestrian flow.
- G. Cemetery:
 - (1) The minimum size of a cemetery shall be ten (10) acres.
 - (2) The developer shall provide a statement of guaranteed perpetual maintenance before approval is given.

- (3) No burial sites shall be within fifty (50) feet of any lot line or one hundred (100) feet of a street right-of-way and no crematorium shall be within two hundred (200) feet of any lot line.

H. Recreational facility or park:

- (1) It shall provide safe and adequate traffic flow.
- (2) It shall prohibit glare due to site lighting.
- (3) It shall provide sufficient screening and buffering to protect the area from inappropriate noise and other disturbance.

I. Private recreational facility:

- (1) It shall have a minimum lot area of two (2) acres.
- (2) It shall provide safe and adequate traffic flow.
- (3) No outdoor active recreation area shall be located nearer to any lot line than one hundred (100) feet.
- (4) It shall provide sufficient screening so as to protect the neighborhood from inappropriate noise and other disturbance.
- (5) It shall provide fencing to control pedestrian ingress and egress.
- (6) Lights used to illuminate a private recreational facility shall be so arranged and shaded as to reflect light away from adjoining premises and public streets.
- (7) The facility shall be closed for operation from 11:00 p.m. to 7:00 a.m.

J. Country club/golf course:

- (1) A lot area of not less than sixty (60) acres shall be required.
- (2) No building shall be closer than one hundred (100) feet to any lot line.

K. Private club:

- (1) It shall be for members and their authorized guests only.
- (2) It shall provide safe and adequate traffic flow.
- (3) No outdoor active recreation area shall be located nearer to any lot line than one hundred (100) feet.
- (4) It shall provide sufficient screening so as to protect the neighborhood from inappropriate noise and other disturbance.
- (5) It shall provide fencing to control pedestrian ingress and egress.

L. Emergency service and municipal facility:

- (1) It shall provide safe and adequate traffic flow.
- (2) It shall prohibit glare due to site lighting.
- (3) It shall provide sufficient screening to protect the neighborhood from inappropriate noise and other disturbance.
- (4) The foregoing provisions of § 212-27 shall not apply to any building, facility or street of or in the Borough of Franklin Park, or extension thereof, or to the use of any premises by the Borough or by any agency of the Borough if, at any time hereafter, the Borough Council shall decide that such building, facility, street or extension thereof or that such use of any premises is reasonably necessary for the convenience or welfare of the public.

M. Halfway House - Adult/Juvenile.

- (1) Whenever a party or parties seeks to occupy a dwelling or other building as a halfway house, the party or parties shall file a detailed statement of intent with the Borough describing the proposed use of the dwelling or building; such statement shall detail the proposed number and nature of the anticipated occupants to Franklin Park Borough. The

party or parties shall obtain a license or certification from the Commonwealth of Pennsylvania or Allegheny County prior to issuance of an occupancy permit. If an appropriate licensing or certifying agency does not exist, the applicant shall demonstrate to the Borough Council that the proposal satisfies a demonstrative need and shall be conducted in a responsible manner without detriment to surrounding properties.

- (2) A halfway house shall be initially licensed, where it has met the requirements set forth by the Borough, through December 31 of the year in which the license is issued. For each year thereafter if the adult halfway house intends to continue its business, it must renew its license. The application for renewal is due to Franklin Park Borough no later than November 1 of the year proceeding the year in which the license renewal is sought. The lack of a license or the failure to seek license renewal on a timely basis shall be a proper basis for the Borough to deny or revoke an occupancy permit for the halfway house.

§ 212-1905. Retail and consumer service use regulations.

The following retail and consumer service uses are permitted where indicated in § 212-24E, subject to the district requirements and any other applicable requirements of the Borough's ordinances. All commercial trash containers or dumpsters stored on the outside lot shall be screened so that the container or dumpster is not visible by adjacent property owners. The containers or dumpsters shall be composed of durable materials and shall be complementary to the design of the building or surrounding development.

A. Convenience store:

- (1) All products produced on the premises are sold on the premises at retail.
- (2) It shall provide adequate and safe ingress and egress.
- (3) Within the M1 District, the following additional conditions shall be met:
 - a. Buffering requirements shall be met when the convenience store is situated adjacent to residential use(s).
 - b. Maximum lot size shall be twenty thousand (20,000) square feet.
- (4) Gross building area shall not exceed three thousand (3,000) square feet.

B. Eating place, drive-in: eating place for the sale and consumption of food and nonalcoholic beverages with drive-in service.

- (1) Lane length for customers awaiting service shall be a minimum of one hundred (100) feet in length.
- (2) There shall be one (1) off-street parking space for every two (2) seats or one (1) off-street parking space for every one hundred (100) square feet of gross floor area, whichever requires the greater number of off-street parking spaces, plus one (1) additional space for each employee on the largest shift.

C. Funeral home or mortuary:

- (1) It shall provide safe and adequate traffic flow.
- (2) It shall provide adequately for safe assembly of the funeral cortege.

D. Motel-hotel:

- (1) It shall provide safe and adequate traffic flow.
- (2) It shall provide on-site capacity for loading and unloading.

E. Entertainment facility:

- (1) It shall provide safe and adequate traffic flow standards.
 - (2) It shall not conduct business between the hours of 2:00 a.m. and 6:00 a.m. at locations within five hundred (500) feet of residential district boundaries.
- F. Veterinary facility.
- (1) In no event shall animal kennels be allowed as a primary use.
 - (2) No kennels which are not fully enclosed shall be located within two hundred (200) feet of a lot line. In the M2 and M3 Districts, all activities shall be within an enclosed building.
- G. Service station:
- (1) A minimum lot width of not less than two hundred (200) feet shall be provided along each street on which the lot abuts.
 - (2) All activities except those to be performed at the fuel pumps shall be performed within a completely enclosed building.
 - (3) Fuel pumps shall be at least twenty-five (25) feet from any street right-of-way.
 - (4) All automobile parts and similar articles shall be stored within a building.
 - (5) Lubrication, oil changes, tire changes and repairs are permitted if entirely within a building.
- H. Automotive sales:
- (1) Within the M2 District, all sales merchandise which is not within an enclosed structure, and additional equipment, shall be located within building setback areas as defined in § 212-50.
- I. Vehicle repair and inspection: a vehicle repair garage, including paint spraying and body and fender work or a car-washing facility, provided that all repair and paint work is performed within an enclosed building.
- (1) Within the M2 District, all new and scrap parts shall be within an enclosed structure. All vehicles awaiting repair shall be stored inside a building overnight.
- J. Truck sales:
- (1) Within the M2 District, all sales merchandise which is not within an enclosed structure, and additional equipment, shall be located within commercial setback areas as defined in § 212-50.
- K. Vehicular accessories (new retail): sales of new vehicular accessories, parts, tires, batteries and other supplies.
- (1) Installations of parts shall be in an enclosed structure.
- L. Public parking lot or garage. A lot of record upon which the parking or storing of automotive vehicles is the primary use, provided that:
- (1) No sale, rental, service or repair operations of vehicles shall be performed.
 - (2) The parking or storage of trucks or trailers shall not be permitted.
 - (3) All parking areas shall meet the design standards of Article V of this Chapter.
 - (4) Safe and adequate traffic flow is provided.
 - (5) Glare due to site lighting is prohibited
- M. Public utility building and storage yard: transformer station, pumping station, relay station, tower (transmission or relay), substations, switching center, sewage treatment plant and any similar or related installation, not including public fills. In Residential Districts R1 and R2, such uses shall be permitted as conditional uses only when all of the following conditions are met:

- (1) Installation is essential to service such residential areas.
 - (2) No public business office or any storage yard or storage building is operated in connection with it.
 - (3) A twenty-five (25) foot buffer yard shall be provided along all lot lines.
 - (4) A sewage treatment facility is prohibited in residential districts.
 - (5) Towers are prohibited in residential districts.
 - (6) Screening shall comply as stated in § 212-54.
 - (7) There shall be two (2) off-street parking spaces, plus one (1) off-street parking space for each employee normally in attendance at the facility at any time.
- N. Public solid waste disposal site: Such a site can be established as a conditional use within the R1 District. Establishment of a site shall be in accordance with county and state regulations, including prohibition relating to storing and/or disposal of hazardous wastes as specified in the latest regulations of the Department of Environmental Protection (DEP) Rules and Regulations.
- O. Adult bookstore/video store, adult theater or adult live theater:
- (1) The site shall have frontage on and direct access to an arterial or collector street, as defined herein.
 - (2) No adult bookstore/video store, adult theater or adult live theater shall be located within four hundred (400) feet of any property which is zoned residential.
 - (3) No adult bookstore/video store, adult theater or adult live theater shall be located within five hundred (500) feet of any other existing or proposed adult bookstore/video store, adult theater or live adult theater.
 - (4) No adult bookstore/video store, adult theater or adult live theater shall be located within five hundred (500) feet of any school, day-care/preschool, hospital, nursing home, group home, group care facility, recreational facility, park, place of worship or establishment which is licensed to serve and/or sell alcoholic beverages.
 - (5) Persons or owners who intend to operate an adult bookstore/video store, adult theater or adult live theater shall obtain a license to operate from the Borough and shall pay a five hundred dollar (\$500) investigation fee to the Borough. In addition, such persons or owners shall supply to the Borough detailed information regarding the ownership and financing of the proposed business and proposed hours of operation as required on the licensing application. Applications for licensing shall be filed with the Borough Zoning Officer.
 - (6) An adult bookstore/video store, adult theater or live adult theater shall be initially licensed when it has met the requirements of this section. The license shall be valid through December 31 of the year in which the license is initially issued. For each year thereafter that the business intends to continue, the owner or operator shall seek a renewal of the license. The application for renewal shall be submitted to the Borough Zoning Officer by November 1 of the year preceding the year for which the license renewal is sought. The lack of a license or failure to renew such license in a timely fashion shall be grounds for the Borough to deny or revoke an occupancy permit for an adult bookstore/video store, adult theater or adult live theater.

- (7) Planning Commission and Borough Council shall determine reasonable hours of operation so as to protect the citizens of the Borough from any deleterious secondary effects of these establishments.

P. Commercial communications towers:

- (1) Approval and permits shall be secured from the Allegheny County Airport Zoning Administrator and any other required regulatory agency.
- (2) The applicant shall submit evidence that the tower and its method of installation has been designed by registered engineers to be structurally sound and able to withstand wind and other loads in accordance with the requirements of Chapter 95, Building Construction.
- (3) No sign or other structures shall be mounted on the tower, except as may be required or approved by the Federal Communications Commission (FCC), Federal Aviation Administration (FAA) or other governmental agencies.
- (4) All lighting, other than that required by the FAA, shall be shielded and reflected away from adjoining properties.
- (5) All communication towers shall be set back from any residential property line or public street right-of-way a minimum distance of two hundred (200) feet.
- (6) A six (6) foot high chain-linked fence or similar security fence is required around the tower when it would be accessible to the public.

Q. Car wash:

- (1) Washing operations shall take place in an enclosed building; except for one (1) outside washing bay.
- (2) All driveway and waiting areas shall be paved with a permanent surface and edged with a curb where it abuts grassed areas. Paved areas shall be sloped to an acceptable storm drainage system in accordance with the provisions of the Storm Water Management Ordinance. Areas of the lot not paved shall be landscaped and maintained.
- (3) Access shall be limited to two (2) driveways and one additional driveway on a second street where the lot abuts a second street, such driveways each not more than thirty-five (35) feet wide at the lot line. No driveway shall be located within seventy-five (75) feet of any street intersection, measured from the point of crossing of intersecting street right-of-way lines abutting the lot and the edge of the driveway nearest the intersection.

§ 212-1906. Industrial use regulations.

The following industrial uses are permitted where indicated in § 212-24F, subject to the district requirements and any other applicable requirements of the Borough's ordinances.

A. Manufacturing:

- (1) Within the M3 District, manufacturing shall be limited to food products, musical and small precision instruments, electrical appliances, metal products of a light nature, including heating and ventilating ducts and equipment, hardware and cutlery and other similar products, manufacturing or assembly of electrical appliances and other uses of a similar and no more objectionable character to those principal uses permitted.

B. Contracting: contracting offices and shops

(1) Outdoor storage shall be permitted only in the M3 District.

C. Crafts

(1) Outdoor storage shall be permitted only in the M3 District.

D. Vehicle salvage yard:

(1) Any outdoor display of vehicles shall be at least fifty (50) feet from any street right-of-way.

(2) All lubricant and fuel-oil substances which are to be stored on the site shall be stored with all necessary precautions taken to prevent their leakage and/or surface or subsurface drainage into streams, creeks or other bodies of water. A plan detailing how these materials will be stored in compliance with this requirement shall be submitted with the application for a zoning certificate.

(3) All hazardous materials shall be stored in a safe manner and, where required, shall be in receipt of a permit for such storage.

(4) Within the M3 District, all operations shall be within a high fenced area and meet the buffering requirements of § 212-54.

E. Industrial park:

(1) Industrial parks shall have a minimum site area of ten (10) acres.

(2) Not more than thirty-five percent (35%) of the total lot area shall be occupied by buildings.

(3) All industrial uses and uses under § 212-29B, E and T shall be permitted.

(4) Any use of the same general character as any of the above-permitted uses shall be permitted upon approval by the governing body as specified in § 212-23.

(5) Signs are permitted when erected and maintained in accordance with the provisions of Article VI. In addition to signs permitted in Article VI for individual establishments, one (1) freestanding sign indicating the name of the industrial park shall be permitted, provided that the area on any one (1) side of any such sign shall not exceed seventy-five (75) square feet, and the location of such sign shall be as designated on or in connection with the required development plan and orientation.

(6) The proposed development shall be constructed in accordance with an overall plan and shall be designed as a single architectural unit with appropriate landscaping.

(7) Outdoor storage and displays shall conform to the provision of § 212-31D.

(8) The distance at the closest point between any two (2) buildings or groups of units of attached buildings shall not be less than twenty (20) feet.

(9) The proposed development shall be served by adequate water and public sewage disposal facilities, the adequacy of which shall be demonstrated and guaranteed.

(10) Lighting facilities shall be provided and arranged in a manner which will protect the highway and neighboring properties from any direct glare or hazardous interference of any kind.

(11) Vehicular access to an industrial park shall not be permitted through a residential area and shall occur on one (1) of the collector streets in areas where industrial parks are a permitted use.

F. Self-storage or mini warehouses, subject to:

(1) The minimum site required shall be three (3) acres.

- (2) The site shall have direct vehicular access to an arterial or collector road, as defined by this Chapter and access shall not be through a street on which the current use of the majority of the lots fronting on the street is single-family.
- (3) Vehicular access to the site shall be limited to one (1) two-way or two (2) one-way driveways from each arterial or collector street on which the site has frontage and which meets the requirements of Subsection J(2) above.
- (4) All one-way driveways shall have a minimum of one (1) ten (10) foot parking lane, plus one (1) fifteen (15) foot travel lane.
- (5) All two-way driveways shall provide a minimum of one (1) ten (10) foot parking lane plus two (2) twelve (12) foot travel lanes. Parking lanes shall be eliminated where the driveway does not serve storage units.
- (6) All interior driveways shall be paved with an impervious surface sufficient for the loads the driveways are expected to bear.
- (7) Buffer areas shall be provided in accordance with the requirements of § 212-54 of this Chapter along the property lines which adjoin residential use or zoning classification.
- (8) The perimeter of the site shall be fenced with a minimum eight (8)-foot fence with a self-latching gate. The fence shall be supplemented with screening material which creates a visual barrier that is at least eighty percent (80%) opaque.
- (9) Maximum building height shall be twenty (20) feet.
- (10) The minimum distance from the face of any storage building to the face of any adjacent storage building shall be twenty-eight (28) feet for storage units which are less than fifteen (15) feet in depth and forty-two (42) feet for storage units which are more than fifteen (15) feet in depth.
- (11) The minimum distance from the end of any storage building to the end of any adjacent storage building shall be twenty (20) feet.
- (12) The maximum length of any storage building shall be two hundred (200) feet.
- (13) The maximum size of any storage unit shall be fourteen (14) feet wide, forty (40) feet deep and one (1) story, and no more than twenty (20) feet in height. If storage units are placed back-to-back, the maximum width of the building shall not exceed forty (40) feet.
- (14) Maximum lot coverage by all buildings shall be forty percent (40%).
- (15) Office space shall be provided which shall not exceed five percent (5%) of the total floor area devoted to storage.
- (16) No storage shall take place outside of an enclosed building.
- (17) Storage units shall not be equipped with water or sanitary sewer service.
- (18) No business activity other than rental of storage units shall be conducted on the premises.
- (19) Operations shall be regulated so that nuisances such as visual blight, glare, noise, blowing debris and dust shall not be created.
- (20) Exterior finishes of the storage units shall be compatible with the character of development on adjoining properties.
- (21) The design of the storage buildings shall be sealed by a Pennsylvania registered architect.
- (22) No signs shall be placed on the buildings or on their rooftops.

- (23) One (1) freestanding business identification sign shall be permitted which complies with the requirements of Article VI, Signs, of this Chapter or the zoning district in which the use is located.
- (24) No hazardous materials or substances shall be permitted to be stored in the storage buildings other than those permitted by Chapter 95, Building Construction, and Chapter 122, Fire Prevention. Both the landlord and the tenants of the storage buildings shall be responsible for the prevention of the storage of hazardous materials or substances in the storage building that would be beyond the allowance of Chapter 95, Building Construction, and Chapter 122, Fire Prevention.
- (25) A minimum of one (1) fire hydrant shall be provided on the site subject to the approval of the number and location of hydrants by the Borough Fire Marshal.
- (26) The facility shall comply with all local fire codes.

§ 212-1907. Accessory use regulations.

The following accessory uses are permitted where indicated in § 212-24G, subject to the district requirements and any other applicable requirements of the Borough's ordinances.

A. Home occupation:

- (1) A home occupation includes but shall not be limited to the following uses:
 - a. Teaching of not more than four (4) pupils simultaneously or, in the case of musical instruction, not more than two (2) pupils at a time.
 - b. An art studio.
 - c. Seamstress, handicrafts or other like activity.
 - d. Barbershop and beauty parlor, limited to serving two (2) patrons at a time.
 - e. A greenhouse.
 - f. The office of a realtor, insurance salesman, physician, lawyer, clergyman, teacher or other like profession.
- (2) Home occupation:
 - b. The home occupation shall be carried on wholly indoors and within a dwelling or other structure accessory thereto. If carried on as an accessory structure, the minimum lot area shall be two (2) acres.
 - c. There shall be no use of show windows or display or advertising visible outside the premises to attract customers or clients other than a home occupation announcement sign as permitted in Article VI.
 - d. There shall be no exterior storage of materials.
 - e. No articles shall be sold or offered on the premises for sale except such as shall be produced on the premises.
 - f. Frequent and repetitive servicing by commercial vehicles for supplies and materials shall not be permitted.
 - g. The floor area denoted to a home occupation shall not be more than twenty-five percent (25%) of the ground floor area of the principal residential structure, excluding garage.

- h. In the case of an accessory office, not more than two (2) employees, assistants or associates, in addition to the resident practitioner, shall be employed on the premises.
- i. No external alterations shall be made which involve construction features not customary to dwellings.

B. No-impact home based business

No-impact home based businesses are permitted by right in all residential Zoning Districts as long as the business or commercial activity satisfies 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, except that the name of the business may be indicated on the residence mailbox, as long as the mailbox sign does not exceed one (1) square foot in area.
- (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 a neighborhood.
- (6) The business activity may not generate any solid wastes 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 twenty-five (25%) percent of the gross floor area.
- (8) The business may not involve any illegal activity.

C. Residential accessory buildings, uses and structures.

- (1) An accessory building shall not exceed one thousand (1,000) square feet in the R-1, R-2 Districts and six hundred (600) feet in the R-3 and R-3 district unless granted approval by the Borough Council as a conditional use.
- (2) Residential accessory structure or use, including but not limited to:
 - a. Parking spaces for the parking of passenger automobiles and the parking of commercial vehicles, not exceeding three-fourths (3/4) ton loading capacity, within a completely enclosed building.
 - b. Structures such as fences and walls.
 - c. Buildings such as storage sheds, bathhouses and private greenhouses and farm buildings when relating to a farming activity.
 - d. Facilities for domestic servants or caretakers employed on the premises and for occasional gratuitous guests.
 - e. Recreational facilities such as tennis courts, paddle tennis platforms and swimming pools. (Lighting for such facilities shall be such that glare is prohibited off-site.)
 - f. Satellite receiving dishes.
 - g. Accessory structures are not permitted in required front yards nor on or attached to roofs.
- (3) All such facilities will be situated within required setback lines.

- (4) Maximum height restriction for all residential accessory buildings and structures six hundred (600) square feet or less: fifteen (15) feet and twenty (20) feet for buildings and structures from six hundred one (601) feet to one thousand (1,000) feet.
- D. Commercial accessory building: accessory buildings or structures or uses customarily incidental to the uses permitted in all districts in connection with such uses, except outside storage.
 - (1) Parking shall conform to the requirements of the most closely related use in §§ 212-25 through 212-31.
- E. Commercial outside storage or display.
 - (1) Outside storage or display, other than storage as a primary use of the land, necessary but incidental to the normal operation of a primary use, subject to the following additional provisions:
 - a. No part of the street right-of-way, no sidewalks or other areas intended or designed for pedestrian use and no required parking areas shall be occupied by outside storage or display.
 - b. Outside storage and display areas shall occupy an area of less than one half (1/2) the existing building coverage.
 - c. Outside storage and display areas shall be shielded from view from the public streets and adjacent lots.
 - (2) Uses requiring more substantial amounts of land area for storage or display shall be exempt from the provisions of § 212-31D(1)(b) and (c) above when granted as a conditional use. Such uses shall be subject to the following additional provisions:
 - a. In particular, uses appropriate for consideration under this provision include, but are not limited, nurseries (§ 212-25B), lumberyards (§ 212-29M), automotive sales (§ 212-29P), truck sales (§ 212-29R) and truck terminals (§ 212-30F).
 - b. Among the uses that shall not be considered appropriate for inclusion under this provision are retail stores (§ 212-29A), repair shops (§ 212-29G), gasoline service stations (§ 212-29, Subsection O), vehicle repair and inspection (§ 212-29Q), wholesale business and storage (§ 212-30C), contractors' offices and shops (§ 212-30E) and crafts (§ 212-30G).
 - (3) Parking: none.
- F. Temporary structure: a temporary structure or use. A temporary permit shall be issued for structures or uses necessary during construction or other special circumstances of a nonrecurring nature, subject to the following additional provisions:
 - (1) The time period of the initial permit shall be six (6) months. This permit shall be renewed for two (2) month time periods.
 - (2) Temporary nonconforming structures or uses shall be subject to authorization by the Zoning Officer.
 - (3) Such structure or use shall be removed completely upon expiration of the permit, without cost to the municipality.
 - (4) Parking: none.
- G. A private swimming pool, as regulated herein, shall be any pool, pond, lake, open tank or other container designed, installed or to be used, which is capable of containing water to a depth of one and one half (1½) feet or more, but not including farm ponds. No such

swimming pool shall be allowed in any district except as an accessory use and shall comply with the following conditions and requirements:

- (1) The pool is intended and is to be used solely for the health and enjoyment of the occupants of the principal use of the property on which it is located and their friends and guests.
- (2) The pool shall not be operated nor used for a revenue producing enterprise.
- (3) Since a pool is classified as an accessory use, the pool, including walks, paved areas, fences, bathhouse, pump house and similar structures, shall not be located closer to any other lot line than those distances specified as minimum rear and side yard requirements listed in the use regulation tables for each respective district, as set forth in Article VI.