

ARTICLE 2 ZONING DISTRICTS

§201. Zoning District Map.

The area of Ohiopyle Borough is hereby divided into Zoning Districts as shown on the Official Ohiopyle Borough Zoning District Map, which is hereby adopted by reference and declared to be a part of this Ordinance. Refer to §105 for information about where the Official Map is filed.

§202. Zoning District Map Amendments.

All amendments affecting Zoning District and Sub-District boundaries shall be approved by the Ohiopyle Borough Council and shall be shown on the Official Zoning District Map, including the date of adoption. The Zoning District Map on file in the Ohiopyle Borough Office shall be the final authority as to the current Zoning District boundaries of all land and water areas in the Borough of Ohiopyle. Refer to §105 for filing information.

§203. Zoning Districts and Purposes.

The following three (3) Zoning Districts are established by this Ordinance:

<u>District Name</u>	<u>District Abbreviation</u>
Conservation/Park District	CP
Residential District	R
Tourist Commercial District	TC

§203.1. Conservation/Park (CP) District.

The Conservation/Park (CP) Zoning District is intended to accommodate the conservation of Ohiopyle State Park and Stewart Place on the Green by limiting development to that which is consistent and compatible with natural lands conservation and management, outdoor recreation, and visitor-serving leisure use.

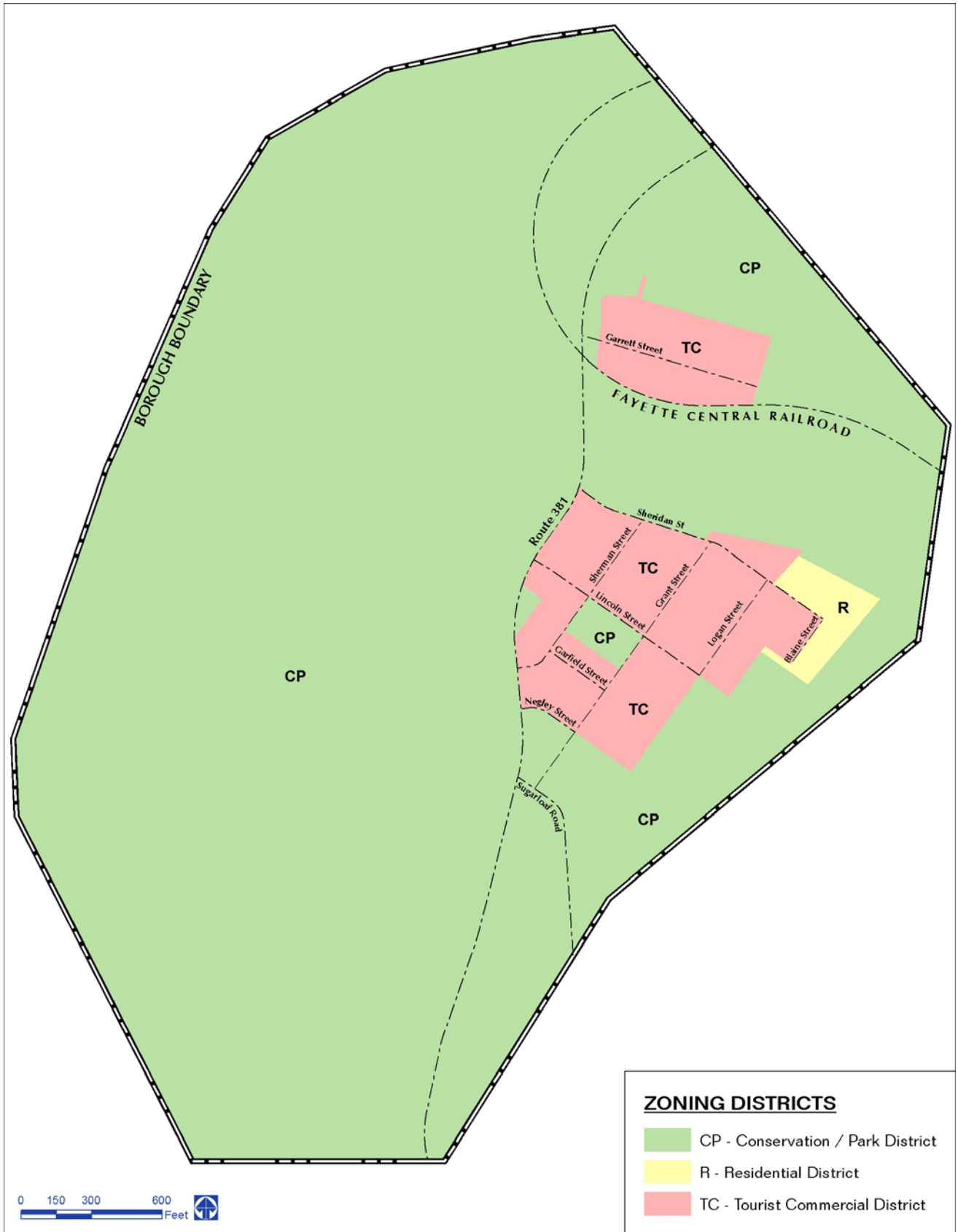
§203.2. Residential (R) District.

The Residential (R) Zoning District is intended to exclusively accommodate single family and/or multiple family residential development served by public sewerage.

§203.3. Tourist Commercial (TC) District.

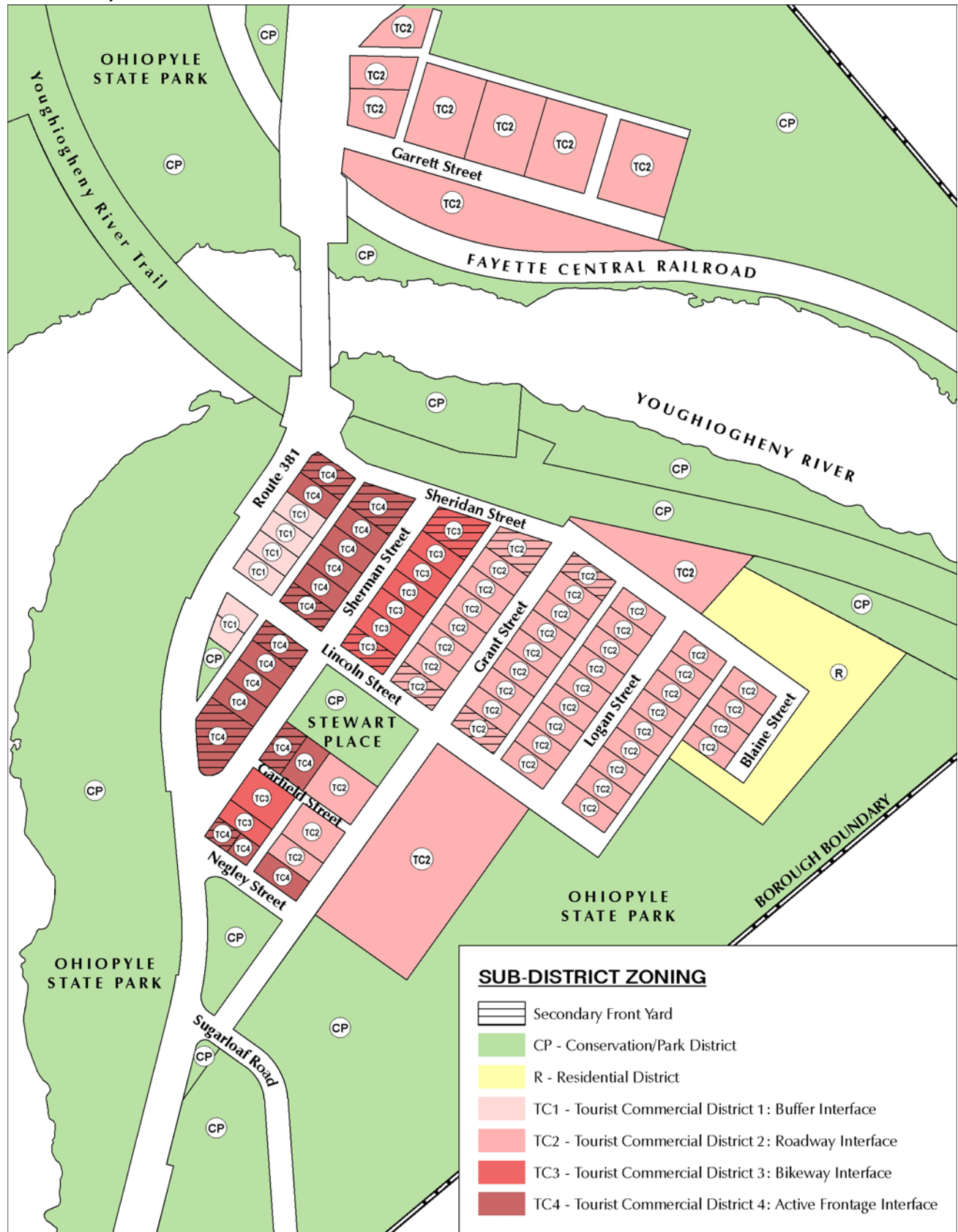
The Tourist Commercial (TC) Zoning District is intended to provide for a complementary mix of uses served by public sewerage, which accommodates the daily needs of Ohiopyle Borough residents and visitors. The objective is to provide for service, retail, lodging, residential, civic, quasi-civic, and industry uses that maintain a small-scale and environmentally-sensitive community character, placed in ways that meet the objectives listed in §106.

EXHIBIT 1, ZONING DISTRICT MAP



This map is based on property lines compiled from Property Survey for Falls Visitor Center by Pederson & Pederson for DCNR, dated 09-25-2008, with no verification from the deeds. This map is not meant to be used as a legal definition of properties or for engineering purposes.

EXHIBIT 2, SUB-DISTRICT ZONING



This map is based on property lines compiled from Property Survey for Falls Visitor Center by Pederson & Pederson for DCNR, dated 09-25-2008, with no verification from the deeds. This map is not meant to be used as a legal definition of properties or for engineering purposes.

CONSERVATION/PARK (CP) ZONING DISTRICT

Table 303-CP: Use Regulations

CONSERVATION/PARK DISTRICT (CP)	
LAND USE TYPE	PERMIT*
Service and Retail	
Farmers' Market	P
Agriculture	P
Lodging	
Campground	P
Group Dwelling	P
Seasonal Dwelling Unit	P
Civic and Quasi-Civic	
Community Center/Place of Assembly	P
Education Center or School	P
Fire or Police Station	P
Government Office or Facility	P
Museum or Library	P
Public Recreation	P
Parking Lots and Garages	P
Public Utility	P
Industry	
Mineral Resource Extraction	CUP

Key:

P Permitted Use
(refer to §804 of this Ordinance)

CUP Conditional Use Permit required
(refer to ARTICLE 7 of this Ordinance)

* **Accessory uses** pertaining to and customarily associated with and subordinate to the uses in Table 303-CP are Permitted (P), provided that they are located on the same *lot* as the *primary use*.

* **Conditional Use Permit Required** for any use in the Conservation/Park (CP) Zoning District other than *Public Recreation* located within 600 feet of a Tourist Commercial (TC) or Residential (R) Zoning District.
(refer to ARTICLE 7 of this Ordinance).

Table 304-CP: Building Placement and Form Requirements

CONSERVATION/PARK DISTRICT (CP)	
Building Setbacks (refer to §303.1 and Exhibit 3)	
Front	20' min
Rear – Principal Building	10' min
Rear – Accessory Building	10' min
Side	10' min
Lot Size (refer to §303.2)	
Lot Width (at the primary street frontage)	100' min
Lot Depth	110' min
Building Height (refer to §303.3)	
Principal Building	40' max
Accessory Building	15' max

RESIDENTIAL (R) ZONING DISTRICT

Table 303-R: Use Regulations

RESIDENTIAL DISTRICT (R)	
LAND USE TYPE	PERMIT*
Service and Retail	
No-Impact Home-Based Business	P
Home-Based Business	CUP
Lodging	
Guest House	P
Residential	
Single Family Dwelling Unit	P
Multiple Family Dwelling Unit (5 attached units or less)	P
Multiple Family Dwelling Unit (6 attached units or more)	CUP

Key:

P Permitted Use
(refer to §804 of this Ordinance)

CUP Conditional Use Permit required
(refer to ARTICLE 7 of this Ordinance)

* **Accessory uses** pertaining to and customarily associated with and subordinate to the uses in Table 303R are Permitted (P), provided that they are located on the same parcel as the *primary use*.

Table 304-R: Building Placement and Form Requirements

RESIDENTIAL DISTRICT (R)	
Building Setbacks (refer to §303.1 and Exhibit 3)	
Front – Principal Building	8' min
Front – Garage (front-facing entry)	18' min
Rear – Principal Building	10' min
Rear – Accessory Building	3' min
Interior Side	5' min
Street Side	10' min
Lot Size and Coverage (refer to §303.2)	
Lot Width (at the primary street frontage)	50' min
Lot Depth	110' min
Maximum Impervious Surface Coverage	60%
Building Height (refer to §303.3)	
Primary Building	35' max
Accessory Building	12' max
Parking and Driveways	
Number of on-lot or dedicated off-lot parking spaces required per dwelling unit	2

TOURIST COMMERCIAL (TC) ZONING DISTRICT

Table 303-TC: Use Regulations

TOURIST COMMERCIAL DISTRICT (TC)	
LAND USE TYPE	PERMIT*
Service and Retail	
Artisan Shop/Gallery	P
Automotive (service/gas stations and motor vehicle sales/repair)	CUP
Bank or ATM	P
Business/Professional Office	P
Café/Restaurant/Tavern	P
Child Care Facility	CUP
Commercial Recreation	P
General Retail	P
Grocery or Farmers' Market	P
Outfitter (including recreation equipment rentals, sales, and guide services)	P
Places of Worship	P
Professional and Personal Services	P
Studios (art, fitness, entertainment)	P
Lodging	
Bed and Breakfast (5 rooms or less)	P
Bed and Breakfast (6 rooms or more)	CUP
Guest House	P
Hotel/Motel	CUP
Residential	
Single Family Dwelling Unit	P
Multiple Family Dwelling Unit (5 attached units or less)	P
Multiple Family Dwelling Unit (6 attached units or more)	CUP
Loft or Upper-Story Dwelling Unit	P
Group Dwelling	CUP
Civic and Quasi-Civic	
Community Center/Place of Assembly	P
Education Center or School	P
Government Office or Facility	P
Fire or Police Station	P
Museum or Library	P
Parking Lots and Garages (as the <i>primary use</i> on a lot)	CUP
Public Utility	P
Public Recreation	P

Key:

P Permitted Use
(refer to §804 of this Ordinance).

CUP Conditional Use Permit required
(refer to ARTICLE 7 of this Ordinance).

*** Conditional Use Permit Required**
(refer to ARTICLE 7 of this Ordinance).

- (1) For any service, retail, industry, manufacturing, or warehouse use operating between 10 pm and 7 am.
- (2) For any use offering alcoholic beverages or sexually explicit material or services for sale.

*** Accessory uses** pertaining to and customarily associated with and subordinate to the uses in Table 303-TC are Permitted (P), provided that they are located on the same *lot* as the *primary use*.

*** Drive-up windows** are not permitted for any land use type.

*** Pedestrian take-out windows** are permitted as ancillary to a café or restaurant.

Industry, Manufacturing, Warehousing	
Light Industrial	P
Heavy Industrial	CUP
Manufacturing	CUP
Warehousing/Storage	CUP

Table 304-TC: Building Placement and Form Requirements

(Refer to Exhibit 2)

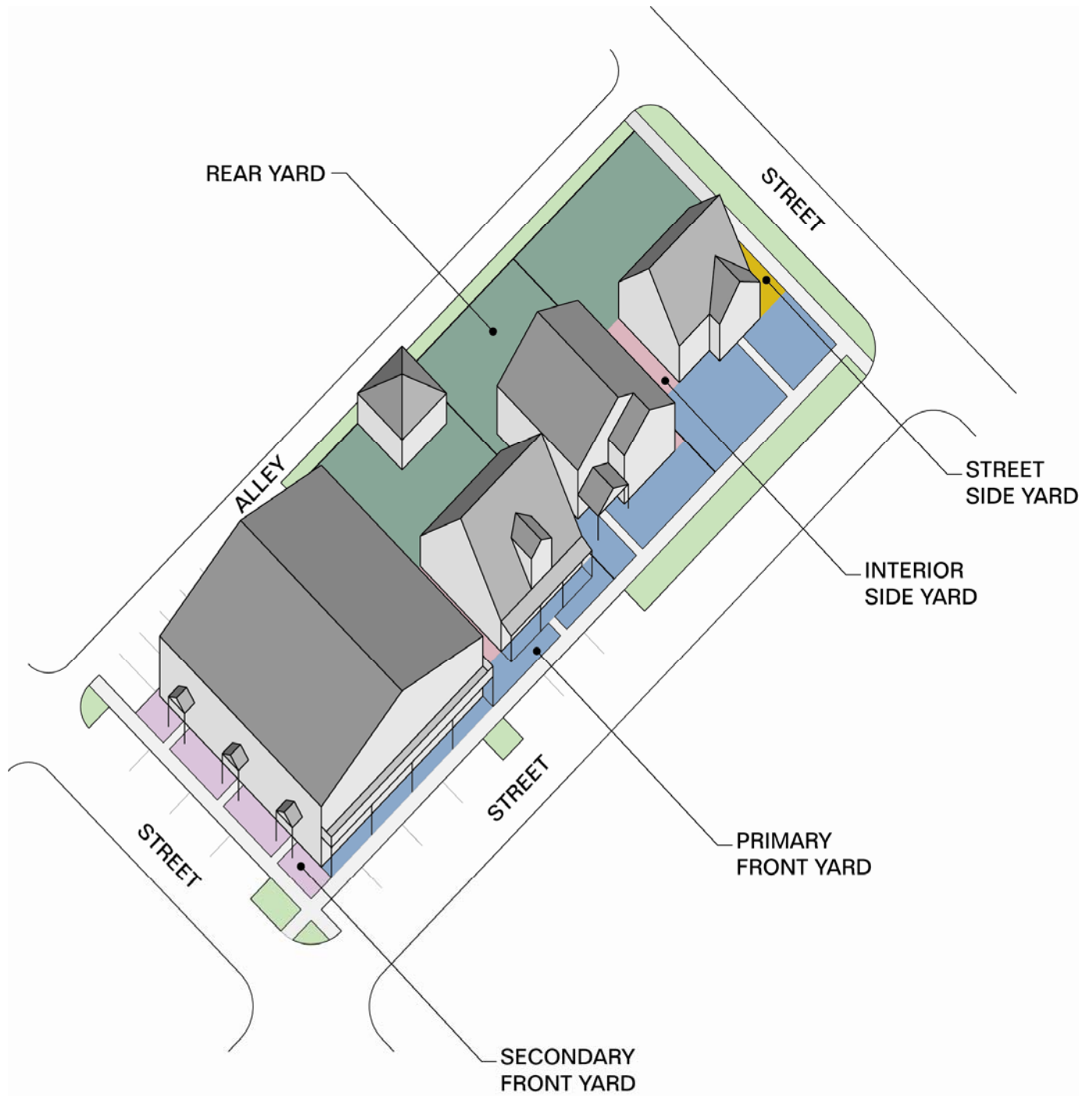
	TC1 BUFFER INTERFACE	TC2 ROADWAY INTERFACE	TC3 BIKEWAY INTERFACE	TC4 ACTIVE FRONTAGE INTERFACE
Building Setbacks (refer to Exhibit 3 and §303.1)				
Primary Front	20' min (facing Rt. 381)	0' min	5' min 30' max	0' min 25' max
Secondary Front	n/a	5' min 25' max	5' min 25' max	5' min 25' max
Rear – Principal Building	5' min	15' min	5' min	5' min
Rear – Accessory Building	0' min	0' min	0' min	0' min
Interior Side	3' min	3' min	0' min	0' min
Street Side	10 min	5' min	5' min	2' min
Building Separation	10' min	10' min	7' min	7' min
Lot Size (refer to §303.2)				
Width (at the primary street frontage)	50' min	50' min	50' min	50' min
Depth	110' min	110' min	110' min	110' min
Building Height (refer to §303.3)				
Principal Building	2 stories	2 stories	2 stories	2 stories
Accessory Building	12' max	12' max	12' max	12' max
Ground Floor Ceiling Height	8' min. clear	8' min. clear	10' min. clear	10' min. clear
Building Footprint (refer to §303.4)				
Building Width	40' max	40' max	65' max	65' max
Building Depth	60' max	60' max	65' max	65' max

Table 303-TC, Con't: Building Placement and Form Requirements

(Refer to Exhibit 2)

	TC1 BUFFER INTERFACE	TC2 ROADWAY INTERFACE	TC3 BIKEWAY INTERFACE	TC4 ACTIVE FRONTAGE INTERFACE
Permitted Frontage Types in the Primary Front Yard (refer to §303.5 and Exhibit 4)				
Grade Separation	X	X		
Common Yard	X	X		
Fence or Living Fence	X	X		X
Covered Porch	X	X	X	X
Stoop		X	X	X
Forecourt			X	X
Storefront		X	X	X
Gallery			X	X
Arcade			X	X
Allowed Frontage Types in the Secondary Front Yard (refer to §303.5 and Exhibit 4)				
Common Yard			X	X
Forecourt			X	X
Storefront		X	X	X
Number of On-Lot or Dedicated Off-Lot Parking Spaces Required				
Residential Dwelling Unit	1	1	1	0
Bed and Breakfast	1+ 0.5 per guestroom	1+ 0.5 per guestroom	1+ 0.5 per guestroom	1+ 0.5 per guestroom
Guest House	2	2	2	2
Hotel/Motel	0.5 per guestroom	1 per guestroom	0.25 per guestroom	0.25 per guestroom
Light Industrial, Heavy Industrial, Manufacturing	1 per 400 interior s.f.	1 per 400 interior s.f.	1 per 400 interior s.f.	1 per 400 interior s.f.
Warehousing	1 per 750 interior s.f.	1 per 750 interior s.f.	1 per 750 interior s.f.	1 per 750 interior s.f.
Driveways				
Driveway cuts permitted at primary front yard	No	Yes	No	No
Driveway cuts permitted at secondary front yard	No	No	No	No
Driveway cuts permitted at street side yard	Yes	Yes	Yes	No
Driveway cuts permitted at rear yard	Yes	Yes	Yes	Yes
Bicycle Parking				
Required for Visitor-Serving Uses	No	Yes	Yes	Yes

EXHIBIT 3, ILLUSTRATION - YARDS



Places shall be exempt from all requirements of §304 through and including §309 by Special Exception pursuant to ARTICLE 8, provided that the Zoning Hearing Board finds that the criteria listed in §807.1 shall be met.

§305. Building Setbacks.

All *buildings* shall be set back from lot lines as indicated on Table 304-CP, Table 304-R, and Table 304-TC.

§305.1. Special Exceptions to Maximum Setback Requirements in the Tourist Commercial (TC) Zoning District.

Maximum *setbacks* indicated in Table 304-TC are permitted to be exceeded by Special Exception pursuant to ARTICLE 8, provided that the Zoning Hearing Board finds that the criteria listed in §807.2 shall be met.

§305.2. Setback of Storage Tanks.

All commercial storage tanks that contain or carry more than 10 gallons of fuel, lubricants, or any other liquid or gas that is potentially hazardous to human health, safety, or welfare, shall be located at least fifteen (15) feet from all property lines and public right-of-ways in all zoning districts.

§306. Lot Size.

All *lots* shall have minimum width and depth requirements as indicated on Table 304-C, Table 304-R, and Table 304-TC. *Lot* width shall be measured at the front lot line. *Lot* depth shall be measured from the center of the front lot line and extend perpendicular from the front lot line to rear lot line.

§307. Building Height.

All *buildings* shall comply with the maximum height requirements as indicated on Table 304-CP, Table 304-R, and Table 304-TC. Height shall be measured as the vertical distance from the finished grade of the ground (where the ground meets the exterior wall of a *building*) to the highest point of the *building*. Chimneys on all *buildings*, as well as church steeples, cupolas, spires, turrets, and other similar architectural elements that are integral to a *building* and rise from the roof of a *non-residential building* are permitted to exceed the maximum *building height* limits by up to 10 additional feet.

§307.1. Special Exceptions for Exceeding Maximum Building Height

Buildings are permitted to exceed the maximum height requirements specified in Table 304-CP, Table 304-R, and Table 304-TC by Special Exception pursuant to ARTICLE 8, provided that the Zoning Hearing Board finds that the criteria listed in §807.4 shall be met.

§308. Building Footprint.

All *buildings* in the Tourist Commercial Zoning District shall not exceed the maximum width and depths indicated on Table 304-TC, as measured perpendicularly at the widest and deepest sections of the *building*.

§308.1. Special Exceptions for Exceeding Maximum Building Widths and Depths in the Tourist Commercial (TC) Zoning District.

Buildings are permitted to exceed the maximum width and depth requirements specified in Table 304-TC, by Special Exception pursuant to ARTICLE 8, provided that the Zoning Hearing Board finds that the criteria listed in §807.3 shall be met.

§309. Frontage Types in the Tourist Commercial (TC) Zoning District.

To achieve the purposes of this Ordinance given in §106, the *building façade* facing the primary front yard and the secondary front yard on parcels in the Tourist Commercial (TC) Zoning District shall address the public right-of-way in particular ways, as indicated by Table 304-TC. Refer to Exhibit 4 for an illustration of permitted Frontage Types in each TC Sub-District.

§310. Unscreened Outdoor Storage.

Unscreened outdoor storage is not permitted in any front yard or secondary front yard in the Tourist Commercial (TC) Zoning District.

§311. Maximum Height of Fences and Walls.

Unless necessary to protect public health and safety, freestanding *fences* and walls shall not exceed a height of four (4) feet in any front yard, six (6) feet in any secondary front yard, and eight (8) feet in any other yards. This height restriction does not apply to *living fences*. No *fences* or walls over three (3) feet in height, including *living fences*, are permitted within ten (10) feet of the point where the intersection of two public roads meet on the corner of a *lot*. This requirement applies to all zoning districts.

§312. Fences, Walls, and Screens with Harmful Components.

Unless necessary to protect public health and safety, *fences*, walls, and other screens that include barbs, thorns, electric wires designed to shock, or that have other harmful components are not permitted in any front yard or secondary front yard, with the exception of ornamental vegetation that has thorns (e.g., rose bushes, etc.). This requirement applies to all zoning districts.

EXHIBIT 4, ILLUSTRATION – FRONTATE TYPES

	SECTION		PLAN	
	PRIVATE LOT: FRONT OR SECONDARY FRONT YARD	PROPERTY LINE	PRIVATE LOT: FRONT OR SECONDARY FRONT YARD	PUBLIC STREET RIGHT-OF-WAY
<p>GRADE SEPARATION 3' Min. elevation change. Stairs or walkway to street. Deep front yard setback. TC1, TC2</p>				
<p>COMMON YARD No definition or physical barrier between the private lot and public street. Deep front yard setback. TC1, TC2</p>				
<p>FENCE OR LIVING FENCE Fence or living fence parallel to the lot line and serving as physical barrier between public and private space. TC1, TC2, TC4</p>				
<p>COVERED PORCH Shallow front yard setback. Covered porch parallel to the public street. TC1, TC2, TC3, TC4</p>				
<p>STOOP Shallow front yard setback. Defined stoop leading to a raised building entry. TC2, TC3, TC4</p>				

EXHIBIT 4 Con't: ILLUSTRATION – FRONTAGE TYPES

FORECOURT

Typical for L or U-shaped buildings. Common courtyard or public gathering area facing the front yard.

TC3, TC4

STOREFRONT

Shallow front yard setback. Awning or other element projecting from the building frontage.

TC2, TC3, TC4

GALLERY

Shallow front yard setback. Covered walkway at building frontage.

TC3, TC4

ARCADE

Shallow front yard setback. Upper-story of the building serves as a covered porch or walkway.

TC3, TC4

