

# **CITY OF McKEESPORT**

## **OFFICIAL ZONING ORDINANCE**

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**December 2016**

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**ARTICLE I  
TITLE AND PURPOSE**

**ARTICLE I – TITLE AND PURPOSE**

**§ 1331-101. Short title.**

This Ordinance shall be known and may be cited as the "City of McKeesport Official Zoning Ordinance."

**§ 1331-102. Statement of purposes.**

- A. The fundamental intent of this Ordinance is to promote the safety, health, morals, convenience and general welfare of the citizens of the City of McKeesport, Pennsylvania; to encourage the most appropriate use of land throughout the City of McKeesport; to conserve and enhance the value of property; to minimize overcrowding of land and buildings; to lessen congestion in the streets; to secure safety from fire, flood, panic and other dangers; to provide adequate open spaces for light and air; to facilitate adequate provision of streets and highways, water, sewerage, drainage and other public facilities; to conserve life, property and natural resources; and to conserve the expenditure of funds earmarked for public improvement.

**§ 1331-103. Community development objectives.**

- A. This Ordinance is to render a legal basis and framework for the future land use and development of the City of McKeesport. The objectives guiding future growth and improvements of existing development within the City of McKeesport are:
1. To ensure health, safety and welfare of City of McKeesport residents through effective planning; and to monitor application of these planning standards through specific review and approval procedures.
  2. To reflect contemporary community standards and perceived needs.
  3. To uphold the intent and objectives of the Joint Comprehensive Plan for the Cities of Duquesne & McKeesport.
  4. To assure that future development and change within the community are controlled through effective and enforceable zoning regulations.
  5. To create a responsive Zoning Ordinance that can accommodate future planning demands through incorporating clear, thorough and flexible review and approval procedures.
  6. To encourage beneficial and compatible land uses.
  7. To promote development of uses suitable to the physical character and constraints of the land.
  8. In general, to avoid the problems of random development inconsistent with the City of McKeesport's goals and objectives of managed growth.
  9. Adopt, administer and enforce policies and procedures that comply with the Fair Housing Act, the Americans with Disabilities Act and other federal and state laws related to fair housing.

**§ 1331-104. Continuance of prior decisions.**

The passage of this Ordinance shall not invalidate any decisions enacted under prior enabling laws. This Ordinance shall, in such respect, be deemed a continuation and codification of such prior enabling laws.



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**§ 1331-105. Interpretation.**

- A. The provisions of this Ordinance shall control wherever they impose greater restrictions than those imposed by any statutes, other laws, ordinances, rules, regulations or permits or by easements, agreements or covenants.
- B. In interpreting and applying the provisions of this Ordinance, the provisions shall be held to be the minimum requirements for the promotion of the community development objectives. This Ordinance is not intended to interfere with other rules, regulations or ordinances of the City of McKeesport except that where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon the height of a building or requires larger open spaces than are imposed by such other rules, regulations or ordinances, the provisions of this Ordinance shall control.
- C. Per Section 603.1 of the Pennsylvania Municipalities Planning Code, as amended, in interpreting the language of zoning ordinances to determine the extent of the restriction upon the use of the property, the language shall be interpreted, where doubt exists as to the intended meaning of the language written and enacted by the governing body, in favor of the property owner and against any implied extension of the restriction.

**§ 1331-106. Compliance required.**

No structure shall be located, erected, constructed, reconstructed, moved, converted or be designed to be used except in full compliance with all provisions of this Ordinance and after the lawful issuance of all permits and certificates required by this Ordinance.

**§ 1331-107. Scope of regulations.**

Except as otherwise provided for in Article X, Non-conforming Uses, Structures and Lots, any building erected hereafter, any uses of land or buildings established hereafter, any structural alteration or relocation of existing building occurring hereafter and any enlargements of or additions to existing uses occurring hereafter shall be subject to all regulations of this Ordinance.

**§ 1331-108. Violation of other laws.**

Regardless of any other provision of this Ordinance, no land shall be used and no structure erected or maintained in violation of any state or federal control or environmental protection law or regulation.

**§ 1331-109. Compliance with all conditions and standards.**

Unless a proposed use can comply with all of the conditions and standards provided in this Ordinance pertaining to any permitted, accessory, conditional or special exception uses, such uses shall not be permitted unless approved by the appropriate reviewing body pursuant to the procedures set forth in this Ordinance.

It is the intent of this ordinance to comply with all federal and state fair housing laws, rules and regulations. To the extent that any section or provision of this Ordinance should be determined to be in violation of any such law, rule or regulation, such section or provision of this Ordinance is hereby repealed to the extent necessary to give this Ordinance full force and effect.

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§ 1331-201. Interpretation.

- A. The particular shall control the general.
- B. Terms in the present tense shall include the future tense.
- C. The singular includes the plural.
- D. The male gender includes the female gender.
- E. The term "shall" or "must" is always mandatory.
- F. The term "may" is permissive.
- G. The term "lot" includes the term "plot" or "parcel."
- H. The term "such as" shall be considered as introducing typical or illustrative designation of items, and shall not be interpreted as constituting a complete list.

§ 1331-202. Definitions.

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Ordinance to have the meanings here indicated. The singular shall include the plural and the plural shall include the singular. The word "used" shall include the words "arranged," "designed" or "intended to be used." The present tense shall include the future tense. The word "may" is permissive. The word "shall" is mandatory.

**ABUTTING** – Having a common border with or being separated from such common border by an alley or easement.

**ACCESS** – A means of approach or entry to or exit from a lot, a site or a parcel.

**ACCESSORY USE OR STRUCTURE** – A use, structure, or part of a structure that is subordinate, detached, and incidental to the main use or structure of the site.

**ACRE** – Forty-three thousand, five-hundred sixty (43,560) square feet.

**ADJACENT** – Within proximity to or sharing a common boundary.

**ADULT BOOK / VIDEO STORE** – A business establishment in which twenty (20) percent or more of the net retail floor area offers for sale, for rent or lease, for loan, or for view upon the premises, of pictures, photographs, drawings, prints, images, sculpture, still film, motion picture film, video tape, or similar visual presentations distinguished or characterized by an emphasis on sexual conduct or sexually explicit nudity, or books, pamphlets, magazines, printed matter or sound recordings containing explicit and detailed descriptions or narrative accounts distinguished or characterized by an emphasis on sexual conduct, or offers sexual devices for sale.

**ADULT ENTERTAINMENT NIGHTCLUB** – Any business establishment, that may or may not dispense food and/or beverages for consumption on the premises, which features live shows for public viewing in which all or some of the performers, both men and women, are displaying nudity or

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are engaging in sexual conduct, sexual excitement or sadomasochistic abuse (e.g., topless dancers, strippers, etc.).

**ALL OTHER NON-RESIDENTIAL USES** – Non-residential uses not defined in this Ordinance.

**ALL OTHER RESIDENTIAL USES** – Residential uses not defined in this Ordinance.

**ALLEY** – A functional service way providing a secondary public means of access to abutting properties.

**AMPHITHEATER** – An outdoor gathering space typically for entertainment, which is often constructed with tiers of seats or sloping surfaces that gradually rise outward from a central open space or stage. An amphitheater may include a bandshell-type building/structure to provide weather protection to a stage.

**AMUSEMENT ARCADE** – Any business establishment where amusement devices are located.

**AMUSEMENT DEVICE** - Any mechanical device, electrical device, electromechanical device, machine or apparatus whatsoever for the playing of games and amusements, which devices or apparatus are commonly known as "pinball machines," "video games" and "jukeboxes," or upon which games are played, or any device on which music is played after the insertion therein of a coin or other disc, slug or token or for which fees are paid to an attendant).

**ANIMAL HOSPITAL** – A business establishment operated by a veterinary medical doctor(s), certified in the Commonwealth of Pennsylvania, for the medical or surgical treatment of domestic, agricultural or zoological animals.

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

**ARCHITECT** – A professional licensed as such in the Commonwealth of Pennsylvania.

**ARRAY** – Any number of electrically connected photovoltaic (PV) modules providing a single electrical output.

**ARTISAN WORKSPACE/SALES** – A business or non-profit establishment, in conjunction with or without a dwelling, designed for the preparation, instruction, display and/or sale of individually crafted work related to artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, literature or performance of fine arts such as but not limited to drawing, vocal or instrumental music.

**ASSISTED LIVING FACILITY** – A residential facility which provides services and supervision for two (2) or more persons not related to the operator who, because of a handicap, disability, mental illness or mental retardation, require supervision and services to meet their needs but do not require the services of a health related facility as defined herein. Assisted living facility shall include without limitation group homes and group care facilities.

**AUTOMOBILE RENTAL** – The rental of automobiles, motorcycles and trucks under twenty-six thousand (26,000) pounds gross vehicle weight (GVW), but not including any heavy equipment or any other vehicle or equipment which is not classified as a "motor vehicle" under the Pennsylvania Motor Vehicle Code.

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**AUTOMOTIVE REPAIR** – A building, or part thereof, used for the servicing and repair of motor vehicles, including engine overhaul, body work and recapping/retreading of tires and where all storage of parts and dismantled vehicles and all repair work are conducted entirely inside a Completely Enclosed Building.

**AUTOMOBILE SALES AND SERVICE** – A business establishment used for the display or sale of automobiles, non-commercial trucks, motorcycles, motor homes, recreational vehicles and/or or boats under twenty-six thousand (26,000) pounds gross vehicle weight (GVW), but not including any heavy equipment or any other vehicle or equipment which is not classified as a "motor vehicle" under the Pennsylvania Motor Vehicle Code. Such use may also include the servicing or repair of vehicles of the brand of vehicles sold at the establishment.

**AUTOMOBILE SALVAGE/JUNKYARD** – A lot used for the storage of any scrap material or junk, including without limitation appliances, fixtures, nonworking automobiles, automobile parts, machines or machinery parts, equipment, containers and building materials.

**BAR/TAVERN** – A business establishment which provides on-site alcoholic beverage sales for drinking on the premises, where food is served only as accessory use, where live entertainment (non-adult facility-oriented) may also be provided, and where minors are not admitted unless accompanied by a parent or guardian.

**BED AND BREAKFAST** – A business establishment that occupies a single-family dwelling and, if applicable, associated accessory structures where limited overnight lodging and breakfast is provided for compensation to guests and where said use may or may not also host accommodations for private events such as weddings, parties, seminars and conferences.

**BEVERAGE DISTRIBUTION** – A use engaged in the distribution of manufactured beverages to the public. Beverages are stored at the establishment in quantities as provided by the manufacturer and are opened and/or consumed off site.

**BIOMEDICAL OPERATION** – A facility which carries on investigation in the natural or physical sciences or in engineering and development as an extension of such investigation with the objective of creating end products and which may include the initial manufacturing of developed product but not include animal research.

**BLOCK** – An area bounded by existing or proposed streets.

**BOARDER** – An individual(s) other than a member of the family occupying the dwelling unit, or part thereof, who, for a consideration, is furnished sleeping accommodations and may be furnished meals or other services as part of the consideration.

**BOARDING HOUSE** – A building arranged or used for overnight lodging by three (3) or more persons, but not exceeding ten (10) persons, with or without meals, for compensation by transient residents arriving upon their own accord. Overnight loading occurs in individual sleeping rooms with no cooking facilities. A boarding house may include common areas and a common kitchen available for use by residents.

**BOAT LAUNCH** – An area or point where boats access the water from land or the land from water.

**BOAT WORKS** – An area where boats are repaired, stored and/or temporarily dry-docked.

**BOOK AND VIDEO STORE (ADULT)** – See ADULT BOOK AND VIDEO STORE.

**BUFFERYARD** – A portion of a site which is planted and maintained in shrubs, bushes, trees, grass, ground cover or other natural landscaping material and within which no structure may be authorized

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except for a fence in compliance with this Ordinance. The bufferyard shall consist of a mix of types and sizes of plant material which meets the standard of providing a compact, year-round visual screen at least six (6) feet in height or an existing natural or a constructed physical barrier which duplicates the effect of the required bufferyard.

**BUILDING COVERAGE** – That percentage of the lot area covered by the buildings. In determining building coverage, cornices, eaves and gutters shall be excluded.

**BUILDING HEIGHT** – The vertical dimension measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deckline of a mansard roof and to the average height between the flat and ridge of a gable, hip or gambrel roof. Roofs over stair towers or equipment may be higher if set back twenty (20) feet or more from the exterior wall line.

**BUILDING-INTEGRATED SYSTEM** – A solar photovoltaic system that is constructed as an integral part of a principal or accessory structure and where the building-integrated system features maintain a uniform profile or surface of vertical walls, window openings, and roofing. Such a system is used in lieu of a separate mechanical device, replacing or substituting for an architectural or structural component of the building or structure that appends or interrupts the uniform surfaces of walls, window openings and roofing. A building-integrated system may occur within vertical facades, replacing view glass, spandrel glass or other facade material; into semitransparent skylight systems; into roofing systems, replacing traditional roofing materials; or other building or structure envelope systems.

**BUILDING LENGTH** – The longest dimension of a building, measured to the outside walls at ground level.

**BUILDING LINE** – A line parallel to and a distance from the lot lines in accordance with the requirements of this Ordinance.

- A. **BUILDING LINE, FRONT** – A line parallel to the front lot line, a distance from the front lot line in accordance with the front yard or setback requirements of this Ordinance.
- B. **BUILDING LINE, REAR** – A line parallel to the rear lot line at a distance from the rear lot line in accordance with the rear yard or setback requirements of this Ordinance.
- C. **BUILDING LINE, SIDE** – A line parallel to the side lot line in accordance with the side yard or setback requirements of this Ordinance.

**BUILDING MATERIALS SALES OR STORAGE YARD** – A business establishment specializing in the sale and/or short- or long-term storage of wholesale and/or retail construction supplies and materials for home improvement.

**BUILDING-MOUNTED SYSTEM** – A solar photovoltaic system attached to any part or type of roof on a building or structure that has an occupancy permit on file with the City of McKeesport and that is either the principal structure or an accessory structure on a recorded lot. This system also includes any solar-based architectural elements.

**BUILDING, MULTI-USE** – A building that incorporates commerce and residential uses within the same structure.

**BUILDING, NON-CONFORMING** – A lawfully existing building or other structure which contains a conforming use, but which does not comply with the applicable lot size requirements, lot coverage

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limitations, off-street parking requirements or other requirements related to the characteristics of the structure or its location on the lot, may be continued so long as it remains otherwise lawful.

**BUILDING, PRINCIPAL** – The building housing the principal use of the lot on which it is located.

**BUILDING, RESIDENTIAL** – A building which is used for the residential occupancy of one (1) or more families or group living arrangements.

**BUILD-TO LINE** – A line running parallel to a street to which the front of buildings are sited and which defines the maximum building setback.

**BULK MATERIALS OR MACHINERY STORAGE** – A place for short-term or long-term storage, collection and/or distribution of heavy equipment, machinery or materials used in construction, farming or industrial operations.

**BUSINESS OR PROFESSIONAL OFFICE** – A business establishment that serves clients and operates on an appointment basis, with relatively low pedestrian or vehicular traffic, including offices of recognized professionals such as lawyers, architects, engineers, real estate brokers, insurance agents and others, including functions and services related to municipal government or local district magistrate.

**CARPOR** – Any structure having a roof supported by columns or walls having one or more open sides for the storage of vehicles.

**CARTWAY** – In the case of an improved road or street, the portion which is paved or improved for travel, excluding shoulders, curbs and drainage swales. In the case of an unimproved road, the entire graded surface.

**CAR WASH** – A structure used for the purposes of cleaning or reconditioning the exterior and/or interior surfaces of automotive vehicles. Not including an incidental one-bay washing facility in an automobile service station, where washing facilities are purely incidental to the operation of said service station. A self-operated facility not requiring attendance or employees, regardless of capacity, is also considered to be a car wash.

**CEMETERY** – A lot used for, or intended to be used for, the burial of human and/or domesticated animal remains, including, but not limited to columbarium, mausoleums, and mortuaries when operated in conjunction with the cemetery and within its boundaries.

**CITY** – The City of McKeesport, Allegheny County, Pennsylvania.

**CITY ADMINISTRATOR** – The duly appointed City official designated to administer the regulations, programs and services of the City of McKeesport.

**CIVIC USE** – A building where activity for the benefit of the general public occurs. This use may include libraries, museums or art galleries. This use may not include Business or Professional Office, Local Public Office, Other Public Administration or Other Public Service or Office.

**CLEAR SIGHT TRIANGLE** – An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of street center lines.

**CLIENT** – Any person who pays for a service who is receiving treatment and/or services in a health care facility or assisted living facility or who regularly attends a day-care facility or nursery

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school/preschool. The facility may be located within a building, which building is not used as a dwelling.

**CLUB/LODGE** – A business establishment operated for social, recreational, educational or fraternal purposes, some serving alcoholic beverages where permitted, but open only to members and their guests.

**COFFEE SHOP** – A restaurant business establishment that offers primarily coffee, tea and other beverages and where light refreshments and limited menu food items that require no food preparation which utilizes an open flame or fryer may also be sold.

**COLLECTION AND RECYCLING FACILITY** – A facility whose primary use is where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled, or handled from the public. Collection facilities may include reverse vending machines and small collection facility.

**COMMERCE** – Pertaining to the nonresidential uses permitted within the Mixed Use District.

**COMMERCIAL BOAT OPERATION** – Water-oriented development, not including regular public transit service requiring a license, which makes available to the public, via admission charge or charter, private boats capable of providing meals, excursions or entertainment with a capacity of twenty (20) or more persons.

**COMMERCIAL NEIGHBORHOOD USES, LIMITED** – Commercial uses of a small-scale, customarily incidental to residential uses and limited to the uses listed in each district.

**COMMON OPEN SPACE** – A parcel or parcels of land or an area of water or a combination of water and land within a land development designed and intended for the use or enjoyment of the residents of the development, not including streets or off-street parking areas and areas set aside for public facilities.

**COMMON OPEN SPACE, USABLE** – Common open space which does not include steep slopes and/or environmentally sensitive areas.

**COMMERCIAL MESSAGE** – Any sign, wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

**COMMUNICATION TOWER** – Any ground-mounted pole, spire, structure, or combination thereof, including supporting lines, cables, wires, braces, or masts, intended primarily for the purpose of mounting a communications antenna or similar apparatus above ground.

**COMMUNITY GARDEN** – A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family.

**CONCRETE OR ASPHALT BATCH PLANT** – A plant for the manufacture of concrete, asphalt, and pre-cast concrete products, including any apparatus and uses incident to such manufacturing and mixing.

**CONDOMINIUM** – A multi-family dwelling where each dwelling unit in the structure is individually owned and the owner of each unit has an undivided interest in the common elements and facilities of the structures and surrounding grounds.

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**CONFECTIONARY** – A facility where baked goods are prepared and baked which may utilize an open flame.

**CONSERVATION** – Controlled, limited development; protection of basic conditions, qualities or attributes based on natural features, physiographic constraints or legal covenants.

**CONSERVATION EASEMENT** – An area designated for public access to a conservation area so that maintenance may occur.

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

**CONTERMINOUS** – Having a common boundary or abutting.

**CONVENIENCE STORE** – A business establishment, not exceeding five thousand (5,000) square feet of selling area that offers convenience goods for sale, such as pre-packaged or pre-prepared food items, tobacco, periodicals, and other household goods and may or may not offer the sale of fuel/energy for vehicles.

**COUNCIL** – The City Council of the City of McKeesport.

**COUNTY** – Allegheny County, Pennsylvania.

**COUNTY PLANNING AGENCY** – Allegheny County Economic Development (ACED) as assigned by the Allegheny County Council.

**COURTYARD** – An area enclosed in part by buildings or walls and where such area is open on at least one side to an adjacent thoroughfare right-of-way.

**COVERAGE OCCUPIED BY STRUCTURE** – See LOT COVERAGE.

**CREMATORIUM** – A location containing properly installed, certified apparatus intended for use in the act of cremation.

**CUL-DE-SAC** – A dead-end street terminating in a vehicular turnaround.

**CUSTODIAL CARE FACILITY** – A facility providing custodial care and/or treatment in a supervised, protective environment for persons residing or attending by court placement or supervision. This includes facilities for people on probation or parole who are leaving a correctional facility, or people who are placed in such a facility as a form of alternate sentencing.

**DAY-CARE CENTER**

- A. **DAY-CARE CENTER, ADULT** – A facility licensed by the Commonwealth of Pennsylvania, located within a building, which building is not used as a dwelling, for the care, during part of a twenty-four (24) hour day, of adults who are handicapped, elderly or otherwise require such supervision and care.
- B. **DAY-CARE CENTER, CHILD** – A facility licensed by the Commonwealth of Pennsylvania and located within a building which is not used as a dwelling and which is used for the care, during part of a twenty-four (24) hour day, of children under the age of sixteen (16), which may be accessory to a business or professional office.

**DAY-CARE HOME**



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- A. **DAY-CARE HOME, CHILD** – A facility, licensed or approved by the Commonwealth of Pennsylvania, as required by the laws of the Commonwealth of Pennsylvania, located within a dwelling, for care on a regular basis during part of a twenty-four (24) hour day of not more than six (6) children under sixteen (16) years of age, including care provided to children who are relatives of the provider, where such use shall be secondary to the use of the dwelling for living purposes.
- B. **DAY-CARE HOME, GROUP** – A facility licensed and approved, as applicable, by the Commonwealth of Pennsylvania, County of Allegheny, and/or City of McKeesport, providing care for more than six (6) but less than twelve (12) minors. The child care area may also be used as the family residential area. Care can be rendered during a part of the day, but care cannot be rendered in the fashion so that minors spend the night at the facility. This definition excludes care provided by relatives of the minor and the care furnished in places of worship during religious services.

**DECK** – A structure which may or may not be enclosed and which projects out from the main wall of a building or structure and does not have a roof.

**DEDICATION** – The transfer of property interests from private to public ownership for a public purpose. The transfer may be of a fee simple interest or of a less than fee interest, including an easement.

**DENSITY, SITE** – A calculation of the number of dwelling units permitted on a site. See also **FLOOR AREA RATIO**.

**DEVELOPER** – Any landowner, agent of such landowner or tenant with the permission of such landowner who makes or causes to be made an application for development.

**DEVELOPMENT** – The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any buildings; any use or change in use of any buildings or land; or extension of any use of land, for which permission may be required pursuant to this Ordinance.

**DISABLED** – "Handicapped" as defined according to the Fair Housing Act Amendments of 1988, 42 U.S.C. § 3602(h), and any amendments thereto.

**DISTRICT** – An area of parcels in the City of McKeesport in which regulations under this Ordinance uniformly apply. The boundaries of each district are shown on the City of McKeesport Official Zoning Map.

**DOGGIE DAY CARE** – A facility providing such services as canine day care for all or part of a day, obedience classes, training, grooming or behavioral counseling, provided that overnight boarding is not permitted.

**DOMESTIC PETS** – Animals normally found in a dwelling and kept for company or pleasure, including but not limited to dogs, cats, hamsters, parakeets or canaries, but not a sufficient number to constitute a kennel.

**DRILLING** – The digging or boring of a well for the purpose of exploring for, developing or producing oil and/or gas or other hydrocarbons.

**DRIP LINE** – The outermost edge of a roof including eaves, overhangs and gutters.

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**DRIVE-IN SERVICES** – A business establishments that offer in-car service or take-out service, including but not limited to financial institutions, food stores, pharmacies and restaurants.

**DRIVE-THRU** – An accessory use or structure that provides an access drive connecting to and from the public right-of-way for motor vehicles so as to serve patrons while in their motor vehicle(s).

**DRIVEWAY** – A private area used exclusively for circulation and ingress and egress to a street by the owner or owners or visitors of the lot.

**DRY- CLEANING PLANT** – A facility for the cleaning of clothing and fabric with chemical solvents rather than water.

**DWELLING** – Any building or portion of a building designed and used as a residence and having separate living, cooking and sanitary facilities.

- A. **SINGLE-FAMILY ATTACHED** – A dwelling unit, located on its own lot, which shares one (1) or more common or abutting walls with one (1) or more dwelling units. Any common or abutting wall must be shared for at least fifty (50) percent of the length of the side of the dwelling. An attached house does not share common floor/ceilings with other dwelling units.
- B. **MULTI-FAMILY APARTMENT** – A suite of rooms or a single room in a building containing three (3) or more dwelling units, each with its own cooking, food storage, bathing and toilet facilities and with access directly or by a common hallway to the outside. This use may include a Condominium.
- C. **SINGLE-FAMILY DETACHED** – A dwelling unit designed and intended to be occupied by one (1) family that is not attached to another dwelling unit.
- D. **TOWNHOUSE** – A building which contains at least three (3) but no more than eight (8) dwelling units, each of which are separated from the adjoining unit or units by a continuous, common wall extending from the basement to the roof, each unit having independent access directly to the outside and having no other units above or below.

**EASEMENT** – Authorization by a lot owner of the use by another and for a specified purpose of any designated part of his lot.

**ELECTRONIC NOTICE** – Notice given by the City of McKeesport through the Internet of the time and place of a public hearing and the particular nature of the matter to be considered at the hearing.

### EMERGENCY SERVICES

- A. **EMERGENCY SERVICES, PRIVATE** – A building, structure and/or lot used for the maintenance, fueling, storage, dispatching or parking of vehicles and/or equipment utilized to provide private rescue or ambulatory services, fire and/or police services.
- B. **EMERGENCY SERVICES, PUBLIC** – Any service to citizens for injury or life-threatening events, including but not limited to ambulance, paramedic or fire and rescue services provided by a public agency.

**ENGINEER** – A professional licensed as such in the Commonwealth of Pennsylvania.

**ENVIRONMENTALLY SENSITIVE AREA** – An area with one (1) or more of the following: wetlands, streams, mature woodlands, identified floodplain area, slopes in excess of twenty-five (25) percent and/or historic, archeological or cultural features.

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**ESSENTIAL SERVICES** – The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of underground or overhead gas, electrical, steam or water transmission, disposal or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, street signs, off-street parking spaces and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health, safety or general welfare, but not including buildings.

**EXTERMINATOR** – Retail business that specializes in the extermination of vermin and insects.

**EXTRACTION OF MINERALS** – Any use consisting of the mining and extraction of coal or other minerals.

**FACADE** – The exterior walls of a building that can be seen by the public.

**FAMILY** – An individual, or two (2) or more persons related by blood, marriage, or adoption or foster child care, including domestic servants or gratuitous guests thereof; or a group of not more than three (3) unrelated persons living together without supervision in a dwelling unit or not more than five (5) persons living together in a group living arrangements with supervision, provided that the group living arrangements meets all of the following criteria:

- A. It provides non-routine support services, including supervision, personal care, social or counseling services and transportation, to persons who need such assistance in order to use and enjoy a dwelling or to avoid being placed within an institution, because of a physical disability, old age, mental disability, or other handicap or disability as defined by the Fair Housing Act and the Americans with Disabilities Act;
- B. It provides for the joint occupancy of a dwelling unit where the residents maintain a common household and practice, on a permanent or long term basis, a joint economic, social and cultural life;
- C. Does not involve the housing of persons on a non-permanent basis;
- D. Does not involve the housing or treatment of persons accepted for residence in the group living arrangement on the basis of their status as criminal offenders, juvenile offenders or delinquents, or who would otherwise qualify for residence by virtue of having been found by any governmental tribunal, court agency to be a danger to society or are on release or under the jurisdiction of the criminal justice system, a government bureau of correction or similar institution;
- E. Family shall not include persons living together in a Custodial Care Facility, Boarding House, Personal Care Home, or Nursing Home/Assisted Living Facility as defined herein or any other supervised group living arrangement for persons not protected by the Fair Housing Act or the Americans with Disabilities Act or any persons who constitute a direct threat to others or their physical lot.

**FARM** – A parcel of land owned or leased by a single entity that is devoted to agriculture, pasturage or stock or poultry raising; this does not include sales of agricultural equipment or chemicals, commercial feedlots or nurseries. A farm may include a single family dwelling and/or additional structures related to agricultural, pasturage or stock activities.

**FEMA** – The Federal Emergency Management Agency.

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**FENCE** – A fabricated barrier used to enclose an area of land.

**FINANCIAL INSTITUTION** – A business establishment where the principal business is the receipt, disbursement, or exchange of funds and currencies such as banks, savings, loans, credit unions or check cashing establishments. Establishment may or may not offer a drive thru window.

**FIS** – Flood Insurance Study with accompanying Flood Insurance Rate Map prepared for the City of McKeesport by the Federal Emergency Management Agency, dated July 5, 2000 or September 21, 2001, or the most recent revision thereof.

**FLAG** – Any fabric, banner or bunting containing distinctive colors, patterns or symbols used as a symbol of a government political subdivision, religious, education or corporate organization provided that such flags are displayed for noncommercial purposes.

**FLOOD** – A temporary inundation of normally dry land areas.

**FLOOD, ONE-HUNDRED-YEAR** – A flood that, on average, is likely to occur once every one hundred (100) years; i.e., that has a one (1) percent chance of occurring each year in any given one hundred (100) year period, although the flood may occur in any year.

**FLOOD-FRINGE** – The remaining portion of the one hundred (100) year floodplain in those areas identified as an AE Zone on the FEMA maps FIS or FEMA FIRM map.

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

**FLOODPLAIN AREA, IDENTIFIED** – The floodplain area specifically identified in this Ordinance as being inundated by the one hundred (100) year flood, including the floodway, flood-fringe and general floodplain area.

**FLOODWAY** – Actual stream or drainage channel subject to periodic inundation by water and identified as an AE Zone in the FEMA FIS or FEMA FIRM map.

**FLOOR AREA** – The calculated gross square footage of all potentially habitable space and garage area, unless otherwise noted by this Ordinance.

**FLOOR AREA OF BUILDING** – The sum of the gross horizontal area of the several floors of the principal building(s) as measured between exterior faces of walls.

**FLOOR AREA RATIO** – The ratio of a building's total floor area (Gross Floor Area) to the size of the piece of land upon which it is built.

**FOOTCANDLE** – A unit used to measure the amount of light falling on a surface at a point on a surface which is one foot from, and perpendicular to, a source of illumination that produces one (1) uniform candela.

**FORESTRY** – The management of forests and timber lands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

**FRONTAGE** – The portion of a lot between the facade and the lot line that fronts the thoroughfare or a civic open space or the privately held portion between the facade of a building and the lot line.

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**FUEL/ENERGY RECHARGE STATION** – A business establishment that offers the sale of fuel / energy recharge for vehicles with or without convenience goods for sale, such as pre-packaged or limited prepared food items, tobacco, periodicals, and other household goods.

**FURNITURE REFINISHING PLANT** – A refinishing plant where furniture is reconditioned.

**GARAGE** – A building or structure part thereof, used or intended to be used for the parking and storage of motor vehicles.

- A. **GARAGE, PRIVATE** – An accessory use which is attached to or an integral part of a residential building or dwelling unit or an accessory structure used for the storage of motor vehicles and other personal property owned and used by the residents of the residential building or dwelling unit and in which no occupation, business or service for profit is carried on. A private garage may be used for the storage of not more than one (1) commercial vehicle owned or used by the owner or tenant of the residential building or dwelling unit and for the storage of not more than three (3) private noncommercial vehicles owned or used by persons other than owner or tenant of the residential building or dwelling unit.
- B. **GARAGE, PUBLIC** – Any building used for temporary parking of motor vehicles for an established fee or reservation and where said garage is not associated with other automotive retail uses.

**GARDEN CENTER** – A business establishment which conducts the retail of plants grown off-site, as well as accessory items (but not power equipment such as gas or electric lawnmowers and farm implements) directly related to their care and maintenance. The accessory items normally sold are clay pots, potting soil, fertilizers, insecticides, hanging baskets, rakes and shovels.

**GAS** – Any fluid, either combustible or noncombustible, which is produced in a natural state from the earth and which maintains a gaseous or rarefied state at standard temperature and pressure conditions and or the gaseous components or vapors occurring in or derived from petroleum or natural gas.

**GAS AND/OR OIL PRODUCTION** – The drilling and/or extraction of gas or oil.

**GAS WELL** – Any well drilled, to be drilled, or used for the intended or actual production of gas.

**GLAZED AREA** – Glass or translucent architectural materials that permit light to penetrate the interior spaces of a building.

**GOLF, MINIATURE** – A theme-oriented recreational facility, typically comprised of nine (9) or eighteen (18) putting greens, each with a "cup" or "hole", where patrons in groups of one (1) to four (4) typically pay a fee to move in consecutive order from the first hole to the last.

**GREENHOUSE** – A facility whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for subsequent sale or enjoyment.

**GROSS FLOOR AREA** – The sum of the gross horizontal areas of all of the floors of a building and its accessory structures on the same lot, excluding cellar and basement floor areas but including the area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

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**GROUND-MOUNTED SYSTEM** – A solar photovoltaic system mounted on a structure, pole or series of poles constructed specifically to support the photovoltaic system and not attached to any other structure.

**HEALTH/FITNESS RELATED ESTABLISHMENT** – A business establishment having a source of income or compensation derived from offering a service to the public involving health, healing or fitness-related activities and providing or offering to provide physiological or psychological healing or therapy. This includes but is not limited to a health club, massage establishment and public spa or public hot tub. This term shall not include any business or establishment operated for the practice of a profession which is licensed by the Commonwealth of Pennsylvania, such as physicians, dentists, nurses, podiatrists, chiropractors, physical therapists and similar occupations. Massage facilities shall constitute no more than five (5) percent of the floor area of the building.

**HEALTH CARE FACILITY** – A facility, whether public or private, principally engaged in providing services for health maintenance, diagnosis or treatment of human diseases, pain, injury, or physical condition that include diagnostic treatment center, rehabilitation center, extended care center, nursing home, intermediate care facility, life care facility, outpatient laboratory, or central services facility serving one (1) or more such institutions. Establishment includes tuberculosis facilities, psychiatric facilities, rehabilitation facilities, skilled nursing facilities, kidney disease treatment centers, intermediate care facilities and ambulatory surgical facilities and may be both for profit and nonprofit, and including those operated by an agency of the state or local government, but shall not include an office used exclusively for their private or group practice by physicians, psychologists or dentists; nor a program which renders treatment solely on the basis of prayer or spiritual means in accordance with the tenets of any church or religious denomination; nor a facility conducted by a religious organization for the purpose of providing health care services exclusively to clergymen or other persons in a religious profession who are members of the religious denominations conducting the facility.

**HEIGHT OF BUILDING** – See BUILDING HEIGHT.

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

- A. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- B. The business shall employ no employees other than members residing in the dwelling.
- C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- D. There shall be no outside appearance of a business use, including, but not limited to parking, signs or lights.
- E. No on-site parking of commercially identified vehicles shall be permitted.
- F. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors, or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

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- G. The business activity may not generate any solid waste or sewage discharge, in volumes or type, which is not normally associated with residential use in the neighborhood.
- H. The business activity shall be conducted only within the dwelling and may not occupy more than twenty-five (25) percent of the habitable floor area.
- I. The business may not involve any illegal activity.

**HOME-BASED BUSINESS, LOW IMPACT** – A business enterprise carried on entirely within a building whose principal use is a single family dwelling whose impacts exceed those of a no-impact home-based business. The business or commercial activity must satisfy the requirements of the identified provisions of this Ordinance.

**HOSPITAL** – A facility or facilities used for the short-term care of patients suffering from physical or mental illnesses, but not including narcotics addiction or those found to be criminally insane, and which may or may not be publicly or privately operated.

**HOTEL** – A business establishment inclusive of a building or portion thereof designed or used for transient rental for sleeping purposes. All room access is through interior hallways or courtyards. No cooking facilities, other than a microwave or toaster oven, may be permitted in any sleeping room. Accessory shops, restaurants, swimming pool, fitness center, spa, services and conference centers catering to the general public can be provided where conference rooms and banquet halls are also be available for rent. Supervision is provided in shifts twenty-four (24) hours a day by an on-site manager.

**HVAC** – Heating, Ventilating, and Air Conditioning.

**IMPERVIOUS SURFACE** – Any material that prevents, impedes, or slows infiltration or absorption of stormwater directly into the ground at the rate of absorption of vegetation-bearing soils, including building, asphalt, concrete, gravel and other surfaces.

**IMPERVIOUS SURFACE COVERAGE** – The portion of the lot area covered by impervious surfaces; impervious surface coverage shall be measured as a percentage of the total lot area.

**IMPERVIOUS PAVING** – Pavement designed or intended to prevent percolation or infiltration of stormwater through the surface into the soil below where the water is naturally filtered and pollutants are removed.

**INCINERATOR** – An enclosed building or structure that utilizes equipment to control the combustion and thermal degradation of solid waste material and that is subject as such to the regulations of the Pennsylvania Department of Environmental Protection.

**INTERCONNECTION** – The technical and practical link between the solar generator and the grid providing electricity to the greater community.

**KENNEL** – A facility where four (4) or more dogs or cats or any combination of dogs and cats totaling four (4) animals which are six (6) months or older are kept, bred, trained or boarded at any one time, whether for profit or not.

**KILOWATT (KW)** – A unit of electrical power equal to one thousand (1,000) Watts, which constitutes the basic unit of electrical demand. A watt is a metric measurement of power (not energy) and is the rate (not the duration) at which electricity is used. One thousand (1,000) kW is equal to one (1) megawatt (MW).

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### LAND DEVELOPMENT

- A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
  - 1. A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively or a single nonresidential building on a lot or lots regardless of the number of the number of occupants or tenure; or
  - 2. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- B. A subdivision of land.
- C. Development in accordance with Section 503(1.1) of the Pennsylvania's Municipalities Planning Code and the City of McKeesport Subdivision and Land Development Ordinance.

**LANDOWNER** – The legal or beneficial owner or owners of a lot, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee (if he is authorized under the lease to exercise the rights of the landowner) or other persons having a proprietary interest in the lot.

**LANDSCAPE ARCHITECT** – A professional registered as such in the Commonwealth of Pennsylvania.

**LAUNCHING RAMP** – A constructed or altered segment of the riverbank or shore used for the purpose of enabling a recreational boat to be placed into the water from a trailer or other apparatus used to transport or store the boat.

**LAUNDRY AND DRY-CLEANING ESTABLISHMENT** – A business establishment for receiving, pickup and pressing of garments where no cleaning or drying operations are conducted.

**LIBRARY** – A non-profit establishment for the use, but not sale, of literary, musical, artistic, or reference materials.

**LOCAL DISTRICT MAGISTRATE** – A civil officer or judge of District Court 05-2-13 who administers the law, especially one who conducts a court that deals with minor offenses and holds preliminary hearings for more serious ones.

**LOT** – A designated parcel, tract or area of land established by a plat or otherwise as permitted by law, not including any part of a public right-of-way, and to be used, developed or built upon as a unit. A site or parcel may include more than one lot, but a lot cannot include more than one site.

- A. **LOT AREA** – The total area of a lot measured on a horizontal plane bounded by the front, side and rear lot lines of the lot.
- B. **LOT, BUILDABLE AREA OF** – That lot area in which the principal structure may be located and which is bounded by the front, rear and side building lines of the lot.
- C. **LOT, CORNER** – A lot situated at and abutting the intersection of two (2) or more streets. A corner lot has neither a rear yard nor a rear lot line (see also Figure A: Yard Distinctions).



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- D. **LOT COVERAGE** – The percentage of the total area of a lot or lots occupied by buildings/structures but not including any permanently uncovered paved areas, porches, patios or steps.
- E. **LOT DEPTH** – The mean horizontal distance between the front lot line and the rear lot line measured within the lot boundaries.
- F. **LOT, INTERIOR** – A lot other than a corner lot with only one (1) frontage on a street.
- G. **LOT LINE** – A line that bounds a lot.
- H. **LOT LINE, FRONT** – A lot line which extends along a private or public street.
- I. **LOT LINE, REAR** – At lot line which is most distant from and is most nearly parallel to the front lot line, except for corner lots and three-sided lots, which have no rear lot line.
- J. **LOT LINE, SIDE** – A lot line which is not a front lot line or rear lot line.
- K. **LOT, THROUGH** – A double frontage lot, the front lot line and rear lot lines of which abut streets, alleys or ways.
- L. **LOT WIDTH** – The distance between the side lot lines measured along the front building line of the lot.

**LOT, NON-CONFORMING** – A lot consisting entirely of a tract of land that:

- A. Has less than the prescribed minimum lot size, width, depth, or any combination thereof, for the district in which it is located.
- B. Is shown by a recorded plat or deed to have been owned separately and individually from adjoining tracts of land at a time when the creation of a lot such size, width, depth, or any combination thereof, at such location would not have been prohibited by any Zoning Ordinance.
- C. Has remained in separate and individual ownership from adjoining tracts of land continuously during the entire time that the creation of such lot has been prohibited by the applicable Zoning Ordinance.

**MAILED NOTICE** – Notice given by a municipality by first class mail of the time and place of a public hearing and the particular nature of the matter to be considered at the hearing.

**MANUFACTURING** – The process of making wares by hand, by machinery or by other agency, often with the provision of labor and the use of machinery.

- A. **MANUFACTURING, HEAVY** – The mechanical or chemical transformation of raw materials or substances into new products or other raw materials, including the assembling of component parts, the manufacturing of products and the blending of materials into finished or semi-finished products not otherwise defined as light manufacturing.
- B. **MANUFACTURING, LIGHT** – The processing and fabrication of certain materials and products where no process involved will produce noises, vibration, water pollution, fire hazard or noxious emissions which will disturb or endanger neighboring properties. Light manufacturing includes, but is not limited to, the production of the following goods: home appliances, electrical instruments, office machines, precision instruments, electronic devices,

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timepieces, jewelry, optical goods, musical instruments, novelties, wood products, printed material, lithographic plates, type composition, machine tools, dies and gauges, ceramics, apparel, lightweight non-ferrous metal castings, film processing, light sheet metal products, plastic goods, pharmaceutical goods, food products, not including animal slaughtering, curing or rendering of fats, and similar activities.

**MARINA** – A business establishment for secure mooring of recreational boats, including facilities for storage and repair of boats and sale of boating supplies and fuel, for use by the owner or resident of the lot, and those other than the owner or resident of the lot, upon which the facility is located. A marina may include a restaurant and/or boat and motor sales store.

**MAUSOLEUM** – A building containing above ground tombs for burial of human and/or domesticated animal remains.

**MECHANICAL EQUIPMENT** – Machines or systems utilized to supply water, heating, ventilation and air conditioning to a building or structure.

**MECHANICAL REPAIR**

- A. **MECHANICAL REPAIR, LARGE** – A business establishment designed or used for the maintenance of large mechanical items such as tractors, washers, dryers, etc.
- B. **MECHANICAL REPAIR, SMALL** – A business establishment designed or used for the maintenance of small mechanical items such as hedge trimmers, musical instruments, etc.

**MEDICAL OR DENTAL CLINIC** – A facility where two (2) or more licensed medical professionals provide diagnostic services, medical, dental, surgical and/or psychiatric services and/or treatment diagnosis and treatment to the general public without overnight accommodation and may include uses such as reception areas, waiting areas, consultation rooms, x-ray and minor operating rooms and a dispensary, providing that all such uses shall have access only from the interior of the building or structure, and provided further that any facility for methadone treatment or other narcotic treatment programs approved by the Pennsylvania Department of Health shall be considered a medical clinic use.

**MICROBREWERY** – A business establishment where beer, ale, etc. are brewed, typically in conjunction with a bar, tavern or restaurant use. The maximum brewing capacity shall not exceed Twenty thousand (20,000) gallons per year.

**MINI-WAREHOUSE** – A facility or facilities in a controlled access and fenced compound that contains various sizes of individual, compartmentalized and controlled access stalls and/or lockers leased to the general public for a specified period of time for the dead storage of personal property. No sales, service or repair activities other than the rental of dead storage units are permitted on the premises.

**MIXED USE RESIDENTIAL/NON-RESIDENTIAL** – A lot or building on or in which various land uses are combined as an integrated development. A "single site" may include contiguous but unconsolidated lots.

**MODULE** – A module is the smallest protected assembly of interconnected PV cells.

**MOTOR HOME, TRAVEL TRAILER OR CAMPER** – Any vehicle used or originally constructed so as to permit its being used as a vehicle upon the public streets or highways, and constructed in such a manner as will permit occupancy thereof as a shelter or sleeping place.

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**MOBILE HOME** – A transportable, single-family dwelling intended for permanent occupancy, contained in one or more parts and designed to be joined into one integral dwelling unit capable of again being separated for repeated towing, which arrives at a lot complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation.

**MOBILE HOME LOT** – A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home.

**MOBILE HOME PARK** – A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

**MORTUARY/FUNERAL HOME** – A business establishment licensed by the Commonwealth of Pennsylvania that contains a suitable storage room for the deceased and may include embalming facilities and rooms for the display of burial ceremonies of the deceased, but excludes crematories.

**MOTEL** – A business establishment inclusive of a building or group of buildings, whether detached or in connected units, used as individual sleeping units with separate exterior entrances, open year-round and designed for temporary occupancy, primarily for transient automobile travelers. Structures shall provide for accessory off-street parking areas. Supervision is provided in shifts by twenty-four (24) hour on-site management.

**MPC** – The Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S., 10101 et seq., as amended.

**MULTI-FAMILY** – A building and lot are occupied by more than one family.

**MULTIPLE-ESTABLISHMENT CENTER** – A group of uses consisting of three (3) or more nonretail establishments forming a cohesive group of uses in a single building having direct access to the outdoors or in a group of two (2) or more buildings arranged and constructed on a lot or conditional use according to a plan and sometimes having common parking.

**MUNICIPAL GOVERNMENT** – Any government agency, administration or elected official of the City of McKeesport.

**MUNICIPAL PUBLIC OFFICE** – A building or facility, or portion of a building or facility, owned and operated by a governmental agency of the City of McKeesport or an elected official of the City of McKeesport, where administrative activities are conducted or governmental services are provided to the general public. Such uses shall include the City of McKeesport City Hall and offices of the City of McKeesport elected officials. Such uses shall not include Other Public Administration, Other Public Service or Office or Public Use.

**NET METERING AGREEMENT** – An agreement with a local electric utility that allows customers to receive a credit for surplus electricity generated by certain renewable energy systems.

**NET SITE AREA** – The land area of the site less any portions of the site located in environmentally sensitive areas, open space and those areas consisting of streets and utilities.

**NEWS AND MAGAZINE STORE** – A business establishment devoted primarily to selling newspapers, magazines, books and other printed materials.

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**NIGHTCLUB** – A business establishment which may or may not dispense food and/or beverages for consumption on the premises and where a dance floor or entertainment (excluding adult entertainment) is provided.

**NURSERY** – A business establishment which conducts the retail and/or wholesale of plants grown on the site, as well as accessory items (but not power equipment such as gas or electric lawnmowers and farm implements) directly related to their care and maintenance. Accessory items normally could include items such as pots, potting soil, fertilizers, insecticides, hanging baskets, rakes, shovels, and the like.

**NURSERY SCHOOL/PRESCHOOL** – A facility licensed by the Commonwealth of Pennsylvania designed to provide daytime care and educational instruction for compensation of children not related to the operator. If the facility is located within a dwelling, it must meet all other requirements for a home-based business, low impact, shall be secondary to the use of the dwelling for living purposes and shall serve no more than six (6) preschool age children.

**NURSING HOME** – A facility or facilities used for the care of persons or a place of rest for those persons suffering disorders requiring full-time nursing care, but not including facilities for major surgery or institutions for the care and treatment of narcotics addiction.

**OCCUPANCY** – The physical possession upon, on or within any lot or structure for a use.

**OCCUPANCY PERMIT** – The written authorization issued by the City of McKeesport's Zoning Officer for use of land or buildings.

**OIL or PETROLEUM** – Hydrocarbons in liquid form at standard temperature of 60° F. and pressure 14.7 pounds per square inch absolute (PSIA) and commonly used for heating related or transportation-related fuel.

**OIL WELL** – Any well drilled, to be drilled, or used for the intended or actual production of oil.

**OPERATOR** – The individual(s), organization(s) or entity which is responsible for the operation of a health care facility, assisted living facility, day-care facility and/or nursery school/preschool and which also provides the services and supervision required by its clients or oversees their provision.

**OTHER PUBLIC ADMINISTRATION** – A building or facility operated by an elected official representing the City of McKeesport, where administrative activities are conducted. Such uses shall include offices of the Pennsylvania Representative for Pennsylvania House District 35 and offices of the Pennsylvania Senator representing Pennsylvania Senate District 45. Such uses shall not include any Other Public Service/Office or library, community center, museum, school or recreational facility as defined by the City of McKeesport Official Zoning Ordinance.

**OTHER PUBLIC SERVICE OR OFFICE** – A building or facility operated by a governmental agency or non-profit organization where administrative activities are conducted or social or educational services are provided to the general public. Such uses shall include, but are not limited to, offices of Pennsylvania State agencies, offices of Allegheny County agencies, excluding a school or recreational facility as defined by the City of McKeesport Official Zoning Ordinance. Such uses shall not include any Local Public Office or Other Public Administration as defined by the City of McKeesport Official Zoning Ordinance. This use shall include Day-Care Center, Adult.

**OWNER** – The person or persons having the right of legal title to, beneficial interest in or a contractual right to purchase a lot or parcel.

**PARCEL** – Any designated piece or tract of land located in the City of McKeesport established by a plat or otherwise as permitted by law.

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**PARK**

- A. **PARK, PRIVATE** – An area maintained in its natural state as a private property for recreation.
- B. **PARK, PUBLIC** – An area maintained in its natural state as a public property for recreation.

**PARKING AREA** – A public or private garage or a paved, open off-street area other than a driveway or street with adequate means of access and used exclusively for the parking of vehicles of occupants or visitors of the lot; however, a driveway serving a single-family dwelling or which is for the exclusive use of an individual dwelling unit in a residential building may be used as parking area.

**PARKING LOT, COMMERCIAL** – An area not within a building where motor vehicles may be stored for the purposes of temporary, daily or overnight off-street parking by the public.

**PARKING SPACE** – An off-street space available for the parking of a motor vehicle.

**PARTY WALL** – A vertical divider or partition between adjoining structures owned in common or in severalty or by one owner alone and providing mutual rights of support for the respective adjacent buildings or structures.

**PEDESTRIAN-ORIENTED** – Development which is designed with a primary emphasis on the street sidewalk and on pedestrian access to the site and building, rather than on vehicle access and parking areas.

**PERFORMANCE SECURITY** – A financial guaranty to insure that all improvements, facilities or work requested by this Ordinance will be completed in compliance with the Ordinance and the approved plans and specifications of a development, including but not limited to a performance bond, line of credit or escrow account in the amount of one hundred ten (110) percent of the cost of the facilities or improvements.

**PERFORMANCE STANDARD** – A criterion established to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, glare, heat or solid waste generated by or inherent in uses of land or buildings.

**PERSONAL CARE HOME** – A facility in which food, shelter, and personal assistance or supervision are provided for a period exceeding twenty-four (24) hours, for four (4) or more adults who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility, but who do require assistance or supervision in activities of daily living or instrumental activities of daily living.

**PERSONAL SERVICES** – A business establishment conducted for gain which primarily offers services to the general public such as shoe repair, valet service, watch repairing, barbershop, beauty parlors and related activities.

**PERVIOUS PAVING OR PERVIOUS PAVEMENT** – Pavement designed to allow percolation or infiltration of stormwater through the surface into the soil below where the water is naturally filtered and pollutants are removed.

**PHARMACY** – A retail store which primarily sells prescription drugs, patent medicines and surgical and sickroom supplies.

**PHOTOVOLTAIC (PV)** – A semiconductor based device that converts light directly into electricity.

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**PHOTOVOLTAIC CELL** – The smallest basic solar electric device which generates electricity when exposed to light.

**PLACE OF ASSEMBLY** – A facility that is designed for the assembly or collection of persons, for civic, political, educational, or social purposes, and where recreation, amusement, or dining may occur as accessory activities. A place of assembly does not include a private club.

**PLACE OF WORSHIP** – A facility where people regularly observe, practice, or participate in religious or spiritual services, meeting and/or activities.

**PLAN** – A survey of a lot upon which is shown the location of existing and/or proposed structures; existing contours and proposed grading; location and dimensions of yards; proposals for the disposition of sanitary waste and stormwater; indications of zoning compliance; name of Applicant and landowner; area location map; dates of preparation and revisions; and evidence of preparation by a registered architect, landscape architect or engineer.

**PLANNING COMMISSION** – The Planning Commission of the City of McKeesport, Allegheny County, Pennsylvania.

**PLAT** – The map or plan of a subdivision or land development, whether preliminary or final.

A. **PLAT, FINAL** – The final map of the land development or subdivision that is submitted for community approval and which, if approved, is filed with the County Recorder of Deeds.

B. **PLAT, PRELIMINARY** – A preliminary map of the proposed land development or subdivision that is submitted for City of McKeesport consideration.

**PORCH** – A covered entrance to a building or structure which may or may not be enclosed and which projects out from the main wall of such building or structure and has a separate roof or an integral roof with the principal building or structure to which it is attached.

**PRIVATE** – Belonging to or concerning an individual person, company or interest independent from federal, state or local government agency.

**PROFESSIONAL CONSULTANTS** – Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners.

**PUBLIC** – Owned, operated or controlled by a government agency, federal, state or local.

**PUBLIC HEARING** – A formal meeting held pursuant to public notice by City Council or the City Planning Commission, intended to inform and obtain public comment prior to taking action in accordance with this Ordinance, or as otherwise defined by the Pennsylvania Municipalities Code, Act 247, as amended.

**PUBLIC IMPROVEMENTS** – All streets, walkways, gutters, curbs, sewers, water lines and other utilities or related facilities to be dedicated to or maintained by the public.

**PUBLIC MEETING** – A forum held pursuant to notice under 65 Pa. C.S. CH. 7 (relating to open meetings) or as otherwise defined by the Pennsylvania Municipalities Code, Act 247, as amended.

**PUBLIC NOTICE** – A notice published once each week for two (2) successive weeks in a newspaper of general circulation in the City of McKeesport. Such notice shall state the time and place of the public hearing and the particular nature of the matter to be considered at the public hearing. The first

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publication shall be not more than thirty (30) days or less than seven (7) days from the date of the public hearing, or as otherwise defined by the Pennsylvania Municipalities Code, Act 247, as amended.

**RAILROAD** – A public or private right-of-way on which tracks are used to convey trains and related passenger and freight cars.

**RECREATION OPEN SPACE** – That area of land suitable for the development of specific active recreation facilities or leisure time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites or fields, including but not limited to baseball fields, soccer fields, football fields, tennis, basketball and other court games, hockey facilities, multipurpose fields and community swimming pools and attendant facilities.

**RECREATIONAL FACILITIES**

- A. **RECREATIONAL FACILITIES, PRIVATE** – A facility, owned by a private-sector entity(ies), generally intended for use by all ages that provides recreation or entertainment including, but not limited to swimming pools, dance halls, bowling alleys, billiard and pool halls, video and other coin-operated game parlors, miniature golf courses, indoor rifle range and indoor archery range.
- B. **RECREATIONAL FACILITIES, PUBLIC** – A facility such as swimming pools, skating rinks, recreational centers and other recreational areas and facilities (excluding golf courses) owned and/or operated by the City of McKeesport or other public-sector entity.

**REGULATORY FLOOD ELEVATION** – The one hundred (100) year-flood elevation, plus a freeboard safety factor of one and one half (1½) feet.

**RESEARCH AND DEVELOPMENT** – A facility or facilities, including incubator facilities, but not medical laboratories, used primarily for applied and developmental research, where product testing may be an integral part of the operation and goods or products may be manufactured solely when necessary for testing, evaluation, and test marketing. This usage excludes the use of toxic, biological, corrosive, flammable, carcinogenic, or explosive materials, chemicals, liquids, gases, or solids.

**RESIDENTIAL BUILDING** – Any building which is used for residential occupancy by one (1) or more families.

**RESTAURANT**

- A. **RESTAURANT, DRIVE-THROUGH** – A business establishment that delivers prepared food and/or beverages to customers in motor vehicles regardless of whether or not it also serves prepared food and/or beverages to customers who are not in motor vehicles for consumption either on or off the premises.
- B. **RESTAURANT, FAST-FOOD** – A business establishment that offers quick food service for consumption on or off the premises which is accomplished through a limited menu of items already prepared and held for service or prepared, fired or grilled quickly or heated in a device such as a microwave oven. Orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers.

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- C. **RESTAURANT, STANDARD** – A business establishment whose principal business is the sale of food and/or beverages to customers in a ready-to-consume state and whose principal method of operation includes one or both of the following characteristics: customers, normally provided with an individual menu, are served their foods and beverages by a restaurant employee at the same table or counter at which food and beverages are consumed; or a cafeteria-type operation where food and beverages generally are consumed within the restaurant building.

**RETAIL** – Any business establishment not otherwise specifically defined in this Article that sells or rents commodities and/or services on the premises directly to the general public, available for immediate purchase and removal, but not including the manufacturing or processing of any products.

- A. **RETAIL, LARGE** – A retail store with a gross floor area equal to or more than five thousand (5,000) square feet. This use may include grocery stores and wholesaling but shall not include manufacturing or processing.
- B. **RETAIL, SMALL** – A retail store with a gross floor area less than five thousand (5,000) square feet. This use may not include wholesaling, manufacturing or processing of goods.

**RIGHT-OF-WAY** – That portion of land dedicated to public use for street or utility purposes.

**SATELLITE EARTH STATION** – An on-ground terminal linked to a satellite by an antenna and associated electronic equipment for the purpose of transmitting or receiving messages, tracking, or control.

**SCHOOL, K-12** – A facility of instruction operated by a public, private, non-profit or religious organization, having regular sessions, with regularly employed instructors and meeting all of the requirements of the Pennsylvania Department of Education for providing primary and/or secondary, education. This definition shall not include privately operated, for-profit trade, vocation, avocation or business schools.

**SCHOOL, POST-SECONDARY** – A facility of instruction operated by a public, private, non-profit or religious organization, having regular sessions, with regularly employed instructors and meeting all of the requirements of the Pennsylvania Department of Education for providing post-secondary, undergraduate and/or graduate collegiate education. This definition shall include privately operated, for-profit trade, vocation, avocation or business schools or specialized instructional establishments that provides on-site training of business, commercial, medical and/or trade skills such as accounting, data processing, computer repair, vocational trades and/or equipment usage.

**SCREEN WALL** – A vertical masonry or vegetated plane designed to buffer a person's view between activities.

**SEMI-PUBLIC USES** – Places of worship, places of assembly, schools, and other similar institutions of an educational, religious, charitable or philanthropic nature:

**SETBACK LINE** – A line on a lot, generally parallel to a lot line, located a sufficient distance therefrom to provide the minimum yards required by this Ordinance. The setback line limits the area in which buildings, structures, boats and trailers are permitted subject to all applicable provisions of this Ordinance.

**SHOPPING CENTER** – A group of business establishments that are planned, owned, and managed as a total entity with customer and employee parking provided on-site. The two (2) main configurations of shopping centers are malls and strip centers.



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- A. **SHOPPING CENTER, COMMUNITY** – A shopping center having from one hundred fifty thousand (150,000) to five hundred thousand (500,000) square feet of gross floor area.
- B. **SHOPPING CENTER, NEIGHBORHOOD** – A shopping center having less than one hundred fifty thousand (150,000) square feet of gross floor area.

**SIGN** – A device, fixture, placard or structure that uses color, form, graphic, illumination, symbol or writing to provide identification, direct attention or to communicate information of any kind to the public regarding a person, entity, organization, business or idea.

- A. **AWNING SIGN** – Any sign that is mounted, painted, or otherwise applied on or attached to an awning structure and which may include separate graphic areas on each of the awning structure's faces.
- B. **BANNER SIGN** – Any sign intended to be hung, either with or without frames, possessing characters, letters, illustrations or ornamentations applied to paper, plastic or fabric of any kind. National flags, flags of political subdivisions and symbolic flags of any institution or business shall not be considered banners for the purpose of this Article.
- C. **BILLBOARD SIGN** – An off-premises sign that advertises an establishment, activity, person, product, use or service that is unrelated to or unavailable on the premises where the off-premises sign is located.
- D. **CANOPY SIGN** – Any rigid structure, made of cloth, metal or other materials with the frame attached to a building and generally supported by the ground, extending over areas intended for pedestrian traffic, and the structure is primarily for purposes of shelter rather than advertising.
- E. **FREESTANDING SIGN** – Any sign supported permanently upon the ground, by varied means, and not attached to any building or structure, whose purpose is not to support such sign. Freestanding signs shall include:
  - 1. Ground signs.
  - 2. Monument signs.
  - 3. Pole signs.
  - 4. Pylon signs.
- D. **MARQUEE** – Any permanent roof-like structure extending from the wall of a building, but not supported by the ground, constructed of durable material such as metal or glass, extending over areas intended for pedestrian and/or vehicular traffic, and the structure is primarily for purposes of shelter rather than advertising.
- E. **PROJECTING SIGN** – Any sign supported by a building wall and attached along one (1) edge or by a bracket perpendicular to the wall surface, projecting more than six (6) inches. The sign may not extend more than six (6) feet from the building wall.
- F. **TEMPORARY SIGN** – Any sign that is:

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1. Used in connection with a circumstance, situation or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign; or
  2. Intended to remain on the location where it is erected or placed for a period of not more than thirty (30) days.
  3. If a sign display area is permanent, but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.
- G. **WALL SIGN** – Any sign supported by a building wall and attached flat against the wall surface, projecting no more than six (6) inches.
- H. **WINDOW GRAPHIC SIGN** – A sign which is permanently painted or applied to the interior side of a window in a building establishment.

**SIGHT DISTANCE** – The maximum distance of unobstructed vision, in a horizontal or vertical plane, along a street from a vehicle located at any given point on the street which shall take into account visibility over a crest vertical curve and the extent of headlight illumination across a sag vertical curve.

**SINGLE-FAMILY** – A building and lot occupied by one (1) family.

**SITE** – A parcel of land located in the City of McKeesport, established by a plat or otherwise as permitted by law, which is the subject of an application for development. A site may include more than one (1) lot.

**SITE AREA** – The total area of the lot or lots comprising a site.

**SOLAR-BASED ARCHITECTURAL ELEMENT** – Structural/architectural element that provides protection from weather that includes awnings, canopies, porches or sunshades and that is constructed with the primary covering consisting of solar PV modules, and may or may not include additional solar PV related equipment.

**SOLAR PHOTOVOLTAIC (PV) RELATED EQUIPMENT** – Items including a solar photovoltaic cell, panel or array, lines, mounting brackets, framing and foundations used for or intended to be used for collection of solar energy.

**SOLAR PHOTOVOLTAIC (PV) SYSTEM** – A solar collection system consisting of one (1) or more building- and/or ground-mounted systems, solar photovoltaic cells, panels or arrays and solar related equipment that rely upon solar radiation as an energy source for collection, inversion, storage and distribution of solar energy for electricity generation. A solar PV system is a generation system with a nameplate capacity of not greater than fifty (50) kilowatts if installed at a residential service or not larger than three thousand (3,000) kilowatts at other customer service locations and do not produce excess on-site energy greater than currently permitted by Pennsylvania Public Utility Commission guidelines.

**STATION, BUS PASSENGER** – A location where regularly scheduled transit service stops to load and unload passengers.

**STOOP** – An uncovered approach less than twenty-five (25) square feet in area or, if a covered approach, no posts are included in supporting such cover.

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**STREET** – A street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways, whether public or private, used or intended to be used by vehicular traffic or pedestrians.

- A. **ARTERIAL** – A public two (2), three (3), and four (4) lane roadways with signalized access which provide inter-municipal traffic of substantial volumes where the average trip lengths are usually five (5) miles or greater. Arterial roadways usually have intermediate permissible speeds that function as an intra-community link and also serve as a feeder to other arterial streets. This classification serves primarily through traffic and provides access to abutting properties as a secondary function, having signal spacing of two (2) miles or less and turn movements at intersections that usually do not exceed twenty (20) percent of total traffic.
- B. **COLLECTOR** – A street which connects local access streets to arterial roadways. They may serve as traffic corridors connecting residential areas with industrial, shopping and other service. They may also penetrate residential areas and typically have signalized or controlled intersections.
- C. **LOCAL ROAD** – A public street that provides direct access to abutting, individual land parcels and where travel distances are generally short. Classification discourages through traffic.
- D. **ALLEY** – A public thoroughfare not intended for general traffic circulation which may afford a secondary means for lot access.
- E. **LANE** – A public thoroughfare, located internal to a lot, which serves as a means of circulation between structures, parking areas and/or access to garages/service aisles.
- F. **OTHER** – A street which does not fall into any of the other street categories listed.

**STRUCTURAL ALTERATION** – Any change in the supporting or structural members of a building or structure, such as the bearing walls, partitions, columns, beams of the roof or exterior walls

**STRUCTURE** – Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

- A. **STRUCTURE, ACCESSORY** – A detached, subordinate structure, the use of which is clearly incidental to the principal structure or use of the lot.
- B. **STRUCTURE, NONCONFORMING** – A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in the City of McKeesport Official Zoning Ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include but are not limited to nonconforming signs.
- C. **STRUCTURE, PRINCIPAL** – The main structure or structures on a lot in which the principal use or uses are conducted.
- D. **STRUCTURE, STORAGE** – An accessory structure for the storage of goods directly related to the principal use(s) of the lot, including but not limited to greenhouses and storage sheds for garden equipment and household goods used by the residents of a dwelling.

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**SUBDIVISION** – The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, That the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

**SURVEY** – A precise legal description of a lot and the graphic delineation of precise lot boundaries; lot dimensions and areas; all easements and public and private rights-of-way; and North point and graphic scale affecting the lot, prepared by a professional land surveyor licensed and registered in the Commonwealth of Pennsylvania. The survey shall be on sheets of twenty-four (24) inches by thirty-six (36) inches.

**TAVERN** – A business establishment which provides on-site alcoholic beverage sales for drinking on the premises, where food is served only as accessory use, where live entertainment (not including adult entertainment) may also be provided, and where minors are not admitted unless accompanied by a parent or guardian.

**TELECOMMUNICATIONS TOWER** – A structure, including any guy wires, principally intended to support facilities for receipt or transmission of broadcast for commercial or public VHF and UHF television, FM radio, two-way radio, common carriers, cellular telephone, fixed point microwave, low power television or AM radio, including accessory equipment related to telecommunications. Telecommunications tower does not include antennae and supportive structures for private, noncommercial and amateur purposes, including but not limited to ham radios and citizen band radios.

**THEATER, INDOOR** – A business establishment, other than an adult movie theater or adult movie house, inside a completely enclosed building devoted to showing pictures and/or live dramatic or musical performances on a paid admission basis. A theater usually contains an auditorium in addition to other performance-related facilities. This term shall not refer to a place of assembly.

**TIME AND TEMPERATURE** – The time and temperature portion of a sign shall mean the display of the time and temperature only; no other picture, word, symbol or display of any type shall be permitted.

**TRACKING SYSTEM** – A number of photovoltaic modules mounted such that they track the movement of the sun across the sky to maximize energy production, either with a single-axis or dual-axis mechanism.

**TRADE SHOP** – A business establishment offering building maintenance and repair services, including but not limited to carpentry, painting, remodeling, roofing, plumbing, heating or insulating.

**TRANSIT ORIENTED DEVELOPMENT** – A mixed-use residential and commercial area designed to maximize access to public transport; and often incorporates features to encourage transit ridership.

**TRUCK TERMINAL** – A parcel used for a centralized storage of trucks or where trucks are congregated at a warehouse or other loading facility to load and unload products.

**UNREGULATED YARD AREA** – Area not within a building and not in a defined setback or yard area.

**URBAN STREET** – A type of collector street serving to accommodate intraneighborhood traffic.

**USE** – An activity, business or purpose for which any lot or structure is utilized.

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- A. **USE, ACCESSORY** – A use customarily incidental and subordinate to the principal use of the lot.
- B. **USE, AUTHORIZED** – Any principal use or accessory use allowed by this Ordinance as a permitted use by right, conditional use or use by special exception.
- C. **USE, CONDITIONAL** – A use permitted in a particular zoning district pursuant to the provisions in Article IV of this Ordinance.
- D. **USE BY SPECIAL EXCEPTION** – A use permitted in a particular zoning district pursuant to the provisions in Article V of this Ordinance.
- E. **USE, NONCONFORMING** – A use, whether of land or of structure, which does not comply with the applicable use provisions in this Ordinance or an amendment hereafter enacted, where such use was lawfully in existence prior to the enactment of this Ordinance or amendment.
- F. **USE PERMITTED BY RIGHT** – An authorized use which, upon an application for development, may be granted by the Zoning Officer in accordance with the provisions of this Ordinance. May also be referred to as "Permitted Use by Right."
- G. **USE, PRINCIPAL** – The main purpose or activity for which a lot is used or for which a structure or part of a structure or lot is used.

**VARIANCE** – relief granted pursuant to the provisions of Articles VI and IX of the Pennsylvania Municipalities Planning Code.

**VIEW CORRIDOR** – A sight line without interruption toward an intended object or object of interest.

**WAREHOUSE** – A facility used for the storage and handling of goods, materials, freight, or merchandise awaiting sale on another lot or location, but not including the maintenance or fueling of commercial vehicles. Warehousing which is incidental to retail sales and which does not constitute in excess of thirty (30) percent of the total floor area of the retail establishment shall be excluded from this definition. Incidental sales may occur on the lot.

**WATERCOURSE** – A channel, creek, ditch, drain, dry run, spring or stream.

**WATER-ENHANCED FACILITY OR USE** – Recreation, entertainment or restaurant facilities or uses which achieve greater value or beauty as a result of a location on or near a river.

**WATER-ORIENTED FACILITY OR USE** – A facility or use which, by its nature, is required to be on or adjacent to a river; without such adjacency the use could not exist.

**WIND ENERGY CONVERSION SYSTEM (WECS)** – A device which converts wind energy to mechanical or electrical energy.

**WIND ROTOR** – The blades, plus hub to which the blades are attached, that are used to capture wind for purpose of energy conversion. The wind rotor is used generally on a pole or tower and along with other generating and electrical storage equipment forms a wind energy conversion system.

**YARD** – A required open space unoccupied and unobstructed by any principal structure or portion of a principal structure; however, accessory structures, parking areas and driveways are permitted in yards in accordance with the requirements of this Ordinance.

- A. **FRONT YARD** – A yard extending across the full lot width and abutting the front lot line. The required minimum depth measurement of the front yard shall be the horizontal distance

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between the front lot line and a line parallel thereto at a distance from the front lot line in accordance with the yard requirements set forth in each district in this Ordinance.

- B. **REAR YARD** – A yard extending between the side yards of the lot and abutting the rear lot line. The required minimum depth measurement of the rear yard shall be the horizontal distance between the rear lot line and a line parallel thereto at a distance from the rear lot line in accordance with the yard requirements set forth for each district in this Ordinance.
- C. **SIDE YARD** – A yard abutting a side lot line, extending between the rear line of the front yard and the rear lot line. The required minimum width measurement of the side yard shall be the horizontal distance between the side lot line and a line parallel thereto at a distance from the side lot line in accordance with the yard requirements set forth for each district in this Ordinance.

**ZONING APPROVAL** – Approval under the provisions of this Ordinance certifying that an application for development or application for occupancy permit has fulfilled the requirements of this Ordinance.

**ZONING HEARING BOARD** – A board appointed by the City Council to examine appeals for relief from strict conformance to application of this Ordinance, to consider special exceptions and to hear testimony regarding the validity of any regulations upon development in the City of McKeesport and to perform those other functions which this Ordinance directs it to perform.

**ZONING MAP, OFFICIAL** – The City of McKeesport Official Zoning Map indicates the boundaries of the various zoning districts and other relevant information thereon and shall be a part of this Ordinance by reference.

**ZONING OFFICER** – The administrative officer appointed by City Council who shall administer and enforce the provisions of this Ordinance in accordance with its literal terms. The Zoning Officer shall have all the powers and be subject to all the provisions set forth in the Pennsylvania Municipalities Planning Code with respect to Zoning Officers.

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**ARTICLE III  
ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP**

**ARTICLE III – ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP**

**§ 1331-301. Authorization of City of McKeesport Official Zoning Map.**

- A. The boundaries of zoning districts shall be as shown on the Zoning Map and made a part of this Ordinance, which Zoning Map shall be known as the "City of McKeesport Official Zoning Map." Said Zoning Map and all notations, references and data shown thereon are hereby incorporated by reference into this Ordinance and shall be as much a part of this Ordinance as if all were fully described herein.
- B. The City of McKeesport Official Zoning Map shall be identified by the signature of President of City of McKeesport Council, hereby referred to as the City Council, and attested by the City of McKeesport Administrator, hereby referred to as the City Administrator, and bear the seal of the City of McKeesport.
- C. The City Administrator shall be custodian of said map and shall have the City of McKeesport Engineer, hereby referred to as the City Engineer, enter changes to district boundaries or other matter shown on the map when, and only when, such changes have been properly adopted by the City Council according to law. Such changes, including rezoning, subdivision of land and taking over of roads, shall be identified on said map with an entry stating the number of the authorizing ordinance, the date of said ordinance, the date when such change is actually entered upon the map and a brief description of the change. Said entry shall be attested by the President of Council and the City Administrator. No amendment to this Ordinance which involves matter portrayed on the City of McKeesport Official Zoning Map shall become official until after such change and entry have been made on said map. If the zoning of any property as indicated on the official map is found not to conform to the zoning stated in the ordinance that last rezoned the property, the zoning stated in the ordinance controls and the Official Map shall be promptly revised to conform.
- D. Regardless of the existence of purported copies of the Zoning Map which may be made or published, the City of McKeesport Official Zoning Map, which shall be located in the City of McKeesport Building, shall be the final authority as to the current zoning status of land and water areas, buildings and other structures in the City of McKeesport.
- E. In the event that the City of McKeesport Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature of number of changes and additions, City Council may by resolution adopt a new City of McKeesport Official Zoning Map which shall supersede the prior Zoning Map. The new City of McKeesport Official Zoning Map may correct drafting or other errors or omissions in the prior Zoning Map, but no such change shall have the effect of amending the original Zoning Map retroactively. Unless the prior Zoning Map has been lost or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.
- F. See also Article XIX: City of McKeesport Official Zoning Map.

**§ 1331-302. Establishment of zoning districts.**

For the purpose of this Ordinance, the City of McKeesport is hereby divided into zoning districts as shown on the Official Zoning District Map included as part of this Ordinance. Twelve (12) specific land use classifications and zoning districts are:

- A. R-1 Residential District.
- B. R-2 Residential District.



**ARTICLE III** **City of McKeesport Zoning Ordinance**  
**ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP**

- C. R-3 Residential District.
- D. R-4 Residential District.
- E. R-5 Residential District.
- F. C-1 Commercial District.
- G. C-2 Commercial District.
- H. C-3 Commercial District.
- I. C-4 Commercial District.
- J. C-5 Health and Services District.
- K. I-G General Industrial District.
- L. I-U Urban Industrial District.

**§ 1331-303. District purposes.**

- A. R-1 Residential District. This District is intended to provide suitable locations primarily for large lot, single-family homes and their associated accessory uses.
- B. R-2 Residential District. This District is intended to provide suitable locations primarily on moderately-sized lots for single-family homes and their associated accessory uses.
- C. R-3 Residential District. This District includes primarily single and two-family detached dwellings built on smaller lots. Multi-family dwellings are also permitted on sites which provide for adequate off-street parking, yards, and other site amenities.
- D. R-4 Residential District. This District include many of the City of McKeesport's older, high density neighborhoods which offer a wide variety of single and multi-family dwellings. Personal care homes and other specialized housing types are also accommodated in this district subject to certain criteria.
- E. R-5 Residential District. This District is intended to provide appropriate areas immediately adjacent to the central business district for higher-density, multiple-family residential uses along with certain larger institutional facilities.
- F. C-1 Commercial District. This District provides for small convenience commercial areas within residential neighborhoods.
- G. C-2 Commercial District. This District encompasses the City of McKeesport's central commercial core and provides for a pedestrian-oriented node with a wide variety of retail and service commercial uses along with business, professional and medical offices, and other related business uses.
- H. C-3 Commercial District. This District provides suitable locations for a variety or trail and service-commercial businesses as able to accommodate light industrial activities which complies with this Ordinance's performance standards.

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ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP**

- I. C-4 Commercial District. This District provides suitable locations for typical commercial uses while also allowing industrial-supportive uses, like warehouses. This District has the most flexibility in terms of non-residential land use.
- J. C-5 Health and Services District. This District's function is to provide appropriate locations for medical facilities and medical-supportive land uses. Additionally, this District allows for a range on non-medically related land uses that are suited for the permitted area and bulk dimensions.
- K. I-G General Industrial District. This District provides the City of McKeesport with suitable locations for essential industrial and manufacturing land uses. Due to the industrial activities taking place, this District is the most restrictive in terms of residential land uses.
- L. I-U Urban Industrial District. This District intersects a range of land uses, such as limited industrial, residential, and commercial uses.

**§ 1331-304. District boundaries.**

Where uncertainty exists as to the boundaries of districts, as shown on the City of McKeesport Official Zoning Map, the following rules shall apply:

- A. Boundaries indicated as approximately following the center lines of streets, highways or alleys shall be construed to follow such center lines.
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- C. Boundaries indicated as approximately following City of McKeesport limits shall be construed as following such City of McKeesport limits.
- D. Boundaries indicated as following railroad tracks shall be construed to be midway between the main tracks.
- E. Boundaries indicated as following shore lines shall be construed to follow such shore lines and in the event of change in Boundaries indicated as following shore lines shall be construed to follow such shore lines and, in the event of change in the shore line, shall be construed as moving with the actual shore line.
- F. Boundaries indicated as parallel to or extensions of features indicated in Subsections A through E above shall be so construed. Distances not specifically indicated on the City of McKeesport Official Zoning Map shall be determined by the scale of the illustration.

**§ 1331-305. Boundary tolerance.**

Where a district boundary line divides a lot held in single and separate ownership at the effective date of this Ordinance, the Zoning Officer may permit the extension of the regulations for either portion of the lot not to exceed fifty (50) feet beyond the district line into the remaining portion of the lot.

**§ 1331-306. Lot, yard and height requirements.**

- A. Residential. For every building hereafter erected and used in whole or in part as a dwelling, the shown minimum requirements shall apply.

**ARTICLE III City of McKeesport Zoning Ordinance  
ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP**

**TABLE A: Lot, Yard and Height Requirements - Residential Districts.**

|                                 | R-1  | R-2  | R-3  | R-4   | R-5   |
|---------------------------------|--|--|--|---|---|
| <b>LOT AREA</b>                 |  |  |  |   |   |
| Minimum Lot Area (SQ FT)        | Single Family: 8,000<br>Other Uses: 15,0000            | Single Family: 4,000 (1)<br>Other Uses: 10,000 | Single Family: 3,000 (1)<br>Two-Family: 3,000/unit<br>Townhouse: 1,500/unit<br>Multi-Family: 1,000/unit<br>Other Uses: 7,500 (2) | Single Family: 2,500 (1)<br>Two-Family: 2,500/unit (1)<br>Townhouse: 1,000/unit<br>Multi-Family: 800/unit<br>Personal Care Home: 4,000<br>Other Uses: 7,500 (2) | Single Family: 2,500 (1)<br>Townhouse: 1,8000/unit<br>Multi-Family: 850/unit<br>Personal Care Home: 4,000<br>Other Uses: 10,000 |
| <b>LOT WIDTH</b>                |  |  |  |   |   |
| Minimum Lot Width (FT)          | Single Family: 60<br>Other Uses: 80                    | Single Family: N/A<br>Other Uses: 60           | Single Family: 25<br>Two-Family: 30<br>Townhouse: N/A<br>Multi-Family: 35<br>Other Uses: 35                                      | Single Family: 25<br>Two-Family: 30<br>Townhouse: 35<br>Multi-Family: 35<br>Personal Care Home: 30<br>Other Uses: 35  | Single Family: 25<br>All Other: N/A   |
| <b>HEIGHT</b>                   |  |  |  |   |   |
| Maximum Height (FT)             | All Uses besides Multi-Family: 35<br>Multi-Family: *** |  |  |   |   |
| <b>YARD</b>                     |  |  |  |   |   |
| Minimum Front Yard Setback (FT) | Single Family: 30<br>Other Uses: 35                    | Single Family: 20<br>Other Uses: 35            | Single Family: 15<br>Two-Family: 15<br>Townhouse: 20<br>Multi-Family: 20<br>Other Uses: 20                                       | Single Family: 15<br>Two-Family: 15<br>Townhouse: 15<br>Multi-Family: 10<br>Personal Care Home: 15<br>Other Uses: 20  | Single Family: 15<br>Townhouse: 15<br>Multi-Family: 10<br>Personal Care Home: 15<br>Other Uses: 20                              |
| Minimum Side Yard Setback (FT)  | Single Family: 10<br>Other Uses: 15                    | Single Family: 3<br>Other Uses: 15             | Single Family: 3<br>Two-Family: 3<br>Townhouse: 5<br>Multi-Family: 10<br>Other Uses: 10  | Single Family: 2.5<br>Two-Family: 5<br>Townhouse: 8<br>Multi-Family: 10<br>Personal Care Home: 5<br>Other Uses: 10  | Single Family: 8<br>Townhouse: 2.5<br>Multi-Family: 10<br>Personal Care Home: 5<br>Other Uses: 10                               |
| Minimum Rear Yard Setback (FT)  | Single Family: *<br>Other Uses: 25                     | Single Family: 15<br>Other Uses: 25            | Single Family: 20<br>Two-Family: 20<br>Townhouse: 15<br>Multi-Family: 15<br>Other Uses: 20                                       | Single Family: 20<br>Two-Family: 20<br>Townhouse: 15<br>Multi-Family: 15<br>Personal Care Home: 20<br>Other Uses: 20  | Single Family: 15<br>Townhouse: 20<br>Multi-Family: 15<br>Personal Care Home: 20<br>Other Uses: 20                              |
| <b>BUILDING COVERAGE</b>        |  |  |  |   |   |
| Maximum Coverage                | 35%  | 40%  | 50%  | 50%   | 50%   |
| <b>NOTES</b>                    |  |  |  |   |   |

\* 20% of lot depth

\*\* 10% of lot depth or not more than ten (10) feet

\*\*\* Determined at the time of conditional use approval

\*\*\*\* If located within forty (40) feet of a residential property, the portion of the building between the yard setback and forty (40) feet of the residential property shall be limited to two (2) stories in height (see also §1331-602.B.)

(1) If a dwelling is located on a block that is 60% or more developed, the minimum lot area may equal the average area of all existing lots but shall not be fewer than: R-2: 3,000 SQ FT; R-3: 2,500 SQ FT; R-4: 2,000 SQ FT.

(2) Public building/use and recreation facility exempted from minimum lot area.

(3) The minimum lot area shall be sufficient to comply with the provision for yards, lot coverage, parking and loading, buffer yards and any other applicable requirements.

(4) Increase to ten (10) feet if abutting a residential district or located on a corner lot.

(5) Increase to fifteen (15) feet if abutting a residential or special district.

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**ARTICLE III**

**ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP**

B. Commercial and Industrial. For every building hereafter erected and used in whole or in part as a commercial or industrial structure, the shown requirements shall apply.

**TABLE B: Lot, Yard and Height Requirements -Commercial and Industrial Districts.**

|                                 | C-1  | C-2   | C-3               | C-4               | C-5               | I-G              | I-U  |
|---------------------------------|--|---|-------------------|-------------------|-------------------|------------------|--|
| <b>LOT AREA</b>                 |  |   |                   |                   |                   |                  |  |
| Minimum Lot Area (SQ FT)        | Personal Care: 5,000<br>Funeral Home/Place of Worship: 10,000<br>Other Uses: 2,500 | Multi-Family: 850/unit<br>Other Uses: N/A (3) | All Uses: N/A (3) | All Uses: N/A (3) | All Uses: N/A (3) | All Uses: 10,000 | Single Family: 2,500 (1)<br>Townhouse: 1,800/unit<br>Multi-Family: 850/unit<br>Personal Care Home: 4,000<br>Other Uses: 10,000 |
| <b>LOT WIDTH</b>                |  |   |                   |                   |                   |                  |  |
| Minimum Lot Width (FT)          | N/A  | N/A   | N/A               | N/A               | N/A               | N/A              | Single Family: 25<br>All Other: N/A  |
| <b>HEIGHT</b>                   |  |   |                   |                   |                   |                  |  |
| Maximum Height (FT)             | 35****   | 70****  | 40****            | 40****            | 40****            | 60****           | 60****   |
| <b>YARD</b>                     |  |   |                   |                   |                   |                  |  |
| Minimum Front Yard Setback (FT) | Personal Care Home: 20<br>Funeral Home/Place of Worship: 20<br>Other Uses: N/A     | Multi-Family: 10<br>Other Uses: N/A           | All Uses: 10      | All Uses: 10      | All Uses: 10      | All Uses: 20     | Single Family: 15<br>Townhouse: 15<br>Multi-Family: 10<br>Personal Care Home: 15<br>Other Uses: 20                             |
| Minimum Side Yard Setback (FT)  | Personal Care Home: 8<br>Funeral Home/Place of Worship: 10<br>Other Uses: N/A      | Multi-Family: 10<br>Other Uses: N/A (4)       | All Uses: N/A (4) | All Uses: N/A (4) | All Uses: N/A (4) | All Uses: 15     | Single Family: 8<br>Townhouse: 2.5<br>Multi-Family: 10<br>Personal Care Home: 5<br>Other Uses: 10                              |
| Minimum Rear Yard Setback (FT)  | Personal Care Home: 15<br>Funeral Home/Place of Worship: 15<br>Other Uses: 10      | Multi-Family: 15<br>Other Uses: **            | All Uses: 10 (5)  | All Uses: 10 (5)  | All Uses: 10 (5)  | All Uses: 20     | Single Family: 15<br>Townhouse: 20<br>Multi-Family: 15<br>Personal Care Home: 20<br>Other Uses: 20                             |
| <b>BUILDING COVERAGE</b>        |  |   |                   |                   |                   |                  |  |
| Maximum Coverage                | 60%  | Multi-Family: 50%<br>Other Uses: 90%          | 80%               | 80%               | 80%               | 70%              | 50%  |
| <b>NOTES</b>                    |  |   |                   |                   |                   |                  |  |

\* 20% of lot depth

\*\* 10% of lot depth or not more than ten (10) feet

\*\*\* Determined at the time of conditional use approval

\*\*\*\* If located within forty (40) feet of a residential property, the portion of the building between the yard setback and forty (40) feet of the residential property shall be limited to two (2) stories in height (see also §1331-602.B.)

(1) If a dwelling is located on a block that is 60% or more developed, the minimum lot area may equal the average area of all existing lots but shall not be fewer than: R-2: 3,000 SQ FT; R-3: 2,500 SQ FT; R-4: 2,000 SQ FT.

(2) Public building/use and recreation facility exempted from minimum lot area.

(3) The minimum lot area shall be sufficient to comply with the provision for yards, lot coverage, parking and loading, buffer yards and any other applicable requirements.

(4) Increase to ten (10) feet if abutting a residential district or located on a corner lot.

(5) Increase to fifteen (15) feet if abutting a residential or special district.

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ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP**

C. No zoning permit or certificate of occupancy for a new or changed principal use of a lot will be issued unless the lot has a front lot line, in accordance with the standards of the Zoning District in which it is located on an existing public street or on a street which will meet the City of McKeesport's requirements for a public street.

**§ 1331-307. Principal land uses.**

A. Principal Land Use Table. Explanation of use categories:

1. Classifications of zoning uses are established by this Article which vary in their impact upon the City of McKeesport and in the procedures by which the uses are authorized.
  - a. Uses permitted by right are those authorized uses for which a zoning approval will be issued by the Zoning Officer upon the Zoning Officer's review of the application for development if the application for development indicates compliance with this Ordinance.
  - b. Conditional uses are those authorized uses which are permitted by approval of City Council in accordance with this Ordinance and specifically Article IV.
  - c. Uses by special exception are those authorized uses which are permitted by approval of the City of McKeesport Zoning Hearing Board, hereby referred to as the Zoning Hearing Board, in accordance with this Ordinance and specifically Article V.
2. Uses not specifically listed. Uses which are not specifically listed in Table C: Principal Land Use Table or Articles IV, V, or VI of this Ordinance shall be submitted to the Zoning Hearing Board as a special exception. See § 1331-502 and § 1331-513.

**TABLE C: Principal Land Use Table.**

R= Use by Right; C = Conditional Use; S = Use by Special Exception

☐ = Not permitted

| Land Use                                | Zoning Districts |     |     |     |     |     |     |     |     |     |     |     |   |
|---|------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|---|
|   | R-1              | R-2 | R-3 | R-4 | R-5 | C-1 | C-2 | C-3 | C-4 | C-5 | I-G | I-U |   |
| <b>RESIDENTIAL LAND USES</b>            |                  |     |     |     |     |     |     |     |     |     |     |     |   |
| 1 Boarding house                        |                  |     |     |     |     |     |     |     |     | R   |     |     |   |
| 2 Custodial care facility               |                  |     |     |     |     | C   |     |     | R   | C   |     |     |   |
| 3 Home-based business, low impact       |                  |     | C   | C   | C   |     |     |     |     |     |     |     |   |
| 4 Home-based business, no impact        | R                | R   | R   | R   | R   | R   | R   | R   | R   |     |     |     | R |
| 5 Mixed use residential/non-residential |                  |     |     | R   | R   | R   | R   | R   | R   | R   | R   | R   | R |
| 6 Mobile home park                      | C                |     |     |     |     |     |     |     |     |     |     |     |   |
| 7 Multi-family apartment dwelling       |                  |     | C   | C   | R   | S   |     |     |     |     |     |     | R |
| 8 Nursing home/assisted living facility |                  |     |     | C   | C   | C   | C   | C   |     | C   |     |     | C |
| 9 Personal care home                    |                  |     |     | C   | C   | C   |     | C   | C   |     |     |     |   |
| 10 Single-family attached dwelling      |                  |     | R   | R   | R   |     |     |     |     |     |     |     | R |
| 11 Single-family detached dwelling      | R                | R   | R   | R   | R   |     |     |     |     |     |     |     | R |
| 12 Townhouse dwelling                   |                  |     | C   | R   | R   |     |     |     |     |     |     |     | R |
| 13 All other residential uses           |                  |     |     |     |     |     |     |     | S   |     |     |     |   |
| <b>NON-RESIDENTIAL USES</b>             |                  |     |     |     |     |     |     |     |     |     |     |     |   |
| 14 Adult book/video store               |                  |     |     |     |     |     |     |     | C   |     |     |     |   |
| 15 Adult entertainment nightclub        |                  |     |     |     |     |     |     |     | C   |     |     |     |   |
| 16 Amphitheater                         |                  |     |     |     |     |     |     |     |     |     |     |     | C |
| 17 Amusement arcade                     |                  |     |     |     |     | R   | R   | R   | R   |     |     |     |   |
| 18 Animal hospital                      |                  |     |     |     |     |     |     | R   | R   |     |     | R   |   |
| 19 Artisan workspace/sales              |                  |     |     |     |     | R   | R   | R   | R   |     |     |     | R |
| 20 Automobile rental                    |                  |     |     |     |     | R   | R   | C   | C   |     |     |     |   |
| 21 Automobile repair                    |                  |     |     |     |     | R   | C   | C   | C   |     |     | R   | C |
| 22 Automobile sales and service         |                  |     |     |     |     | R   | C   |     |     |     |     | R   | C |
| 23 Automobile salvage/junkyard          |                  |     |     |     |     |     |     |     |     |     |     | C   |   |
| 24 Bar/Tavern/Microbrewery              |                  |     |     |     |     | C   | C   | C   | C   |     |     |     | C |
| 25 Bed and breakfast                    |                  | C   | C   | C   |     | C   |     |     |     |     |     |     | C |
| 26 Beverage distribution                |                  |     |     |     |     | C   | C   |     |     |     |     | C   |   |
| 27 Billboard                            |                  |     |     |     |     |     |     |     |     |     |     | C   | C |

City of McKeesport Official Zoning Ordinance

ARTICLE III

ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP

TABLE C: Principal Land Use Table continued.

R= Use by Right; C = Conditional Use; S = Use by Special Exception

☐ = Not permitted

| Land Use                                     | Zoning Districts |     |     |     |     |     |     |     |     |     |     |     |   |
|--|------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|---|
|  | R-1              | R-2 | R-3 | R-4 | R-5 | C-1 | C-2 | C-3 | C-4 | C-5 | I-G | I-U |   |
| <b>NON-RESIDENTIAL USES</b>                  |                  |     |     |     |     |     |     |     |     |     |     |     |   |
| 28 Biomedical operation                      |                  |     |     |     |     |     |     |     |     |     |     | C   |   |
| 29 Boat launch                               |                  |     |     |     |     |     |     |     |     |     |     |     | R |
| 30 Boat works                                |                  |     |     |     |     |     |     |     |     |     |     |     | R |
| 31 Building materials sales or storage yard  |                  |     |     |     |     |     |     |     |     |     |     | R   |   |
| 32 Bulk materials or machinery storage       |                  |     |     |     |     |     |     |     |     |     |     | C   | C |
| 33 Business or Professional office           |                  |     |     |     | R   | R   | R   | R   | R   | R   | R   | R   | R |
| 34 Car wash                                  |                  |     |     |     |     |     |     |     | R   |     |     | R   |   |
| 35 Cemetery                                  |                  |     |     |     | C   |     |     |     |     |     |     |     |   |
| 36 Civic use                                 |                  | R   | R   | R   | R   | R   | R   | R   | R   | R   |     |     | R |
| 37 Club/lodge                                |                  |     |     |     |     | C   | C   | C   | C   | C   |     |     |   |
| 38 Coffee shop                               |                  |     |     |     | C   | C   | C   | C   | C   | C   |     |     | C |
| 39 Collection and recycling facility         |                  |     |     |     |     |     |     |     |     |     |     | R   |   |
| 40 Commercial boat operation                 |                  |     |     |     |     |     |     |     |     |     |     |     | R |
| 41 Communication tower                       | C                | C   | C   | C   | C   | C   | C   | C   | C   | C   | C   | C   | C |
| 42 Community garden                          |                  |     |     | R   | R   |     |     | R   | R   | R   |     |     | R |
| 43 Concrete or asphalt batch plant           |                  |     |     |     |     |     |     |     |     |     |     | C   |   |
| 44 Confectionary                             |                  |     |     |     |     | R   | R   | R   | R   |     |     |     | R |
| 45 Convenience store                         |                  |     |     |     |     | C   |     | R   | R   |     |     |     | C |
| 46 Crematorium                               |                  |     |     |     | C   |     |     |     |     |     |     |     |   |
| 47 Day-care center, adult/child              |                  |     |     | S   | S   | R   | S   | S   | S   |     |     |     |   |
| 48 Day care home, child/group                | C                | C   | C   |     |     |     |     |     |     |     |     |     |   |
| 49 Doggie day care                           |                  |     |     |     |     | R   |     | R   | R   |     |     | R   |   |
| 50 Dry-cleaning plant                        |                  |     |     |     |     |     |     |     |     |     |     | R   | R |
| 51 Emergency services, private               |                  |     |     |     | C   | C   | C   | C   | C   | C   | C   | C   |   |
| 52 Emergency services, public                |                  |     |     |     | R   | R   | C   | R   | R   | R   | R   | R   | R |
| 53 Essential services                        | R                | R   | R   | R   | R   | R   | R   | R   | R   | R   | R   | R   | R |
| 54 Exterminator                              |                  |     |     |     |     |     |     |     |     |     |     | R   |   |
| 55 Extraction of minerals                    | S                | S   | S   | S   |     |     |     |     |     |     |     | S   | S |
| 56 Farm                                      | R                |     |     |     |     |     |     |     |     |     |     |     |   |
| 57 Financial institution                     |                  |     |     |     | C   | R   | R   | R   | R   |     |     | R   | C |
| 58 Forestry                                  | R                | R   | R   | R   | R   | R   | R   | R   | R   | R   | R   | R   | R |
| 59 Fuel/Energy recharge station              |                  |     |     |     |     | C   | C   | C   | C   |     |     | C   |   |
| 60 Furniture refinishing plant               |                  |     |     |     |     |     |     |     |     |     |     | R   |   |
| 61 Garage, public                            |                  |     |     |     |     | C   | C   | C   | C   | C   | C   | C   | C |
| 62 Garden center/Nursery/Greenhouse          |                  |     | C   | C   | C   | C   | C   | C   | C   |     |     | C   |   |
| 63 Gas and/or Oil well production            | C*               | C*  | C*  |     |     | C   |     |     |     |     |     | C   | C |
| 64 Golf, miniature                           |                  |     |     |     |     | R   | R   |     |     |     |     |     | R |
| 65 Health/fitness-related establishment      |                  |     |     |     |     | R   | R   | C   | C   |     |     |     | C |
| 66 Health care facility                      |                  |     |     |     |     |     |     |     |     |     | R   |     |   |
| 67 Hospital                                  |                  |     |     |     |     |     |     |     |     |     | R   |     |   |
| 68 Hotel                                     |                  |     |     |     |     | C   | C   | C   | C   |     |     |     | C |
| 69 Incinerator                               |                  |     |     |     |     |     |     |     |     |     |     | C   |   |
| 70 Kennel                                    |                  |     |     |     |     | C   |     | C   | C   |     |     | C   |   |
| 71 Laundry and/or dry cleaning establishment |                  |     |     |     |     | R   | R   | R   | R   |     |     |     |   |
| 72 Library                                   |                  | R   |     |     |     |     |     |     |     |     |     |     |   |
| 73 Manufacturing, heavy                      |                  |     |     |     |     |     |     |     |     |     |     | R   | S |
| 74 Manufacturing, light                      |                  |     |     |     |     |     |     |     |     |     |     | R   | R |
| 75 Marina                                    |                  |     |     |     |     |     |     |     |     |     |     |     | R |
| 76 Mausoleum                                 |                  |     |     |     | C   |     |     |     |     |     |     |     |   |
| 77 Mechanical repair, large                  |                  |     |     |     |     |     |     |     |     |     |     | R   | C |
| 78 Mechanical repair, small                  |                  |     |     |     |     | R   | C   | C   | C   |     |     | R   | C |
| 79 Medical or dental clinic                  |                  |     |     |     |     |     |     |     |     |     | R   |     |   |
| 80 Mini-warehouse                            |                  |     |     |     |     | C   | C   | C   | C   | C   | C   | R   | C |
| 81 Mortuary/Funeral home                     |                  |     | C   | C   | C   | R   | R   | R   | R   | R   | C   |     |   |
| 82 Motel                                     |                  |     |     |     |     | C   | C   | C   | C   |     |     |     | C |
| 83 Multiple-establishment center             |                  |     |     |     |     | R   | R   | R   | R   | R   | R   | R   | R |
| 84 Municipal public office                   | R                | R   | R   | R   | R   | R   | R   | R   | R   | R   | R   | R   | R |

**ARTICLE III City of McKeesport Zoning Ordinance  
ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP**

**TABLE C: Principal Land Use Table continued.**

R= Use by Right; C = Conditional Use; S = Use by Special Exception

☐ = Not permitted

| Land Use                              | Zoning Districts |     |     |     |     |     |     |     |     |     |     |     |
|---------------------------------------|------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
|                                       | R-1              | R-2 | R-3 | R-4 | R-5 | C-1 | C-2 | C-3 | C-4 | C-5 | I-G | I-U |
| <b>NON-RESIDENTIAL USES</b>           |                  |     |     |     |     |     |     |     |     |     |     |     |
| 85 News and magazine store            |                  |     |     |     |     | R   | R   | R   | R   | R   |     | R   |
| 86 Nightclub                          |                  |     |     |     |     |     |     |     |     |     | S   |     |
| 87 Nursery school/Preschool           |                  |     |     | S   | S   | R   | S   | S   | S   |     |     |     |
| 88 Other public administration        |                  |     |     |     |     | R   | R   | R   | R   | R   | R   | R   |
| 89 Other public service or office     |                  |     |     |     | C   |     |     |     |     | R   | R   | R   |
| 90 Park, private                      | C                | C   | C   |     |     | C   |     |     |     |     | C   | C   |
| 91 Park, public                       | R                | R   | R   | R   | R   | R   | R   | R   | R   | R   | R   | R   |
| 92 Parking lot, commercial            |                  |     |     |     |     | C   | C   | C   | C   | C   | C   | C   |
| 93 Personal services                  |                  |     |     |     |     | R   | R   | R   | R   |     |     | R   |
| 94 Place of assembly/Place of worship | S                | S   | S   |     |     | S   |     |     |     |     |     |     |
| 95 Railroad                           |                  |     |     |     |     |     |     |     |     |     | R   | R   |
| 96 Recreation facility, private       |                  |     |     | C   | C   | C   | C   | C   | C   |     |     | C   |
| 97 Recreation facility, public        | R                | R   | R   | R   | R   | R   | R   | R   | R   | R   |     | R   |
| 98 Recreation open space              | C                | C   | C   | C   | C   | C   | C   | C   | C   | C   | C   | C   |
| 99 Research and development           |                  |     |     |     |     |     |     |     |     |     | C   | C   |
| 100 Restaurant, drive-thru            |                  |     |     |     |     | S   | S   | S   | S   |     | S   | S   |
| 101 Restaurant, fast food             |                  |     |     |     |     | S   | S   | S   | S   |     | S   | S   |
| 102 Restaurant, standard              |                  |     |     |     |     | R   | R   | R   | R   |     | C   | R   |
| 103 Retail, large                     |                  |     |     |     |     | C   | R   | R   | R   | R   | R   | R   |
| 104 Retail, small                     |                  |     |     |     |     | R   | R   | R   | R   | R   | R   | R   |
| 105 School, K-12                      |                  | S   |     | S   |     |     |     |     |     |     | S   |     |
| 106 School, post-secondary            |                  |     |     |     | C   | R   | R   | R   | R   | R   | R   | R   |
| 107 Shopping center, community        |                  |     |     |     |     | R   | C   |     |     |     |     | R   |
| 108 Shopping center, neighborhood     |                  |     |     |     |     | C   | R   | R   | R   |     |     | R   |
| 109 Station, bus passenger            |                  |     |     |     |     |     |     |     |     | R   |     |     |
| 110 Telecommunications tower          | S                | S   | S   | S   | S   | S   | S   | S   | S   | S   | S   | S   |
| 111 Theater, indoor                   |                  |     |     |     |     | C   | C   |     |     |     |     | C   |
| 112 Trade shop                        |                  |     |     |     |     | C   |     |     |     |     | R   | R   |
| 113 Truck terminal                    |                  |     |     |     |     |     |     |     |     |     | R   | R   |
| 114 Warehouse                         |                  |     |     |     |     |     | C   |     | C   | R   | R   | C   |
| 115 All other non-residential uses    |                  |     |     |     |     |     |     |     | S   |     |     |     |

**NOTES:**

\* ☐ Denotes that gas and oil well production is exclusively limited to public parks in

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**ARTICLE IV  
CONDITIONAL USES**

**ARTICLE IV – CONDITIONAL USES**

**§ 1331-401. Provisions for conditional uses.**

- A. Conditional uses are to be allowed or denied by City Council pursuant to public notice and hearing and recommendations by the City of McKeesport Planning Commission, hereby referred to as the City Planning Commission, and pursuant to expressed standards and criteria set forth for a particular use listed under this Article.
- B. In allowing a conditional use, City Council may attach such reasonable conditions and safeguards, in addition to those expressed herein, as it may deem necessary to implement the purpose of this Ordinance. City Planning Commission may recommend reasonable conditions and safeguards for City Council's consideration.
- C. See also § 1331-1504 for procedure of granting or approving conditional uses and expiration of approval.

**§ 1331-402. General requirements and standards for all conditional uses.**

City Council shall grant a conditional use only if it finds adequate evidence that any proposed development will meet all of the following general requirements as well as any specific requirements and standards set forth for a particular use listed under this Article.

- A. City Council shall, among other things, require that any proposed use and location be:
  - 1. Consistent with the spirit, purposes and the intent of this Ordinance.
  - 2. In the best interest of the City of McKeesport, the convenience of the community, the public welfare and be a substantial improvement to the property in the immediate vicinity.
  - 3. Suitable for the property in question and designed, constructed, operated and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity.
  - 4. In conformance with all applicable requirements of this Ordinance, including but not limited to all of the performance standards of Articles IX and all City of McKeesport ordinances.
- B. The conditional use shall not involve any element or cause any condition that may be dangerous, injurious or noxious to any other property or persons and shall comply with the performance standards in Article IX herein.
- C. The conditional use shall organize vehicular access and parking to minimize traffic congestion. City Council shall not approve a use in areas where a traffic engineering study prepared by registered engineer specially certified in traffic planning or road/site engineering indicates that a proposed use or structure will burden existing traffic so as to enhance the danger and congestion in travel and transportation and increase the number of accidents unless the owner or Applicant agrees to provide such traffic improvements as determined by the study.
- D. The landowner and/or developer shall have the burden of providing evidence to the City of McKeesport of compliance with the general requirements of this section and the specific requirements of this Article.



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- E. The City Planning Commission and/or City Council may attach additional conditions pursuant to this section, in order to protect the public's health, safety, and welfare. These conditions may include but are not limited to increased setbacks.
- F. In addition to the requirements outlined in this Ordinance, site-specific and application-specific conditions recommended by City Planning Commission and/or imposed by City Council, the conditional use must comply with the applicable standards and requirements as set forth by the City of McKeesport Subdivision and Land Development Ordinance.

**§ 1331-403. Custodial care facility.**

- A. The Applicant of said use shall file a detailed statement of intent with the City Council describing the proposed use. The statement shall identify how said use satisfies a demonstrative need and shall be conducted in a responsible manner without detriment to the surrounding lots and neighborhood.
- B. No custodial care facility shall be placed within five hundred (500) feet of any property within a Residential District classification or any school, park, library, retail establishment or place of worship.
- C. Twenty-four (24) hour supervision of residents by a facility employee approved by the Pennsylvania Department of Public Welfare shall be required.
- D. The minimum lot size shall be one (1) acre.
- E. The custodial care facility shall be accredited by the Commonwealth of Pennsylvania.
- F. The custodial care facility shall be the sole occupant of the lot.
- G. Access drives shall be located to take maximum advantage of sight distances for motorists and shall be as remote as possible from street intersections.
- H. Parking areas shall be screened from view of neighboring lots or those directly across the street from the lot with a mixture of evergreen and deciduous canopy trees. These landscape areas shall be a minimum of ten (10) feet wide. A list of recommended canopy trees can be found at the City of McKeesport's City Hall.
- I. Buildings shall be set back from one another and residential occupancy shall be in conformance with this Ordinance.
- J. Said facility with six (6) or more residents shall not be located within one thousand (1,000) feet of another facility with six (6) or more residents.

**§ 1331-404. Home-based business, low impact.**

- A. The employees of a home-based business, low impact may include the residents of said dwelling and a maximum of one (1) non-resident.
- B. A home-based business, low impact shall not exceed twenty-five (25) percent of the gross floor area (GFA) of the residence, including the space to maintain the equipment needed in the business activity.

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- C. The use shall not create any additional environmental impact other than those impacts, including but not limited to road infrastructure, traffic, garbage, water and sewage, normally resulting from residential use.
- D. The use shall not cause an increase in the use of water, sewerage, garbage, public safety or any other municipal services beyond that which is normal for an average residence in the neighborhood.
- E. The use shall not require internal or external alterations or construction features which change the fire rating of the structure.
- F. There shall be no use of materials or equipment except that of similar power and type normally used in a residential dwelling for domestic or household purposes.
- G. There shall be no storage of materials or equipment outside an enclosed building.
- H. The conduct of any home-based business, low impact, including but not limited to the storage of goods or equipment, shall not reduce or render unusable areas required for enclosed parking for the dwelling unit.
- I. The use shall not create greater vehicular or pedestrian traffic than that which is normal for the residences in the neighborhood.
- J. All needs for parking generated by the conduct of a home-based business, low impact shall be provided for on the lot.
- K. The home-based business, low impact shall not involve the use of vehicles in excess of one (1) ton capacity or nine thousand (9,000) pounds gross vehicle weight for delivery of materials to or from the premises, and such vehicles shall not be parked on the premises.
- L. There shall be no regular display of merchandise available for sale on the premises; however, merchandise may be stored on the premises for pickup and/or delivery.
- M. The home-based business, low impact shall not involve the use of advertising signs on or off the premises or any other local advertising media which shall call attention to the fact that the home is being used for business purposes other than a telephone listing or small classified ad briefly describing the service and providing only a telephone number.
- N. The following uses shall not be considered to be home-based businesses, low impact and shall be limited to the districts in which they are specifically authorized as permitted uses, conditional uses or uses by special exception:
  - 1. Veterinary services (animal hospital).
  - 2. Automobile sales, rental, service and repair shops.
  - 3. Personal Services (beauty shops and barbershops containing more than one (1) chair).
  - 4. Hospitals, nursing homes, assisted living facilities, boarding houses.
  - 5. Kennels and keeping of other domestic pets of similar or greater quantities.
  - 6. Mortuary/funeral homes.
  - 7. Club/lodge.

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8. Private instruction to more than three (3) students at a time.
  9. Restaurants.
  10. Keeping/boarding of horses for commercial enterprise.
- O. Day care, as defined by this Ordinance, shall be considered a home-based business, low impact, provided that:
1. All of the foregoing standards for a home-based business, low impact are met.
  2. An adequate area for outdoor recreation shall be provided and shall be secured by a fence with a self-latching gate.
  3. A safe area shall be provided for dropping off and picking up children which does not obstruct the free flow of traffic on any public street.
  4. Any approved home-based business, low impact which requires any type of public access to the dwelling must obtain all required approvals from the Pennsylvania Department of Labor and Industry.
  5. Normal hours of operation shall be seven (7) am to nine (9) pm for customer/client traffic.

**§ 1331-405. Mobile home park.**

- A. Gross site area shall be a minimum of ten (10) acres.
- B. Mobile Home Park Lot Requirements.
  1. Gross density - The maximum number of mobile home lots within each mobile home park shall be not more than eight (8) lots per acre of the total area of the mobile home park.
  2. Minimum lot size - The minimum mobile home lot size shall be not less than five thousand (5,000) square feet of area. The minimum width of any mobile home lot shall be not less than fifty (50) feet. The minimum length of each mobile home lot shall not be less than one hundred (100) feet. For a double mobile home unit, the minimum lot size shall not be less than ten thousand (10,000) square feet of area. The minimum width of any double mobile home unit shall be not less than sixty-five (65) feet. The minimum length of any double mobile home units shall not be less than one hundred fifty-four (154) feet.
  3. Mobile home lot access. All mobile homes shall abut on a street of the mobile home park's internal street system.
  4. Setbacks, buffer strips and screening requirements.
    - a. Park perimeter buffer strips. All mobile homes, auxiliary park buildings and other park structures shall be located at least thirty-five (35) feet from the mobile home park boundary lines. The minimum buffer strip may be reduced to twenty-five (25) feet if a suitable perimeter screening of plantings or fencing is provided and approved by the City of McKeesport.
    - b. Minimum distances between structures within the mobile home park. Mobile homes shall be located at least fifty (50) feet from any auxiliary park buildings and any repair, maintenance or storage areas of buildings. The minimum distance between mobile homes shall be not less than twenty (20) feet.

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- c. Minimum building setback lines shall be not less than thirty (30) feet from the edge of the street right-of-way. Where applicable, side and rear building setbacks lines of at least ten (10) feet shall be established.
5. Recreation and open space requirements - A minimum of ten (10) percent of the gross area of the mobile home park shall be provided for recreational space. This recreational space shall be suitable for varied outdoor recreational uses. The Applicant will present assurances related to the responsibilities for land ownership, the construction and/or purchase of facilities or other features, and the perpetual maintenance of the above.
6. Parking space requirements - A minimum of one and one-half (1½) off-street parking spaces per each mobile home lot within the development shall be provided within two hundred (200) feet of the mobile home lot to be served. Guest parking shall be provided in a common off-street parking area at the ration of one (1) parking space for every three (3) mobile home lots.
7. Mobile home park internal street system requirements - The street system within a Mobile Home Park shall be designed and constructed according to required standards of local sheets defined by the City of McKeesport Subdivision and Land Development Ordinance.
8. Mobile home lot improvements
  - a. Each mobile home lot shall be provided with a permanent frost-free foundation and each lot will have available adequate provisions, such as anchor bolts and tie-down straps, to assure that each mobile home has available to it a means of securing the home to its site.
  - b. Water and sewer systems: Water supply and sewage disposal system connections shall be provided to each Mobile Home lot within a Mobile Home Park. In addition, the mobile home park shall meet all requirements of the City of McKeesport Subdivision and Land Development Ordinance with regard to said water and sewer systems.
9. No mobile home subdivision or land development shall be approved until it has satisfied all applicable ordinances or regulations of the City of McKeesport.
- C. Proposed mobile home parks shall comply with all applicable provisions of state laws regulating mobile home parks and all applicable standards and regulations set forth in this Ordinance.
- D. All lots shall be serviced by public and/or private sewer and water.
- E. All dumpster areas shall be screened from all lots and public right-of-ways. All screens shall be a minimum of eight (8) feet high and shall have a minimum opacity of eighty (80) percent.
- F. All mobile home parks shall provide sidewalks on both sides of a street (both public and private right-of-ways).
- G. Grading and Ground Cover Requirements - The ground surface in all parts of each mobile home park shall be graded and equipped to drain all surface water in a safe and efficient manner. Exposed ground surfaces in all parts of each mobile home park shall be treated in a manner approved by the City Council which will effectively prevent soil erosion and prevent the emanation of dust during dry weather.

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**§ 1331-406. Multi/family apartment, dwelling.**

- A. Parking spaces shall be located no more than three hundred (300) feet from the apartment's primary entrance.
- B. All parking spaces and driveways shall be surfaced with bituminous, brick, concrete or stone block paving material.
- C. The means of a building's ingress and egress shall meet requirements as outlined in the Pennsylvania Uniform Construction Code.
- D. A twelve (12) foot wide fire/emergency access route shall be provided around the perimeter of each building. Topography or other characteristics of the site or the development that might affect the use of emergency equipment between buildings may dictate a greater separation of structures.
- E. The structure shall be limited to five (5) stories or a maximum of fifty-five (55) feet in height.
- F. All dumpsters and/or waste collection areas shall be located at least fifty (50) feet from nearest residential unit. Dumpsters shall be located in the rear setback yard and shall be screened with an earth berm, landscaped bufferyard, fence or wall with a minimum height of eight (8) feet and a minimum opacity of eighty (80) percent.
- G. Maximum height of lighting for outdoor parking areas and roadways shall be twenty-five (25) feet.
- H. As part of all land development, the landowner and /or developer shall provide a plan for photometrics of the lot. Illumination, when measured at a lot line, shall be a maximum of one (1) foot candle.
- I. Bufferyards between an apartment development and any other adjacent residential lot shall be increased by ten (10) feet in addition to the required bufferyard width. Landscaping, within this additional width, shall be provided according to spacing, quantity and type of plants specified by the City of McKeesport.
- J. Slopes shall be graded at a maximum of a three (3) foot horizontal to one (1) foot vertical (3:1) ratio.
- K. Said development shall not be permitted on any corner lots within the Commercial District, unless said corner lot within the Commercial District is abutting a residential district.
- L. A traffic study may be required, at the expense of the Applicant, if deemed necessary by City Council.
- M. If the parking area for a development is adjacent to a single-family residential lot and demands greater than ten (10) automobiles, the following shall apply:
  - 1. An additional ten (10) foot bufferyard with one (1) of the following shall be provided along the parking lot's perimeter to minimize the impact of inappropriate noise, dust, light and other disturbances on adjacent residential lots.
  - 2. One and one-half (1½) times the required number of plants for screening and buffering off-street parking and loading areas; or
  - 3. A mound, a minimum of three and one-half (3½) feet in height at its peak, shall be constructed whereas the sides do not exceed a four (4) foot horizontal to one (1) foot vertical

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(4:1) change in elevation. The mound shall be landscaped in its entirety with plants that provide four (4) seasons of interest but shall not include turf grass. The landowner and/or developer shall coordinate site drainage so that site development and grading do not create any adverse effects on adjacent lots.

**§ 1331-407. Townhouse, dwelling.**

- A. All off-street parking spaces shall be incorporated into the building. Guest parking shall be located no more than three hundred (300) feet from each townhouse.
- B. All dumpsters and/or waste collection areas shall be located at minimum of fifty (50) feet from the nearest residential unit and shall be enclosed by a solid masonry screen. A minimum of eight (8) foot in height.
- C. The primary entrance to the multi-family residential units shall be from a primary public or private road.
- D. To minimize potential nighttime lighting pollution and to encourage minimizing negative impacts from impervious surface run-off, bufferyard width shall be increased by five (5) feet in all yards for a townhouse development. The additional buffer area shall be planted at a minimum with groundcover or/and a minimum of three (3) foot height of shrubbery unless otherwise defined by the City of McKeesport.
- E. The maximum number of contiguous units shall be ten (10).

**§ 1331-408. Nursing home/assisted living facility.**

- A. The nursing home/assisted living facility shall be accredited by the Commonwealth of Pennsylvania.
- B. The nursing home/assisted living facility shall be the sole occupant of the lot.
- C. Access drives shall be located to take maximum advantage of sight distances for motorists and shall be as remote as possible from street intersections.
- D. Parking areas shall be screened from view of neighboring lots or those directly across the street from the lot with a mixture of evergreen and deciduous canopy trees. These landscape areas shall be a minimum of ten (10) feet wide. A list of recommended canopy trees can be found at the City of McKeesport's City Hall.
- E. Buildings shall be set back from one another and residential occupancy shall be in conformance with this Ordinance.

**§ 1331-409. Adult book/video store/adult entertainment nightclub.**

- A. An adult book store/video store facility shall not be located within one thousand (1,000) feet of any other adult facility. Said distance shall be measured from lot line of one facility to the nearest lot line of the other facility.
- B. Said facility shall not be permitted to be located within one thousand (1,000) feet of any public or private school, day care facility, public recreation facility, or any place of worship/assembly; nor be closer than five hundred (500) feet from a residence, nor from where any children are permitted and normally congregate.

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- C. No materials, merchandise, film, or service offered for sale, rent, lease, loan or for view shall be exhibited, displayed or graphically represented outside of a building or structure.
- D. Any building or structure used and occupied as said facility shall be windowless or have an opaque covering over all windows or doors of any area in which materials, merchandise, film, service or entertainment are exhibited or displayed and no sale materials, merchandise, film or offered items of service or entertainment shall be visible from outside the structure.
- E. No sign shall be erected upon the premises depicting or giving a visual representation of the type of materials, merchandise, film, service or entertainment offered therein.
- F. Parking areas shall be screened from view of neighboring lots or those directly across the street from the lot with a mixture of evergreen and deciduous canopy trees. These landscape areas shall be a minimum of fifteen (15) feet wide. A list of recommended canopy trees can be found at the City of McKeesport's City Hall.
- G. Each and every entrance to the structure shall be posted with a notice of at least four (4) square feet that the use is an adult-oriented establishment, that persons under the age of eighteen (18) are not permitted to enter, and warning all others that they may be offended upon entry.

**§ 1331-410. Amphitheater.**

- A. A traffic impact study shall be required to be submitted where the proposed amphitheater which according to the Institute of Transportation Engineers (ITE) standards will generate one hundred (100) trips in addition to the adjacent roadway's peak hour volumes.
- B. To protect the surrounding neighborhood from inappropriate light and other disturbances, a bufferyard shall screen the site from view of neighboring lots or those directly across the street from the lot with a mixture of evergreen and deciduous canopy trees. These landscape areas shall be a minimum of fifteen (15) feet wide. A list of recommended canopy trees can be found at the City of McKeesport's City Hall.
- C. All parking areas adjacent to an existing residential lot shall provide a screen with a minimum height of six (6) feet. Screens shall be constructed as earth berm, landscaped bufferyards, fence or wall and should have a minimum opacity of eighty (80) percent.
- D. Service areas maintenance areas/facilities and dumpster areas shall be screened from adjacent residences with a screen with a minimum height of eight (8) feet. Screens shall be constructed as earth berm, landscaped bufferyards, fence or wall and shall have a minimum opacity of eighty (80) percent.
- E. Exterior lighting for parking areas visible from adjacent residences shall be reduced to fifty (50) percent luminosity after 11:00 P.M.

**§ 1331-411. Automobile rental/repair/sales and service.**

- A. Automobile sales shall have direct access to an arterial road.
- B. The maximum lot area for automobile sales and services shall be one (1) acre.
- C. Automobile inventory shall be aligned and displayed in an orderly fashion so that circulation for fire safety can be maintained at all times.

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- D. All outdoor display areas adjacent to a residence or residential zoning district shall have exterior lighting reduced to fifty (50) percent luminosity after 11:00 P.M.
- E. Sufficient screening and buffering of parking areas must be provided to protect the neighborhood from detrimental noise, dust and other disturbances.
- F. Landscaping requirements:
  - 1. One (1) tree two and one-half (2 ½) inch caliper per fifteen (15) display spaces shall be planted on the lot.
  - 2. A decorative landscaped strip shall be located immediately adjoining the supporting structure of any signage in all directions.
  - 3. A hedge or other desirable planting of at least two (2) feet in height shall extend the entire length and breadth of the required landscaped strip.
- G. The use shall have direct ingress/egress to an arterial road.
- H. All authorized repair and service work, car washing and lubrication shall be conducted within a completely enclosed building.
- I. All automobile parts and accessories, dismantled vehicles and similar materials shall be stored within a completely enclosed building.
- J. All fuel, oil and other flammable substances shall be stored at least twenty (20) feet from any property line.
- K. Hazardous fluids shall be disposed of in accordance with regulations of appropriate regulatory agencies.

**§ 1331-412. Automobile salvage/junkyard.**

- A. The minimum lot area for an automobile salvage/junkyard shall be ten (10) acres.
- B. The premises shall be maintained so as to not constitute a nuisance or a menace to public health and safety.
- C. No garbage, organic waste, petroleum products or hazardous waste shall be stored, buried or disposed of on the premises.
- D. The manner of storage of junk shall be arranged in such a fashion that aisles of a minimum width of twenty-five (25) feet between rows of automobiles are maintained in order to facilitate access for fire-fighting and to prevent the accumulation of stagnant water.
- E. Automotive/salvage junkyards shall comply with the performance standards of this Ordinance.
- F. No automobiles shall be stored or accumulated and no structure shall be constructed within one hundred (100) feet of any existing residential lot or within forty (40) feet of any property line or public right-of-way.
- G. The premises shall be enclosed by a metal chain link fence not less than eight (8) feet in height supported on steel posts with a self-latching gate. The fence shall be located within the interior of a twenty-five (25) foot-wide landscaped bufferyard. All other property lines shall provide a fifteen



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(15) foot wide landscaped bufferyard. Bufferyards shall be planted with a combination of deciduous and evergreen trees, shrubs, ornamental grasses and groundcovers.

- H. Grass, sod, lawn or turf shall not be considered an acceptable plant for use within a bufferyard area.
- I. The fence shall be supplemented with screening material which creates a visual barrier that is one hundred (100) percent opaque.
- J. The Zoning Officer may inspect the property at any time. The Zoning Officer shall notify the operator forty-eight (48) hours before such inspection shall take place.
- K. The manner of storage of automobiles shall be arranged in such a fashion that it shall not be higher than the adjacent fence.
- L. The owner(s) and operator(s) of an automobile junkyard shall incorporate Best Managements Practices as outlined in the Pennsylvania Handbook of Best Management Practices for Developing Areas to minimize negative impacts of erosion, siltation and surface water and groundwater contamination.

**§ 1331-413. Bar/tavern/microbrewery.**

- A. A bar/tavern shall be located in accordance with the provisions of the Pennsylvania Liquor Control Board.
- B. A bar/tavern's hours of operation and activities must be appropriately scheduled to protect surrounding residential neighborhoods from detrimental noise, disturbance or interruption.
- C. The owner(s) and operator(s) of a bar/tavern shall be responsible for the conduct and safety of the patrons.
- D. No more than one (1) identification sign shall be permitted; said sign shall be a ground or a wall sign. The graphic area of the sign shall not exceed thirty (30) square feet.

**§ 1331-414. Bed and breakfast.**

- A. No more than ten (10) bedrooms may be available or used for such use in any building and each guest room may provide lodging for up to two (2) individuals, unless children under the age of sixteen (16) years are accompanying the guests, and in no instance shall the total number of guests in a Bed and Breakfast exceed thirty (30) at any one same time.
- B. An overnight guest shall not occupy the facility for more than fourteen (14) consecutive nights in a thirty (30) day period.
- C. Not more than one (1) ground sign shall be permitted on the lot. The maximum permitted sign area shall be ten (10) square feet.
- D. Service meals shall be limited to breakfast only to overnight guests of the facility.
- E. The kitchen of the bed and breakfast shall not be accessible to guests of the facility, and shall have a door to separate the kitchen from the dining area.

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- F. 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 this Ordinance. All parking spaces and driveways shall be surfaced with bituminous, brick, concrete or stone block paving material.
- G. The owner and/or manager of the facility shall reside therein.

**§ 1331-415. Beverage distribution.**

- A. Dumpsters and service areas shall be screened from the public right-of-way and not conflict with off-street parking associated with the use. No dumpsters and/or service areas shall be located between the front lot line of the lot and the front facade of the principal structure in which it is located.
- B. Outdoor storage of materials shall not be permitted.

**§ 1331-416. Billboard.**

- A. Billboard signs shall only be permitted in the General Industrial and Urban Industrial Districts. Billboard signs are regulated as a conditional use and must be the principal use to which the property is devoted. There shall be no more than one (1) Billboard sign on any premises at any time.
- B. In said District, a billboard shall be located within one hundred (100) feet of the center line of an arterial street as identified by the City of McKeesport, as defined by this Ordinance.
- C. Billboard shall be freestanding, ground-mounted, single-column post-supported displays which have no structural contact with any building or other structure.
- D. The maximum surface area of the sign shall be seven hundred (700) square feet. This area includes both sides if it is a two (2) sided sign.
- E. The maximum height of the sign shall be twenty-two (22) feet, measured from the ground to the top of the sign.
- F. Billboard that are not located at the grade of the arterial street they are located along shall be located so as to be no higher than forty (40) feet above the curb of the street from which they are intended to be viewed.
- G. No Billboard shall be placed within five hundred (500) feet of any property within a Residential District classification or any public or private school property, park, library or place of worship when the display face to the billboard will be visible therefrom. This required distance shall be measured along the frontage of the street or highway on which the Billboard is located.
- H. No part of any Billboard shall be located closer than fifteen (15) feet to any street right-of-way. Billboard shall be subject to the side yard and rear yard setback requirements of the Industrial District unless otherwise determined by Subsection G above.
- I. No Billboard shall be erected closer than one thousand (1,000) feet to any other existing or proposed Billboard.
- J. Billboard shall be either non-illuminated or indirectly illuminated, provided that all lighting is shielded and directed in a downward direction from the top of the sign toward the ground. No LED Digital Billboards are permitted.

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- K. The location of a Billboard shall not obstruct visibility of any other business sign nor shall it obstruct visibility for traffic entering or leaving any property or traveling on any street.
- L. Landscaping requirements.
  - 1. A decorative landscaped strip shall be located immediately adjoining the supporting structure of the Billboard sign and extending a minimum of five (5) feet from the Billboard in all directions.
  - 2. An evergreen hedge at least three (3) feet in height, shall extend the entire length and breadth of the required landscape area.
  - 3. The rear side of a single-faced Billboard sign shall be of one (1) color and screened by existing or natural landscaping material or by an evergreen planting at least six (6) feet tall and extending the length of the Billboard.
  - 4. Two (2) flowering trees a minimum of six (6) feet in height shall be planted within the required landscaping strip.

**§ 1331-417. Biomedical operation.**

- A. The design of a biomedical operation must be in accordance with the most current version of the Biosafety in Microbiological and Biomedical Laboratories published by the U.S. Department of Health and Human Services Centers for Disease Control and Prevention and National Institutes of Health (CDC/NIH).
- B. Facilities for the treatment, proper handling, and disposal of biomedical waste must be provided.

**§ 1331-418. Building materials sales or storage yard.**

- A. Service areas shall be screened from the public right-of-way and not conflict with off-street parking associated with the use. No service areas shall be located between the front lot line of the lot and the front facade of the principal structure in which it is located.

**§ 1331-419. Bulk materials or machinery storage.**

- A. Service areas shall be screened from the public right-of-way and not conflict with off-street parking associated with the use. No service areas shall be located between the front lot line of the lot and the front facade of the principal structure in which it is located.

**§ 1331-420. Cemetery.**

- A. The landowner and/or developer shall provide a statement of guaranteed perpetual maintenance before approval is given.
- B. No burial sites shall be within fifty (50) feet of any lot line or one hundred (100) feet of a street right-of-way.
- C. Access drives shall be located to take maximum advantage of sight distances for motorists.

**§ 1331-421. Club/lodge.**

- A. Hours of operation shall be scheduled to minimize negative impacts on the surrounding neighborhood.

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- B. As part of all land development, the landowner and /or developer shall provide a plan for photometrics of the lot. Illumination, when measured at a lot line, shall be a maximum of zero (0) foot candles.
- C. Dumpsters and shall be screened from the public right-of-way and not conflict with off-street parking associated with the use. No dumpsters and/or service areas shall be located between the front lot line of the lot and the front facade of the principal structure in which it is located.

**§ 1331-422. Coffee shop.**

- A. Dumpsters and service areas shall be screened from the public right-of-way. No dumpsters and/or service areas shall be located between the front lot line of the lot and the front facade of the principal structure in which it is located.
- B. Outdoor storage of materials shall not be permitted.

**§ 1331-423. Communications tower.**

- A. The Applicant must demonstrate that the equipment planned for the proposed telecommunications tower cannot be accommodated on existing or approved telecommunications towers at a reasonable cost.
- B. The Applicant must demonstrate that other existing and approved telecommunications tower sites cannot practically accommodate the proposed telecommunications tower.
- C. In addition to minimum yard requirements, telecommunications towers shall be set back from lot lines a minimum of twenty (20) percent of the height of the telecommunications tower.
- D. The telecommunications tower shall be designed to have the least practical adverse visual effect on the residential areas which can view it, as evidenced by compliance with the following:
  - 1. The telecommunications tower shall have a galvanized finish or be painted silver above the top of surrounding trees and be painted green below treetop level.
  - 2. The telecommunications tower shall comply with Federal Aviation Administration and Pennsylvania Bureau of Aviation lighting standards and shall not be artificially lighted unless required by those agencies.
- E. Existing on-site vegetation shall be preserved to the maximum extent possible.
- F. Where a site abuts a residential zoning district, public property or street, a buffer area shall be provided at the site perimeter. The buffer area shall include a row of evergreen trees a minimum of six (6) feet in height.
- G. The proposed use shall comply with applicable federal and state regulations.

**§ 1331-424. Concrete or asphalt batch plant.**

- A. The lot shall be enclosed with permanent fencing and/or wall a minimum of eight (8) feet in height.
- B. Hours of operation shall be scheduled to minimize negative impacts on the surrounding neighborhood.
- C. Screening of the use shall achieve a minimum of ninety (90) percent opacity.

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**§ 1331-425. Confectionary.**

- A. Dumpsters and service areas shall be screened from the public right-of-way and not conflict with off-street parking associated with the use. No dumpsters and/or service areas shall be located between the front lot line of the lot and the front facade of the principal structure in which it is located.
- B. Outdoor storage of materials shall not be permitted.
- C. Hours of operation shall be scheduled to minimize negative impacts on the surrounding neighborhood.

**§ 1331-426. Convenience store.**

- A. In order to ensure pedestrian safety, access and circulation for both customers and deliveries/loading shall be posted on the lot.
- B. Loading areas/docks shall be screened with either landscaping or fencing from neighboring uses.
- C. To minimize conflicts between food/beverage items, animals and the natural elements, the storage of pallets and other loading-related equipment/materials shall be contained within an enclosed and covered structure.
- D. Hours of operation shall be scheduled to minimize negative impacts on the surrounding neighborhood.
- E. Building and parking setbacks shall be consistent with the existing building and parking setbacks of adjoining lots.
- F. As part of all land development, the landowner and /or developer shall provide a plan for photometrics of the lot. Illumination, when measured at a lot line, shall be a maximum of zero (0) foot candles.
- G. A traffic impact study shall be required to be submitted where the proposed development, according to the institute of Transportation Engineers (ITE) standards, will generate one hundred (100) trips in addition to the adjacent roadways' peak hour volumes.

**§ 1331-427. Crematorium.**

- A. Any and all odors and smoke generated as part of a crematorium operation shall be in conformance with the Performance Standards of this Ordinance.
- B. Loading areas/docks shall be screened with either landscaping or fencing from neighboring uses.
- C. No outdoor storage shall be permitted on a lot associated with a crematorium.
- D. No crematorium shall be within two hundred (200) feet of any lot line.

**§ 1331-428. Day-care home.**

- A. Exterior open space shall be provided, being usable and accessible only for the children at a minimum ratio of sixty-five (65) square feet per child. Interior space shall be provided as per the regulations of the Pennsylvania Department of Welfare. In addition, other lot and area requirements within the zoning district in which the day care home is proposed shall apply.

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- B. Off-street parking spaces required for day care homes shall be one (1) for each three hundred (300) square feet of gross floor area with a minimum of four (4) spaces.
- C. Depending on traffic and/or adjoining use of the premises, a fence with approved height and strength by the City may be required along the lot's perimeter for the protection of those using the day care home.
- D. Safe vehicular access and areas for discharging and picking up children shall be provided.

**§ 1331-429. Emergency services, private/public.**

- A. An access analysis shall be conducted in order to evaluate sight distance and to identify appropriate lot access points. Special traffic signage control and lighting may need to be provided pending the results of said access analysis.

**§ 1331-430. Financial institution.**

- A. The City of McKeesport shall require the landowner and/or developer to prepare and submit a traffic impact analysis of the proposed development.
- B. The ground of off-street parking and loading spaces shall be paved with bituminous, brick, concrete or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.
- C. Side and rear buffer areas shall be maintained in accordance with this Ordinance.
- D. Paved off-street stacking spaces shall be arranged in an orderly fashion so as not to cause blockage of any means of ingress or egress and to insure that the traffic flow on public rights-of-way is not endangered in any way. A separate means of ingress shall be established and clearly marked as shall be a separate means of egress from the bank. Should any traffic congestion occur in the public right-of-way, it shall be the responsibility of the owner to direct traffic away from the facility by posting a "Temporarily Closed" sign or other means. The City of McKeesport may require any traffic studies and associated improvements as a condition of approval.
- E. Financial Institution with Drive-Thru.
  - 1. No drive-thru window, customer automated teller machine (ATM), or the like shall be located in a front yard.
  - 2. The drive-thru shall have direct access to a public right-of-way.
  - 3. A minimum of three (3) stacking spaces shall be provided for each drive-thru lane.
  - 4. Stacking shall not interfere with the normal traffic flow within the lot nor shall it cause the stopping of vehicles on any public right-of way.

**§ 1331-431. Fuel/energy recharge station.**

- A. One (1) additional tree per fuel pump/recharge unit shall be planted on the lot.
- B. Lighting associated with any canopy constructed on the lot shall be installed as internal illumination of the canopy only.

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- C. To minimize conflicts between food/beverage items, animals and the natural elements, the storage of palettes and other loading-related equipment/materials shall be contained within an enclosed and covered structure.
- D. Hours of operation shall be scheduled to minimize negative impacts on the surrounding neighborhood.
- E. Building and parking setbacks shall be consistent with the existing building and parking setbacks of adjoining lots.
- F. Buffering of parking and loading areas shall be provided in accordance with this Ordinance.
- G. As part of all land development, the landowner and /or developer shall provide a plan for photometrics of the lot. Illumination, when measured at a lot line, shall be a maximum of zero (0) foot candles.
- H. A traffic impact study shall be required to be submitted where the proposed development, according to the institute of Transportation Engineers (ITE) standards, will generate one hundred (100) trips in addition to the adjacent roadways' peak hour volumes.

**§ 1331-432. Garage, public.**

- A. If the parking garage is accessory to the principal use of a lot, it shall be included in all building coverage calculations.
- B. Said garage shall be subject to building setbacks as defined by this Ordinance.
- C. A parking garage shall be illuminated in conformance to the requirements of this Ordinance and any applicable provisions outline in the City of McKeesport Subdivision & Land Development Ordinance.
- D. A parking garage shall not be located any closer to a right-of-way line or a lot line than what is permitted by the building setbacks defined in this Ordinance.
- E. The perimeter of a parking garage shall be landscaped in conformance to the bufferyards defined in this Ordinance.

**§ 1331-433. Garden center/nursery/greenhouse.**

- A. The location, orientation and lot circulation shall be such as to minimize the disturbance of the surrounding open space.
- B. Equipment storage shall be permitted to include man-operated or mechanical equipment or other machinery that is in operable condition. The storage of inoperable vehicles is prohibited for this use.
- C. Site grading shall be completed to ensure that surface run-off is directed away from any and all material storage areas.
- D. An eight (8) foot high screen shall be constructed around the perimeter of any storage areas if equipment and/or materials are not contained within an enclosed building/area. The screen shall be measured from the average grade of the adjacent ground, unless otherwise defined by the applicable City of McKeesport. The screen shall be eighty (80) percent opaque and composed

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of finished masonry, wood, or black or green vinyl-covered chain link fencing with eight (8) foot high evergreen plantings on the exterior side of the fence.

- E. No storage or transfer of toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases or solids shall be permitted, with the exception of gasoline, diesel, fuel and oil for the operation and maintenance of motorized vehicles and equipment.
- F. The ground surface of off-street parking shall be paved with bituminous, brick, concrete or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances. Loading and equipment storage areas shall, at a minimum, be paved with crushed limestone aggregate.
- G. No more than one (1) identification sign shall be permitted; said sign shall be a ground or a wall sign. The graphic area of the sign shall not exceed thirty (30) square feet.

**§ 1331-434. Gas and/or oil well production.**

- A. Applications for gas and oil well production must be accompanied by a site plan drawn by an architect, engineer or landscape architect showing the ingress and egress of all residential properties affected by the proposed use. The site plan shall reflect landscaping adequately so as to screen and buffer neighboring properties, and the availability of ingress and egress does not disturb residential dwellings. Gas and oil well production must be located a sufficient distance from inhabited structures so as to not disturb neighboring properties and in no event shall be located within two hundred (200) feet of any inhabited structure. Gas and oil production in R-1 Residential, R-2 Residential and R-3 Residential Districts shall be limited exclusively to public parks.

**§ 1331-435. Health/fitness related establishment.**

- A. Dumpsters and service areas shall be screened from the public right-of-way and not conflict with off-street parking associated with the use. No dumpsters and/or service areas shall be located between the front lot line of the lot and the front facade of the principal structure in which it is located.
- B. Outdoor storage of materials shall not be permitted.

**§ 1331-436. Hotel/motel.**

- A. The location, orientation and lot circulation shall be such as to minimize the disturbance to surrounding uses.
- B. All off-street parking areas located adjacent to existing residences shall reduce exterior lights to half power after 11:00 P.M. and shall be screened as per this Ordinance.
- C. A traffic impact study shall be required to be submitted, where the proposed development according to the Institute of Transportation Engineers (ITE) standards will generate one hundred (100) trips in addition to the adjacent roadway's peak hour volumes.
- D. Drop-off/temporary parking areas shall remain free and clear of obstructions for general safety and fire department access.
- E. A twelve (12) foot wide fire/emergency access route shall be provided around the perimeter of each building. Topography or other characteristics of the site or the development that might



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affect the use of emergency equipment between buildings may dictate a greater separation of structures.

- F. Service of meals and/or beverages (alcoholic/non-alcoholic) must be secondary to the principal use of room or suite rental.
- G. Secondary eating establishments serving alcoholic beverages or secondary bars or nightclubs must be licensed by the Pennsylvania Liquor Control Board.
- H. The owner(s)/operator(s) of the business establishment shall be responsible for the conduct and safety of the renters and guests and shall be available to respond to inquiries and promptly quell any disturbances caused by renters or guests.

**§ 1331-437. Incinerator.**

- A. The minimum lot area for an incinerator shall be fifty (50) acres.
- B. An inventory of toxic corrosive flammable carcinogenic and explosive materials, chemicals, liquids, gases or solids shall be filed annually with the local fire department and 911 Service.
- C. The perimeter of an incinerator including outdoor storage areas, delivery areas and/or loading areas shall be screened from adjoining properties. All screens shall have minimum height of eight (8) feet and shall be constructed as earth berms, fifteen (15) foot wide landscape bufferyards, fences or walls with a minimum opacity of eighty (80) percent.
- D. An incinerator shall have one (1) point of ingress and egress and shall be a distance from an arterial road as defined by this Ordinance.
- E. Incinerators shall operate between 5:00 A.M. and 10:00 P.M. No deliveries or operations shall be permitted prior to 5:00 A.M. or after 10:00 P.M.
- F. Emissions shall meet the minimum requirements of this Ordinance as well as all applicable state and federal regulations.
- G. Such uses shall be located at least five hundred (500) feet from any lot line adjoining an existing residential lot and at least two hundred (200) feet from any other lot line or public right of way as defined by this Ordinance.
- H. No incinerator should be located within one thousand (1,000) feet of an existing public or parochial school, hospital, nursing home, daycare center, place of worship, place of assembly, public playground and public or private park.

**§ 1331-438. Kennel.**

- A. Such uses shall be located at least one hundred (100) feet from any property line adjoining an existing residential lot and at least fifty (50) feet from any other property line or public right of way as defined by this Ordinance.
- B. The minimum lot area for a kennel shall be two (2) acres.
- C. Outdoor animal 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 an existing residential lot or a public right of way.

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- D. If adjacent properties are developed as residential lots, the kennels shall be soundproofed to minimize noise impact on adjacent properties.
- E. The kennel shall be licensed by the Commonwealth of Pennsylvania, and compliance with all applicable rules and regulations of the Commonwealth of Pennsylvania and the Allegheny County Health Department shall be maintained.
- F. At no time shall the animals be permitted to run loose on the lot other than in a completely enclosed area.
- G. Approval shall be subject to periodic inspections to insure compliance with the conditions of approval. The Zoning Officer shall notify the operator forty eight (48) hours before such inspection shall take place.

**§ 1331-439. Mausoleum.**

- A. All equipment and vessels for keeping of the deceased shall be stored within a completely enclosed building.
- B. The preparation of the deceased for placement within the mausoleum shall not be permitted to occur on site.

**§ 1331-440. Mechanical repair, large or small.**

- A. All materials and equipment shall be stored within a completely enclosed building.
- B. The use shall comply with all performance standards specified in this Ordinance.
- C. The storage or manufacture of hazardous or potentially hazardous materials shall not be permitted.
- D. Hours of operation and activities must be appropriately scheduled to protect the operation of the surrounding neighborhood from detrimental noise, dust, odor, vibration, light or other disturbance or interruption.

**§ 1331-441. Mini-warehouse.**

- A. The minimum lot area for a mini-warehouse shall be two (2) acres.
- B. Individual storage spaces within a mini-warehouse shall have a maximum gross floor area of five hundred (500) square feet.
- C. The proposed use shall not be visible from an Arterial Street.
- D. Walls. A six (6) foot high decorative masonry wall combined with an earthen berm or landscaping to provide an eight (8) foot high screen shall be provided around the entire mini-warehouse land use, unless otherwise approved by the City of McKeesport. The rear and sides of mini-warehouse buildings may be used in place of portions of the required wall where no individual storage units are accessible from the building sides. The exterior side of all perimeter masonry walls and building sides (if used in place of portions of the walls), shall be coated with a protective coating that will facilitate the removal of graffiti.

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**E. Lighting.**

1. All lighting shall be indirect, hooded and positioned so as not to reflect onto adjoining property or public streets.
2. Lighting fixtures may be installed in each individual storage space, provided that the fixtures shall not include or be adaptable to provide electrical service outlets.

**F. Gates.** All gates shall be decorative wrought iron, chain link, other metal type, or wood. All gates shall be subject to review and approval by the county fire department and sheriff's department to assure adequate emergency access.

**G.** A manager and/or caretaker shall be a permanent resident and on-site or available for immediate contact at all times.

**§ 1331-442. Mortuary/crematorium/funeral home.**

- A. There shall be no crematory or receiving vaults, nor any external display of merchandise on the premises.
- B. One (1) off-street loading space shall be provided for every ten thousand (10,000) square feet of GFA.
- C. No loading and unloading of merchandise and cadavers shall occur, under any circumstances, on public property or shall be visible from the public right-of-way.
- D. An occupancy or building permit shall not be issued unless they are filed with the written consent of sixty (60) percent of the residential lot owners within two hundred (200) feet of the proposed structure. Lot(s) owned by the Applicant shall not be included in such consents.

**§ 1331-443. Other public service or office.**

- A. The landowner and/or developer shall demonstrate that the primary visitor drop-off and pick-up area is located in a manner that does not cause undue traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.
- B. The number of points of ingress/egress shall be based upon projected peak hour traffic for the use and approved by the City Engineer to ensure employee and visitor safety.
- C. If the parking area is adjacent to a residential use, the following shall apply:
  1. An additional ten (10) foot setback for the respective lot line shall be provided along the parking lot's perimeter to minimize the impact of inappropriate noise, dust, light and other disturbances on adjacent residential use.
  2. One (1) and one-half (1 ½) times the required number of plants for screening and buffering off street parking and loading areas; or
  3. A landscape area shall be installed along the parking area proposed adjacent to the lot line shared with the residential use, a minimum of three and one-half (3 ½) feet in height at its peak, and the sides do not exceed a four (4) foot horizontal to one (1) foot vertical (4:1) change in elevation. The berm shall be landscaped with plants that provide four (4) seasons of vegetated cover not including turf grass.

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**§ 1331-444. Parking lot, commercial.**

- A. A parking lot shall not be accessed within fifty (50) feet of a roadway intersection.
- B. The perimeter of a parking lot along a public right-of-way shall be landscaped with a minimum of a three (3) foot high hedge or screened with a minimum four (4) foot high masonry wall.
- C. Curb cuts shall be located a minimum of sixty (60) feet from an intersection and sixty (60) feet from other curb cuts.
- D. The use shall be located to minimize disruption to pedestrian movements.

**§ 1331-445. Recreational facilities, private/park, private and recreation open space.**

- A. All pools, tennis courts, or other comparable facilities shall be considered structures for the purpose of this Ordinance.
- B. Coverage, including structures, parking lots, and buildings, shall not exceed thirty (30) percent of the lot.
- C. The facility area and lot boundaries shall be landscaped as required by the City of McKeesport to minimize noise projection and make the grounds aesthetically compatible to the surrounding properties.
- D. All structures shall not be less than one hundred (100) feet from any lot line, and no less than two hundred (200) feet from the nearest house.
- E. All facilities shall have a paved parking area in accordance with this Ordinance; and it shall not be closer than twenty-five (25) feet to any residential lot line.
- F. All facilities shall abut a public road and have a permanent access thereto.
- G. Alcoholic beverages without a Pennsylvania Liquor Control Board license, amplified music, and juke boxes shall be prohibited on the premises.
- H. No direct or sky-reflected glare, whether from floodlights or any other kind of light, shall be visible from adjoining public streets or adjacent lots when viewed by a person standing on ground level.
- I. All pools shall be surrounded by a fence at least six (6) feet in height, the entrance to which shall be kept locked when attendant is not present; and shall be constructed in accordance with all applicable state requirements.
- J. Tennis courts shall be protected by a permanent fence ten (10) feet in height behind each base line extending ten (10) feet beyond the playing area in each direction.
- K. The landowner and/or developer shall demonstrate the proposal will be compatible with the neighborhood and not adversely affect adjoining lot.
- L. The amount of new traffic generated shall not have a detrimental impact on the neighborhood.
- M. Plans shall clearly show ingress-egress facilities and provide proper sight visibility for motorists.

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- N. Hours of operation shall be scheduled to minimize negative impacts on surrounding residential neighborhoods. The City of McKeesport may limit hours within this time frame based on the use and location of the facility. Operating hours for the purpose of this section shall mean the period of time that the recreational or athletic activity is occurring.

**§ 1331-446. Research and development.**

- A. A research, testing and development facility shall have one (1) point of ingress and egress to an arterial road as defined by this Ordinance.
- B. Hours of operation and activities must be appropriately scheduled to protect the operation of the surrounding neighborhood from detrimental noise, dust, odor, vibration, light or other disturbance or interruption.
- C. All interior driveways and parking areas shall be paved with a material to reduce dust.
- D. An inventory of toxic, corrosive, flammable, or carcinogenic materials, chemicals, liquids, gases or solids shall be updated annually and filed with the local fire department and the Allegheny County 911 service.
- E. All equipment and processing shall be contained within an enclosed building.
- F. No explosive materials or processes shall be used and no noise, smoke or fumes shall be noticeable beyond the limits of the lot. With regard to glare, see this Ordinance, required provisions pertaining to lighting and glare for all districts.
- G. The lot shall be no less than eighty thousand (80,000) square feet in area and the building or buildings shall be set back at least one hundred (100) feet from abutting highways and residential zone boundaries.

**§ 1331-447. Restaurant, standard.**

- A. Required off-street parking for the restaurant shall be clearly designated and shall be located within three hundred (300) feet of the entrance to the restaurant.
- B. Dumpsters and service areas shall be screened from the public right-of-way and not conflict with off-street parking associated with the use. No dumpsters and/or service areas shall be located between the front lot line of the lot and the front facade of the principal structure in which it is located.
- C. Outdoor storage of materials shall not be permitted.

**§ 1331-448. Retail, large.**

- A. Hours of operation shall be scheduled to minimize negative impacts on surrounding residential neighborhoods.
- B. All lot lines adjoining residential use or zoning classification shall be screened by the bufferyard of deepest dimension and greatest opacity as required by this Ordinance.
- C. Building setbacks shall be consistent with the existing building setbacks of adjoining lots.
- D. As a part of all land development, the landowner and /or developer shall provide a plan for photometrics of the lot. Illumination on a lot, when adjacent to a residential district, shall be a

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maximum of zero (0) foot candle. Lighting levels shall also be reduced by one-half (½) their standard operating power, between 11:00 pm and 6:00 am.

- E. The location and arrangement of parking on a lot shall be designed and constructed so that general safety and circulation is optimized and so that the impact of vehicles and lighting on right-of-ways or residential activity in proximity to the lot is minimized. The City of McKeesport reserves the right to increase bufferyard requirements, require parking to be located behind the minimum front principal building setback or to designate other measures on the lot in order to maximize safety and/or minimize impacts to surrounding uses.
- F. The ground surface of off-street parking shall be paved with bituminous, brick, concrete or stone block paving material to protect the surrounding neighborhood from inappropriate dust or other disturbances.
- G. One (1) landscaped island for every seven (7) parking spaces shall be provided within all parking areas. All landscaped islands shall contain one (1) tree a minimum of two (2) inches dbh.

**§ 1331-449. School, post-secondary.**

- A. Such use shall not exceed the impact on the environment and adjacent streets of any use specifically listed as permitted in the Zoning District in which the post-secondary school is located. In making such determination, the following shall considerations shall be reviewed:
  - 1. The number of employees.
  - 2. The number of students.
  - 3. The floor area of the building or gross area of the lot devoted to the proposed use.
  - 4. The type of products, materials, equipment and/or the process involved in the proposed use.
  - 5. The traffic and environmental impacts.
  - 6. The ability of the proposed use to comply with the performance standards of this Ordinance.
- B. The post-secondary school shall comply with all applicable area and bulk regulations of the Zoning District in which it is located.
- C. Post-secondary schools shall have a minimum of one (1) point of ingress/egress to a collector or arterial road as defined by this Ordinance. The road shall have sufficient capacity to handle traffic generated by the facility.
- D. As part of all land development, the landowner and/or developer shall provide a plan for photometrics of the lot. Illumination, when measured at a lot line, shall be a maximum of one (1) foot candle.
- E. At no time shall any supply materials or equipment be permitted to be stored outdoors.

**§ 1331-450. Shopping center, community/shopping center neighborhood.**

- A. Dumpsters and service areas shall be screened from the public right-of-way and not conflict with off-street parking associated with the use. No dumpsters and/or service areas shall be located between the front lot line of the lot and the front facade of the principal structure in which it is located.

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- B. Outdoor storage of materials shall not be permitted.
- C. Pedestrian walkways and loading areas shall be designed to be an integral part of the surrounding street system and to minimize conflicts with vehicles.

**§ 1331-451. Trade shop.**

- A. Outdoor storage of materials shall not be permitted.
- B. Outdoor commercial activities shall not be permitted.
- C. A designated off-street parking area shall be located within three hundred (300) feet of the trade shop establishment and shall provide one (1) space for every two hundred fifty (250) square feet of gross floor area.

**§ 1331-452. Theater, indoor.**

- A. The landowner and/or developer shall demonstrate that the primary visitor drop-off and pick-up area is located in a manner that does not cause undue traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.
- B. Any additional standards that are needed to protect public health, safety, and welfare or to address unique characteristics of a particular lot defined by the City of McKeesport shall be complied with by the lot owner and/or developer.

**§ 1331-453. Warehouse.**

- A. Every portion of the property used for warehouse uses shall be located not closer than two hundred (200) feet from any abutting property that is in a different zoning district.
- B. All vehicular maneuvering shall be located on-site.
- C. Curb cuts shall be minimized to the maximum extent feasible in order to achieve access to the site.
- D. The approving body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the emission of noise or glaring light, and proposed accessory uses, such as meeting facilities.
- E. Loading areas shall not be visible from a public right of way or an adjacent residence. A landscaped bufferyard a minimum of twenty-five (25) feet in width shall be provided adjacent to all existing residences. Bufferyards shall be landscaped with a combination of deciduous and evergreen trees, shrubs, ornamental grasses and groundcovers.
- F. Grass, sod, lawn or turf shall not be considered an acceptable plant for use within landscaped bufferyards.
- G. Outdoor storage of foods and/or materials shall not be permitted.
- H. The ground surface of off-street parking and loading spaces shall be paved with bituminous paving, brick, concrete or store block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

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**ARTICLE V – USE BY SPECIAL EXCEPTIONS**

**§ 1331-501. General procedures and criteria.**

Use by special exception (also known as special exceptions) are to be granted or denied by the Zoning Hearing Board pursuant to express standards and criteria for a particular special exception stated in this Ordinance. The Zoning Hearing Board shall hear and decide upon written requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the Zoning Hearing Board may attach such reasonable condition and safeguards, in addition to those expressed herein, as it may deem necessary to implement the purpose of this Ordinance and Act 247. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this Ordinance. The Zoning Hearing Board may request a report and recommendation from the City Planning Commission on the planning aspects of each application.

- A. The special exception shall be in accordance with the standards specified for such classes of special exceptions.
- B. The special exception shall not involve any element or cause any condition that may be dangerous, injurious or noxious to any other property or persons and shall comply with the performance standards of Article IX.
- C. Uses by special exception must be comply with the applicable standards and requirements as set forth by the City of McKeesport Subdivision and Land Development Ordinance.
- D. The special exception must be found to be beneficial to the public at the proposed location.
- E. The application for a special exception listed herein shall be accompanied by a site plan and all other pertinent information as prescribed by the Zoning Hearing Board.
- F. The special exception shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties and be consistent with the environment of the neighborhood.
- G. The special exception shall organize vehicular access and parking to minimize traffic congestion in the vicinity of the proposed special exception. The Zoning Hearing Board shall not approve a use in areas where a professional traffic engineering study indicates that a proposed use or structure will burden existing traffic so as to enhance the danger and congestion in travel and transportation and increase the number of accidents unless the property owner or Applicant agrees to provide such traffic improvements as determined by the study.
- H. The special exception shall preserve the spirit, intent and purpose of this Ordinance.
- I. A public hearing shall be held prior to the Zoning Hearing Board deciding each request for a special exception.
- J. The Zoning Hearing Board shall not approve a special exception until:
  1. A written application for a special exception is submitted to the Zoning Officer, indicating the section of this Ordinance under which it is required.
  2. Notice is given.



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3. A public hearing is held.
- K. If the Zoning Hearing Board determines that the application for a special exception meets all the applicable requirements of this Ordinance, the Zoning Hearing Board shall direct the issuance of a zoning approval for such special exception.
- L. See also § 1331-1503.

**§ 1331-502. All other residential uses.**

A use not expressly listed within the **Table C: Principal Land Use Table** may be considered for a special exception application upon review and determination that the Applicant's demonstration of the proposed use meets all the following criteria:

- A. Parking shall be provided on the same lot upon which the dwelling unit is located and be no more than three hundred (300) feet from any one unit.
- B. All parking spaces and driveways shall be surface with bituminous, brick, concrete or stone block paving material.
- C. The means of a building's ingress and egress shall meet requirements as outlined in the City of McKeesport's Uniform Construction Code.
- D. A twelve (12) foot wide fire/emergency access route shall be provided around the perimeter of each building. Topography or other characteristics of the site or the development that might affect the use of emergency equipment between buildings may dictate a greater separation of structures.
- E. The maximum number of units per building shall not exceed eighteen (18).
- F. The primary vehicular entrance to the residential development shall, at a minimum, have direct access to a collector road.
- G. Maximum height of lighting for outdoor parking areas and roadways shall be twenty-five (25) feet.
- H. As part of all land development, the landowner and/or developer shall provide a plan for photometrics of the lot. Illumination, when measured at a lot line, shall be a maximum of one (1) foot candle.
- I. Bufferyards between the residential development and any other adjacent residential lot shall be increased by ten (10) feet in addition to the City of McKeesport's required bufferyard width. Landscaping, within this additional width, shall be provided according to spacing, quantity and type of plants specified by the City Planning Commission.
- J. Slopes shall be graded at a maximum of three (3) foot horizontal to one (1) foot vertical (3:1) ratio.
- K. If the parking area for the residential development is adjacent to a single-family residential lot and demands greater than ten (10) automobiles, the following shall apply:
1. An additional ten (10) foot bufferyard with one (1) of the following shall be provided along the parking lot's perimeter to minimize the impact of inappropriate noise, dust, light and other disturbances on residential lots.
  2. One and one-half (1 ½) times the required number of plants for screening and buffering off-street parking and loading areas; or

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3. A mound, a minimum of three and one-half (3 ½) feet in height at its peak, shall be constructed whereas the sides do not exceed a four (4) foot horizontal to one (1) foot vertical (4:1) change in elevation. The mound shall be landscaped in its entirety with plants that provide four (4) seasons of interest but shall not include turf grass. The landowner and/or developer shall coordinate site drainage so that site development and grading do not create any adverse effects on adjacent lots.
- L. Dumpsters, if located on the lot, shall be located in the rear setback yard and shall be screened with an earth berm, landscaped bufferyard, fence or wall with a minimum height of eight (8) feet if the dumpster has a peaked roof, and otherwise six (6) feet, and a minimum opacity of eighty (80) percent.
- M. The design and size of the residential use's living quarter shall conform to all applicable state and City of McKeesport standards/codes.
- N. For any proposed use that will occupy an existing residential structure, exterior modifications shall be limited to occur in only rear and side as part of said reuse.

**§ 1331-503. Day care center**

- A. The day care center shall be licensed as such by the Commonwealth of Pennsylvania.
- B. Ingress and egress to the site shall be designed to assure the safe dropping off and pick up children. All drop-off locations shall be designed so as to not interfere with the free flow of traffic on adjacent streets.
- C. Outdoor play areas shall be provided and shall be secured by a fence, at least four (4) feet in height, with a self-latching gate.
- D. Exterior open space shall be provided, being usable and accessible only for the children at a minimum ratio of one hundred (100) square feet per child. Interior space shall be provided as per the regulations of the Pennsylvania Department of Welfare. In addition, other lot and area requirements within the Zoning District in which the day care center is proposed shall apply.
- E. Depending on traffic and/or adjoining use of the premises, a fence with approved height and strength may be required along the lot's perimeter for the protection of those using the day care center.
- F. Outdoor play areas that adjoin residential lots shall be screened as per the screening requirements of this Ordinance.
- G. The general safety of a day care center site shall be evaluated as it relates to the needs of small children.
- H. Off-street parking shall be provided in accordance with the requirements of this Ordinance.

**§ 1331-504. Extraction of minerals**

- A. Mineral extraction shall be prohibited in watersheds or rivers or streams now or hereafter designated by the Pennsylvania Fish Commission as a Wilderness Trout Stream, by the Pennsylvania Department of Environmental Protection as part of the Scenic Rivers system or designated under the Federal Wild and Scenic Rivers Act.

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- B. No mineral extraction shall be conducted within three-hundred (300) feet of the property line of any public building, school, place of worship, commercial building, public park or private recreational area.
- C. No mineral extraction shall be conducted within one-hundred (100) feet of the outside right-of-way line of any public street, except where access roads or haulage roads join the right-of-way line and where the appropriate State or Federal agency having jurisdiction over the conduct of mineral removal operations shall permit it in accordance with law.
- D. No mineral extraction shall be conducted within one-hundred (100) feet of the property line of a cemetery.
- E. No mineral extraction shall be conducted within three-hundred (300) feet of the property line of an occupied dwelling, unless the consent of the owner has been obtained in advance of the filing of the application for zoning approval.

**§ 1331-505. Manufacturing, heavy**

- A. All materials and equipment shall be stored within a completely enclosed building.
- B. The use shall comply with all performance standards specified in this Ordinance.
- C. The storage or manufacture of hazardous or potentially hazardous materials shall not be permitted.
- D. Any outdoor storage conducted on the lot shall comply with City of McKeesport standards.
- E. Hours of operation and activities must be appropriately scheduled to protect the operation of the surrounding neighborhood from detrimental noise, dust, odor, vibration, light or other disturbance or interruption.
- F. An inventory of toxic, corrosive, flammable, carcinogenic or explosive materials, chemical, liquids, gases or solids stored and/or used on site shall be available upon request.

**§ 1331-506. Night club**

- A. A nightclub serving alcohol shall be located in accordance with the provisions of the Pennsylvania Liquor Control Board.
- B. A nightclub's hours of operation and activities must be appropriately scheduled to protect all surrounding residential development from detrimental noise, disturbance or interruption.
- C. The owner(s) and operator(s) of a nightclub shall be responsible for the conduct and safety of the patrons.
- D. No more than one (1) identification sign shall be permitted; said sign shall be a ground or a wall sign. The graphic area of the sign shall not exceed thirty (30) square feet.

**§ 1331-507. Nursery schools/preschool.**

- A. Exterior open space shall be provided, being usable and accessible only for the patrons at a minimum ratio of sixty-five (65) square feet per patron. In addition, other lot and area requirements within the zoning district in which the nursery school/preschool is proposed shall apply.

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- B. Off-street parking spaces required for nursery schools/preschools shall be one (1) for each three hundred (300) square feet of gross floor area with a minimum of four (4) spaces.
- C. Depending on traffic and/or adjoining use of the premises, a fence with approved height and strength by the City of McKeesport may be required along the lot's perimeter for the protection of those using the nursery school/preschool.
- D. Safe vehicular access and areas for discharging and picking up patrons shall be provided.
- E. All drop-off locations shall not interfere with the free flow of traffic on adjacent streets.
- F. Any applicable licensing shall be current, available and provided for City of McKeesport reference upon inquiry.

**§ 1331-508. Place of assembly/place of worship.**

- A. The landowner and/or developer shall demonstrate that the primary visitor drop-off and pick-up area is located in a manner that does not cause undue traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.
- B. The number of points of ingress/egress shall be based upon projected peak hour traffic for the use and approved by the City Engineer to ensure employee and visitor safety.
- C. If the parking area is adjacent to a residential use, the following shall apply:

An additional ten (10) foot setback for the respective lot line shall be provided along the parking lot's perimeter to minimize the impact of inappropriate noise, dust, light and other disturbances on adjacent residential use, and one of the following:

- 1. One and one-half (1 ½) times the required number of plants for screening and buffering off street parking and loading areas; or
- 2. A landscape area shall be installed along the parking area proposed adjacent to the lot line shared with the residential use, a minimum of three and one-half (3 ½) feet in height at its peak, and the sides do not exceed a four (4) foot horizontal to one (1) foot vertical (4:1) change in elevation. The berm shall be landscaped with plants that provide four (4) seasons of vegetated cover not including turf grass.

**§ 1331-509. Restaurant, drive-through.**

- A. No drive-thru window or the like shall be located in a front yard.
- B. The drive-thru shall have direct access to a public right-of-way.
- C. A minimum of three (3) stacking spaces shall be provided for each drive-thru lane.
- D. Stacking shall not interfere with the normal traffic flow within the lot nor shall it cause the stopping of vehicles on any public right-of way.

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- A. Required off-street parking for the restaurant shall be clearly designated and shall be located within three hundred (300) feet of the entrance to the restaurant.
- B. Dumpsters and service areas shall be screened from the public right-of-way and not conflict with off-street parking associated with the use. No dumpsters and/or service areas shall be located between the front lot line of the lot and the front facade of the principal structure in which it is located.
- C. Outdoor storage of materials shall not be permitted.

**§ 1331-511. School, K-12.**

- A. Access drives shall be located to take maximum advantage of sight distances for motorists; shall be as remote as possible from street intersections.
- B. Parking areas shall be screened from view of neighboring houses or those directly across the street from the lot.
- C. Buildings on the lot shall be set back at least thirty (30) feet from side yard lines and shall be no higher than forty-five (45) feet and two and one half (2 ½) stories.
- D. If group housing is included on the lot, the setback and density requirements of the base zoning district shall apply.
- E. Recreational areas shall be located no closer than thirty (30) feet to an abutting street or twenty (20) feet to other lot lines.
- F. The school's course of instruction or other activities on the lot shall not create noise, dirt, glare, dust or other nuisances on adjacent properties.

**§ 1331-512. Telecommunications tower**

- A. The Applicant must demonstrate that the equipment planned for the proposed telecommunications tower cannot be accommodated on existing or approved telecommunications towers at a reasonable cost.
- B. The Applicant must demonstrate that other existing and approved telecommunications tower sites cannot practically accommodate the proposed telecommunications tower.
- C. In addition to minimum yard requirements, telecommunications towers shall be set back from lot lines a minimum of one hundred twenty (120) percent of the height of the telecommunications tower.
- D. The telecommunications tower shall be designed to have the least practical adverse visual effect on the residential areas which can view it, as evidenced by compliance with the following:
  - 1. The telecommunications tower shall have a galvanized finish or be painted silver above the top of surrounding trees and be painted green below treetop level.
  - 2. The telecommunications tower shall comply with Federal Aviation Administration and Pennsylvania Bureau of Aviation lighting standards and shall not be artificially lighted unless required by those agencies.

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- E. Existing on-site vegetation shall be preserved to the maximum extent possible.
- F. Where a site abuts a residential zoning district, public property or street, a buffer area shall be provided at the site perimeter. The buffer area shall include a row of evergreen trees a minimum of six (6) feet in height.
- G. The proposed use shall comply with applicable federal and state regulations.

**§ 1331-513. All other non-residential uses.**

A use not expressly listed within **Table C: Principal Land Use Table** may be considered for a special exception application upon review and determination that the Applicant's demonstration of the proposed use meets all the following criteria:

- A. Impacts the neighborhood and adjacent streets, circulation and lots equal to or less than any use specifically listed in the Zoning District. In making such determination, the following characteristics shall be considered:
  - 1. The number of employees.
  - 2. The floor area of the building, gross area of the lot and/or scale of development in devoted to the proposed use.
  - 3. The type of products, materials, equipment and/or processes involved in the proposed use.
  - 4. The magnitude of walk-in trade.
  - 5. The traffic and environmental impacts and the ability of the proposed use to comply with the performance standards of this Ordinance.
  - 6. The hours of operation.
  - 7. The extent of pervious and impervious surfaces in relationship to that currently present on adjacent lots and the overall block in which development, infill, reuse and/or redevelopment is proposed.
- B. Elevations and site plans must be provided with the application.
- C. Will not endanger the public health and safety if located where proposed and that the use will not deteriorate the environment or generate nuisance conditions such as traffic congestion, noise, dust, smoke, glare or vibration.
- D. Is in general conformity with the adopted Joint Comprehensive Plan for the Cities of Duquesne and McKeesport and harmony with the area in which it is proposed.
- E. Complies with any applicable standards and criteria specified in this Part for the most nearly comparable conditional uses or use by special exception specifically listed in the Zoning District in which it is proposed is in compliance with all other standards of this Ordinance and all other applicable City of McKeesport Ordinances.

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ARTICLE VI – GENERAL REGULATIONS

§ 1331-601. General regulations.

- A. Lots which abut on more than one street shall provide a required front yard depth along each street. See also "CORNER LOT" on Figure A: Yard Distinctions.
- B. All structures, whether open or closed, including porches, garages, carports, balconies or decks above normal grade level, shall not project into any minimum front, side or rear yard unless stated otherwise by this Article.
- C. No open space contiguous to any building shall be enclosed upon or reduced in any manner except in conformity to the yard, lot area, building location, off-street parking space and such other regulations designated throughout this Ordinance. In the event of any such unlawful encroachment or reduction, such building shall be deemed to be in violation of the provisions of this Ordinance.
- D. Nothing in this Ordinance shall preclude the construction, operation and maintenance of public utility distribution and transmission or collection systems. Such systems may include poles, wires, underground pipes, transformers, conduit, appurtenances for the transmission and/or distribution of the commodity or service pertaining to the public utility. Structures permitted for these systems shall be necessary to the natural distribution and transmission or collection and shall be in harmony, as much as possible, with the uses permitted in the zone where said building or structure is located. See § 1331-512, Telecommunications tower.
- E. Landscaping. See § 1319.09 of the City of McKeesport Subdivision and Land Development Ordinance.
- F. Restricted building sites. Nothing may be built within or above an easement. Nothing may be built on a site known to be landslide prone or which has a slope over twenty-five (25) percent unless the foundation plans have been approved by a registered geotechnical or structural engineer and submitted with the request for a building permit. Issuance of a building permit is not a warranty against structural damage resulting from subsidence due to improper engineering, fill or previous site activities.
- G. Clear-sight triangle. On a corner lot no structure, fence, wall, hedge or other planting shall be erected, placed, planted or allowed to grow in such a way as to impede vision of pedestrian and vehicular traffic within clear-sight triangles on all corners between a height of two and one half (2½) feet and seven (7) feet above the center-line grades of intersecting streets. This shall apply to the clear-sight triangle area formed by the intersecting center lines of the street measured along each center line forming two (2) sides of the triangle. The third side closes the triangle as it traverses the corner lot. There is no parking permitted within the sight triangle.

§ 1331-602. Commercial uses abutting residential zone.

- A. Buffer and screening. Use abutting residential zone: buffer and screening. When a commercial use abuts a residential zone not separated by an alley or a road, special consideration shall be given to lighting, screening and noise levels so as not to interfere with or restrict the lawful use and enjoyment by others of their property. Additional buffer may be recommended in each particular conditional use or special exception depending on proposed use and as determined by the appropriate reviewing body.



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- B. Rear yard and building height. The required rear yard on a site proposed for a commercial or institutional structure, when adjacent residential properties are not separated by a dedicated street or alley, may be reduced by twenty (20) percent by providing a transitional buffer area (minimum twenty (20) feet), which provides screening by landscaping, walls or mounding. In any non-residential zoning district (C-1, C-2, C-3, C-4, C-5, I-G, I-U), if a building or portion of a building is located within forty (40) feet of a residential lot, the portion of the building located between forty (40) feet from the residential property and the yard setback shall be limited to two (2) stories in height.

**§ 1331-603. Swimming pool, private residential.**

- A. A permanent in-ground or aboveground private residential swimming pool, accessory to a single-family or two-family dwelling, may be located within a required rear yard, but shall not extend closer than five (5) feet to a rear or side lot line. An in-ground pool shall be enclosed with a four (4) foot high wall or fence, either around the perimeter of the rear yard or around the pool, with an entrance which can be latched or locked to prevent unauthorized, uncontrolled or accidental entry. (See also § 1331-613.C. Fences and Walls) An aboveground pool with all sides a minimum of four (4) feet above grade do not require a fence but shall have retractable steps that latch and prevent access to pool when not in use. For private residential pools, a wall or face of a dwelling or building may be used as part of pool enclosure. Such uses, if they meet the above conditions and standards, require a permit from the Zoning Officer.
- B. For the rules and regulations for the installation and maintenance of swimming pools and providing penalties for violation thereof, refer to Section 3109: Swimming Pool Enclosures and Safety Devices of the IBC 2009 Code for Swimming Pools.

**§ 1331-604. Satellite antennas.**

The City of McKeesport has determined that private satellite earth station antennas over two (2) feet in diameter impact upon the surrounding neighborhood to a greater extent than other antennas and are hereby regulated as follows:

- A. Satellite earth station antennas over two (2) feet in diameter may not be erected on any part of a principal or accessory structure nor on the buildable area of a lot between the front yard and a line parallel to the front line of the principal structure on the lot nor in the buildable area of the lot between the side yard and the principal structure on the lot.

**§ 1331-605. Dead-end streets and landlocked properties.**

When a public or private street terminates at the property line of an adjacent undeveloped property, a vehicular turnaround ninety (90) feet in diameter unless the Applicant demonstrates a viable alternative shall be provided in accordance with City of McKeesport specifications and requirements.

**§ 1331-606. Tree removal.**

The following requirements and considerations relate to the tree removal on all property proposed for new development within the City of McKeesport. (See also § 1319.09 of the City of McKeesport Subdivision and Land Development Ordinance.)

- A. Up to forty (40) percent of trees may be removed for any development with no tree replacement required.
- B. Up to sixty (60) percent of trees may be removed for any development with tree replacement required as follows:

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1. One (1) inch caliper of new tree shall be planted for every four (4) inch caliper of existing tree removed.
  2. The species replacement of deciduous tree shall be a choice of oaks, maples, honey locust, beech, ornamental fruit trees or special trees approved by City of McKeesport Shade Tree Commission. Each tree shall be no less than one and one-half (1½) inch caliper.
  3. The species replacement of evergreen tree shall be a choice of white pine, Colorado spruce, Norway spruce and hemlock of no less than eight (8) feet to ten (10) feet in height.
- C. A site plan showing all trees over four (4) inch caliper is required for submittal to the City Planning Commission as part of the review procedure. The site plan shall designate trees for removal and location of replacement trees.
- D. Replacement of trees cannot be used to meet other landscape requirements for street trees and buffer planting.
- E. All trees over thirty (30) inches in diameter must be preserved and all trees which are sixteen (16) feet beyond any proposed improvement to existing facilities (building, driveway, detention facilities, etc.) shall be saved.

**§ 1331-607. Boats, motor homes, campers, boat/travel trailers and other general utility trailers.**

No speed boats, cabin cruisers, inboard motor boats, house boats and their trailers, travel trailer or hard top or canvas top pop-up camper or other general utility trailers shall be maintained or parked in any residential district within the City of McKeesport outside an enclosed building in excess of three (3) continuous weeks; provided, however, that a building contractor may park a travel trailer on a building site for use as an office or storage shed only. Continuity of a single period shall not be considered broken or terminated unless said vehicle involved shall have been removed from the City of McKeesport or stored in accordance with this section for a period of at least three (3) weeks outside an enclosed building. Any travel trailer and accompanying equipment so used by a building contractor shall be promptly removed upon completion of construction.

**§ 1331-608. Sidewalks.**

See § 405.F. of the City of McKeesport Subdivision and Land Development Ordinance, as amended.

**§ 1331-609. Display or manufacture of arms.**

The display or manufacture of arms for sale or the operation of gun shops is not permitted in any residential zoning district within the City of McKeesport.

**§ 1331-610. Open air parking.**

Unless otherwise specified by this Ordinance, in all residential districts, no parking shall be permitted in front and side yards. In the Commercial and Industrial Districts, parking is permitted in front and side yards as long as a five (5) foot setback/buffer strip (measured from property line) is provided for screening or landscaping.

**§ 1331-611. Storage facilities.**

- A. All garbage, trash and rubbish shall be stored in covered, vermin-resistant containers and shall be screened from public view. See also § 1331-910.

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- B. Storage of any merchandise other than explosives or inflammables; garbage, offal or dead animals; rags or junk; petroleum or other bulk liquid hydrocarbons in excess of an amount necessary for use on the premises, except that of fuel storage tanks for a motor vehicle service station, may be permitted in the I-U and I-G Districts.

**§ 1331-612. Temporary structures.**

- A. A temporary structure, shall be determined to be for a use which is permitted in the zoning district. Said structure shall not be a permanent use. Temporary structures may include but are not limited to, a kiosk, tent, accessory recreational structure, shed or trailer that is temporarily used for construction purposes. Such structures shall not disturb or impair traffic ingress/egress, the clear sight triangle at intersections of driveways and streets or the intersection of streets and fire lanes and shall be authorized, in writing, by the owner of the lot(s).
- B. A temporary structure may be permitted on private property, for a period of one (1) day to forty-five (45) days. An extension of time may be requested by the landowner and/or developer in writing to the Zoning Officer, provided the purpose for which the temporary structure has been permitted still actively being used. In no case shall more than two (2) forty-five (45) day extensions be permitted.
- C. A temporary structure may be permitted in City of McKeesport right-of-way for a period of one (1) day to thirty (30) days.
- D. A temporary structure shall not alter the movement of traffic or parking arrangement of cars in a designated parking lot.

**§ 1331-613. Permitted accessory uses/structures.**

- A. An accessory structure attached to a main building shall comply in all respects with the requirements of this Ordinance applicable to the principal building.
- B. All accessory structures, except fences and walls, shall not project into or be placed in any minimum front, side or rear yard unless stated otherwise by this section.
- C. Fences and walls.
1. The maximum permitted height of an open fence (one (1) with at least eighty (80) percent voids) or a solid fence (one (1) with less than eighty (80) percent voids) or wall is six (6) feet. An open fence around a tennis court may be ten (10) feet in height. A fence not exceeding ten (10) feet in height may be erected in any required yard for schools, playgrounds or parks or in any required side or rear yard in commercial districts. The maximum permitted height of a fence or wall in any yard of an industrial district is twelve (12) feet.
  2. The only fences permitted in front yards in residential districts shall be limited to four (4) feet in height.
  3. Any fence through which an electric current can be passed, giving an electric shock to any person or animal touching it is not permitted. Any fence containing barbs or similar types of injurious materials, unless specifically approved by the Planning Commission for security reasons, is not permitted.
  4. Structural members such as stringers, rails, or the like that are used to support or stabilize a fence or wall shall only be situated upon the interior side of the fence or wall, facing the interior of the lot and not visible from adjacent lots or rights-of-ways. If any fence or wall is

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constructed of a combination of materials, the structural material shall only be situated on the interior of the structure.

- D. Porches, decks, patios, tennis courts, private greenhouses and landscape structures. These accessory structures shall be permitted when not in violation of yard requirements. See § 1331-306: Lot, yard and height requirements.
1. Porch. A porch is an exterior appendage to a building open on one or more sides, covered with a roof for outdoor living and usually serving as an approach or vestibule to a doorway. When enclosed on all sides, the enclosed area shall be defined as a room and an integral part of the house or building. Porches shall not extend beyond the yard setback requirements, unless the porch is not more than ten (10) feet in height, in which case shall be permitted if it is no closer than fifteen (15) feet to any front lot line, two and one-half (2 ½) feet to any side lot line or five (5) feet to any rear lot line.
  2. Deck. A floor-like area and surface wholly or partially attached to a home, on grade or above the ground surface, with or without access to surrounding yard. Such decks shall not infringe upon front, side and rear yard restrictions.
  3. Patio. A patio is an on-grade surface area, usually paved, adjoining a house or freestanding and serving as an area for outdoor living. Patios may extend in a required yard provided it is no closer than three (3) feet to any side or rear lot line or ten (10) feet to any front lot line.
  4. All of the above structures, including landscape structures such as gazebos, aerial walkways and picnic shelters, shall require a building permit.
  5. Consideration should be given to protecting privacy of adjoining neighbors when constructing or adding to the structures listed above.
- E. Garden sheds, private garage and carport. Garden sheds, private garages and carports may be located in the rear or side yard of a principal building, provided that they do not violate any front yard setback requirements and are not located within ten (10) feet of any dwelling and in no case closer than two and one-half (2 ½) feet from any side and/or rear lot line in residential districts. The maximum height of a flat-roofed garage is limited to fifteen (15) feet and the maximum height of a peak roofed garage is limited to eighteen (18) feet. Utility sheds shall be permitted without a building permit if they meet above requirements and do not exceed in size eight (8) feet by ten (10) feet.
- F. As of the date of this Ordinance, no subsequent new or remodeled accessory structure may be used as a residential unit.

**§ 1331-614. Wind-related systems.**

Windmills, windwheels, or wind energy conversion systems (WECS) shall be permitted in all zoning districts, subject to the following conditions:

- A. No said systems or equipment shall be erected in a front yard or within the area between a front lot line and the front building façade of the principal building on the lot.
- B. The structure supporting the wind rotor unit, including any necessary guideposts and supporting cables, shall be independent of any occupied structure and shall not be more than forty-five (45) feet in height.
- C. The minimum distance between grade and the lowest point of the rotor blade shall be twenty (20) feet.

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- D. All electric lines/utility wires shall be buried underground.
- E. Any mechanical equipment associated and necessary for operation, including a building for batteries and storage cells, shall be enclosed by a six (6) foot fence with screening planting in accordance with this Ordinance. The supporting structure shall also be enclosed by a six (6) foot fence, unless the base of the tower is not climbable for a distance of twelve (12) feet.
- F. When a building is necessary for storage cells or related mechanical equipment, the building shall not exceed one hundred forty (140) square feet.
- G. One (1) windmill, windwheel or WECS shall be permitted per lot.
- H. The resultant energy harnessed from the wind shall not be used on property other than that on which located, unless all applicable cogeneration requirements are met.
- I. The supporting structure and generating unit shall be kept in good repair and sound condition. Upon abandonment of use, the supporting structure and related structures shall be dismantled and removed from the property within sixty (60) days.
- J. The Applicant shall demonstrate that any noise from the wind generating unit shall not exceed forty five (45) dBA measured at the property line.
  - 1. A "decibel" shall mean a unit for measuring the relative intensity of sounds. More specifically, a unit for expressing the ratio of two (2) amounts of acoustic signal power equal to ten (10) times the common logarithm of this ratio.
  - 2. A "weighted" sound level shall mean the total sound level in decibels of all sound as measured with a sound level meter with a reference pressure of twenty (20) micro-pascals using the "A" weighted network (scale) at slow response. The unit of measurement shall be defined as dB (A).

**§ 1331-615. Rooftop solar systems.**

- A. This Section applies to building-mounted and ground-mounted systems installed and constructed after the effective date of the Section.

Any upgrade, modification or structural change that materially alters the size or placement of an existing solar PV system shall comply with the provisions of this Section.

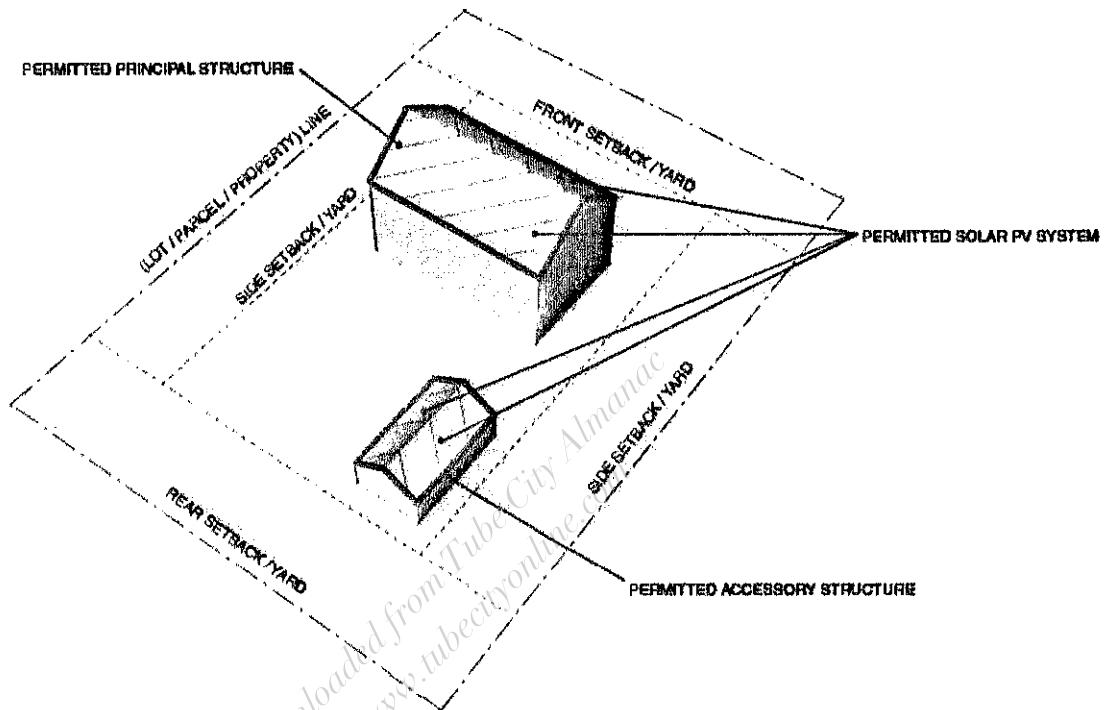
- B. Building-mounted and ground-mounted systems are permitted in all zoning districts as an accessory use to any lawfully permitted principal use on the same lot upon issuance of the proper permit and upon compliance with all requirements of this section and as elsewhere specified in this Section.

Building-integrated systems, as defined by this Section, are not considered an accessory use and are not subject to the requirements of this Section.

- C. Building-mounted systems are permitted to face any rear, side and front yard or any unregulated yard area. Building-mounted systems may only be mounted on lawfully permitted principal or accessory structures.

Ground-mounted systems are permitted based on the requirements for accessory uses or structures in the property's zoning district.

**Permitted Location: Building Mounted Solar PV System Isometric**



The solar PV system must be constructed to comply with the Pennsylvania Uniform Construction Code (UCC), Act 45 of 1999, as amended, and any regulations adopted by the Pennsylvania Department of Labor and Industry as they relate to the UCC, except where an applicable industry standard has been approved by the Pennsylvania Department of Labor and Industry under its regulatory authority.

All wiring must comply with the National Electrical Code, most recent edition, as amended and adopted by the Commonwealth of Pennsylvania. The solar PV system must be constructed to comply with the most recent fire code as amended and adopted by the Commonwealth of Pennsylvania.

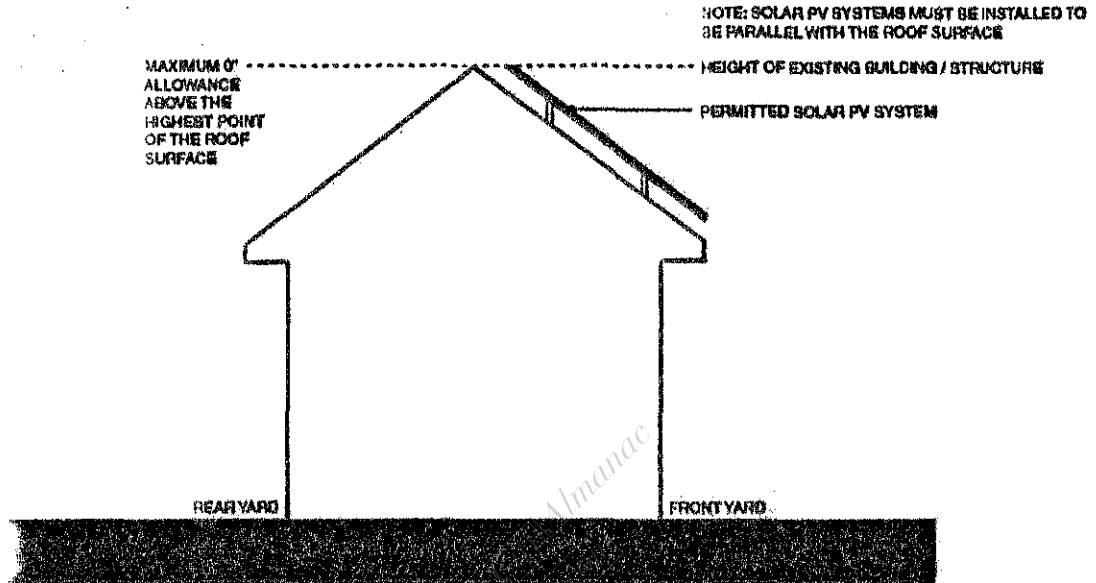
- D. For ground-mounted systems, all exterior electrical lines must be buried below the surface of the ground where possible or be placed in conduit.
- E. Ground-mounted systems. Ground-mounted systems are subject to the accessory use or structure setback requirements in the zoning district in which the system is to be constructed. The required setbacks are measured from the lot line to the nearest part of the system. No part of the ground-mounted system shall extend into the required setbacks due to a tracking system or other adjustment of solar PV related equipment or parts.
- F. Notwithstanding the height limitations of the zoning district:
  - 1. For a building-mounted system installed on a sloped roof that faces the front yard of a lot, the system must be installed at the same angle as the roof on which it is installed with a

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maximum distance, measured perpendicular to the roof, of eighteen (18) inches between the roof and highest edge or surface of the system.

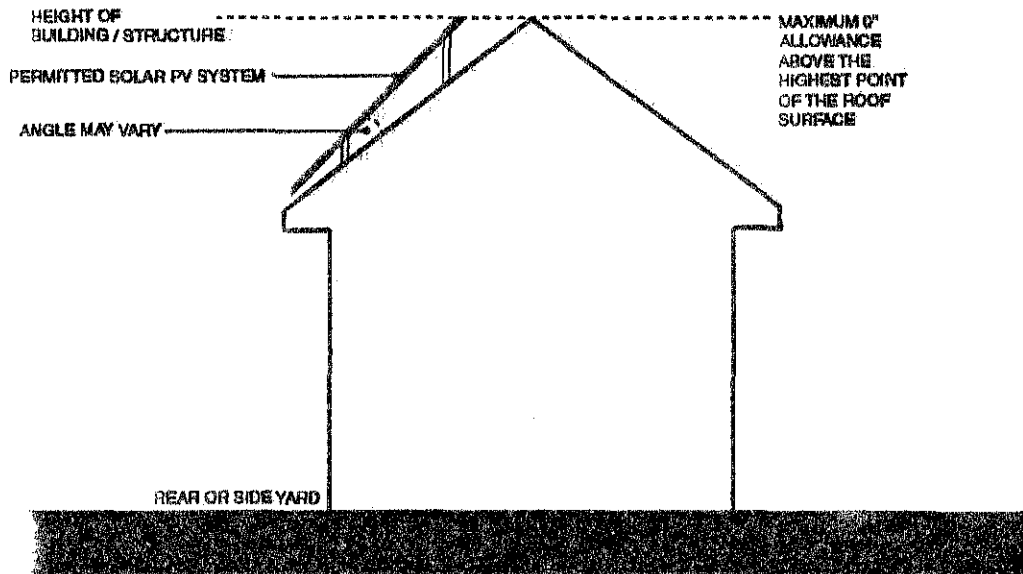
**Height Restriction, Sloped Roof Facing Front Yard: Building-Mounted Solar PV**



**System Elevation**

2. For a building-mounted system installed on a sloped roof, the highest point of the system shall not exceed the highest point of the roof to which it is attached.

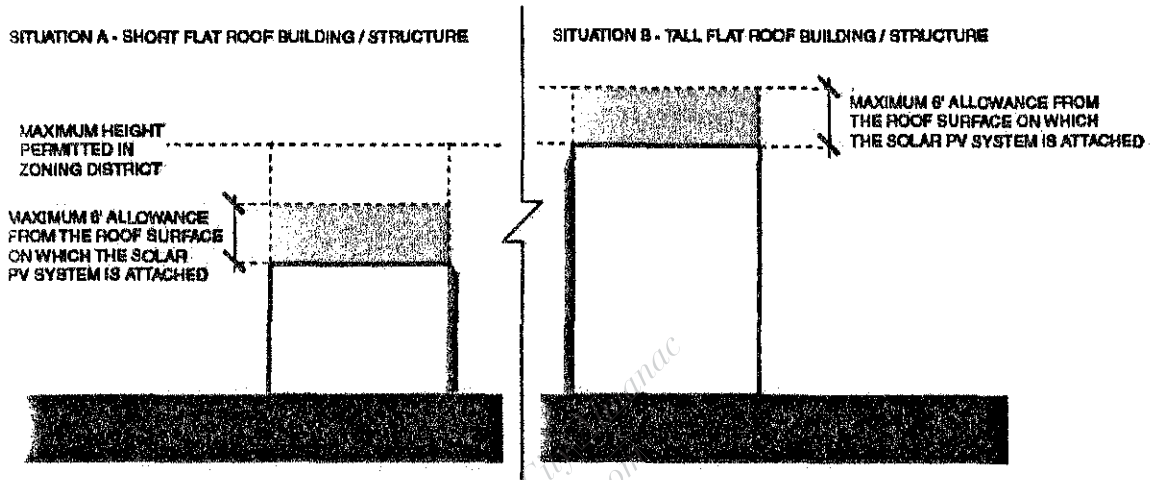
**Height Restriction, Sloped Roof Facing Rear or Side Yard: Building-Mounted Solar PV System Elevation**



G. Notwithstanding the height limitations of the zoning district:

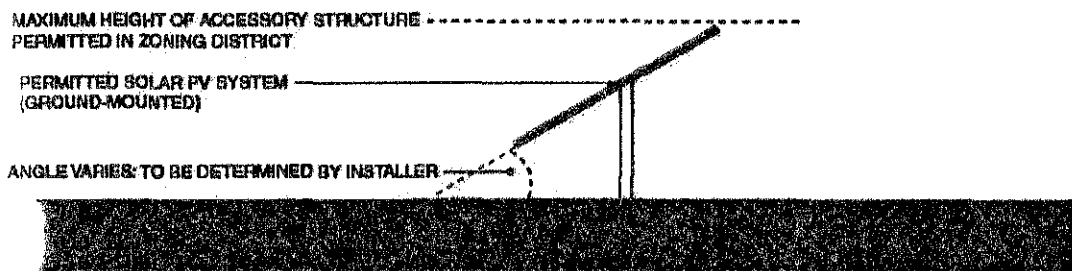
- 1. For a building-mounted system installed on a flat roof, the highest point of the system shall be permitted to extend up to six (6) feet above the roof to which it is attached.

**Height Restriction, Flat Roof: Building-Mounted Solar PV System Isometric**



- 2. Ground-mounted systems may not exceed the permitted height of accessory structures in the zoning district where the solar PV system is to be installed.

**Height Restriction: Ground-Mounted Solar PV System Elevation**



H. Building-mounted systems on a sloped roof shall not be required to be screened.

- I. The surface area of any ground-mounted system, regardless of the mounted angle of any portion of the system, is considered impervious surface and shall be calculated as part of the lot coverage limitations for the zoning district. If the ground-mounted system is mounted above existing impervious surface, it shall not be calculated as part of the parcel's lot coverage limitations for the zoning district.



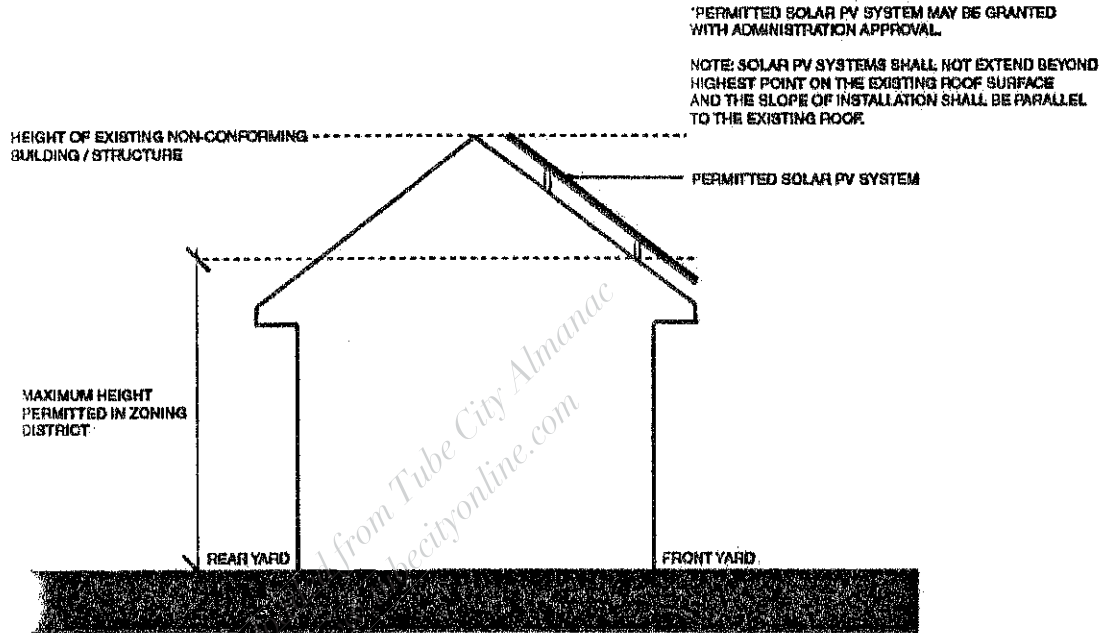
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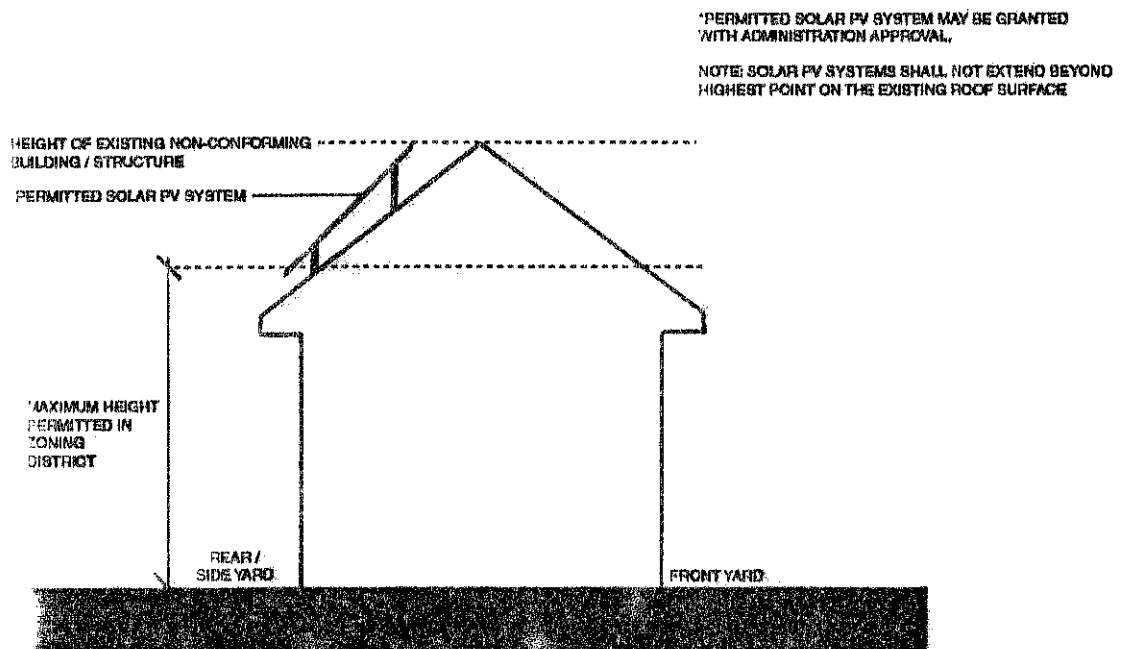
**J. Building-mounted systems:**

1. If a building-mounted system is to be installed on any building or structure that is non-conforming because its height violates the height restrictions of the zoning district in which it is located, the building-mounted system shall be permitted so long as the building-mounted system does not extend above the peak or highest point of the roof to which it is mounted and so long as it complies with the other provisions of this Section.

**Non-Conforming Building, Sloped Roof Facing Front Yard: Building-Mounted Solar PV System Elevation**



**Non-Conforming Building, Sloped Roof Facing Rear or Side Yard: Building-Mounted Solar PV System Elevation in Attachments section.**

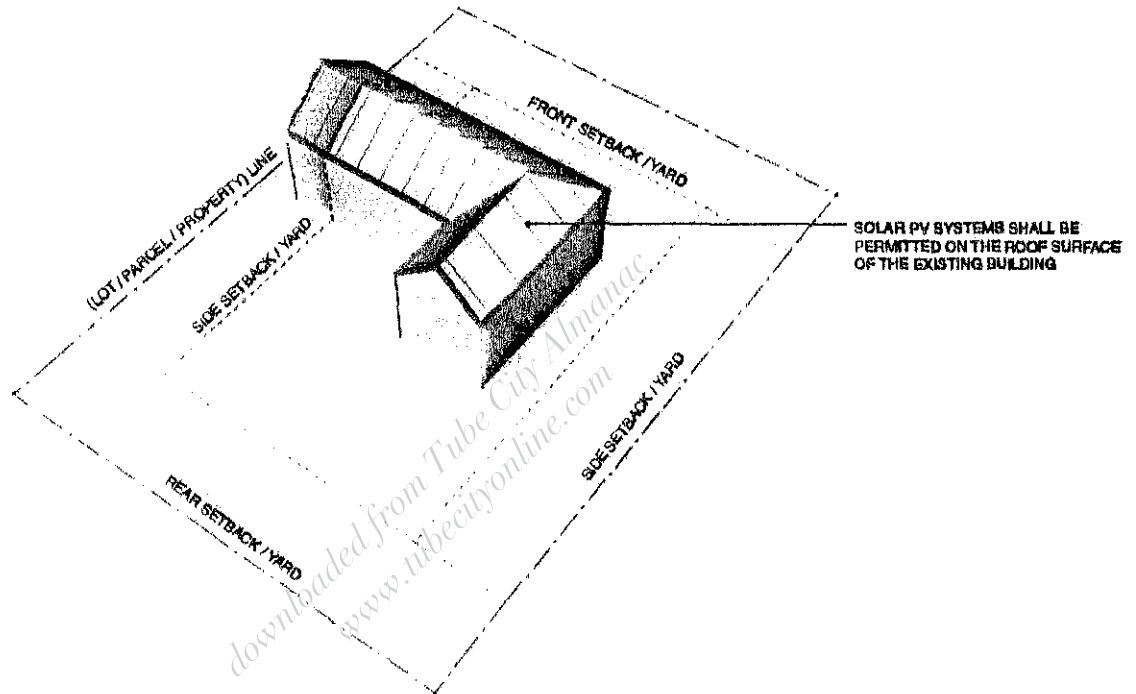


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2. If a building-mounted system is to be installed on a building or structure on a non-conforming lot that does not meet the minimum setbacks required and/or exceeds the lot coverage limits for the zoning district in which it is located, a building-mounted system shall be permitted so long as there is no expansion of any setback or lot coverage non-conformity and so long as it complies with the other provisions of this Section.

**Non-Conforming Lot, Setbacks, and/or Lot Coverage Limits: Building-Mounted Solar PV System Isometric.**



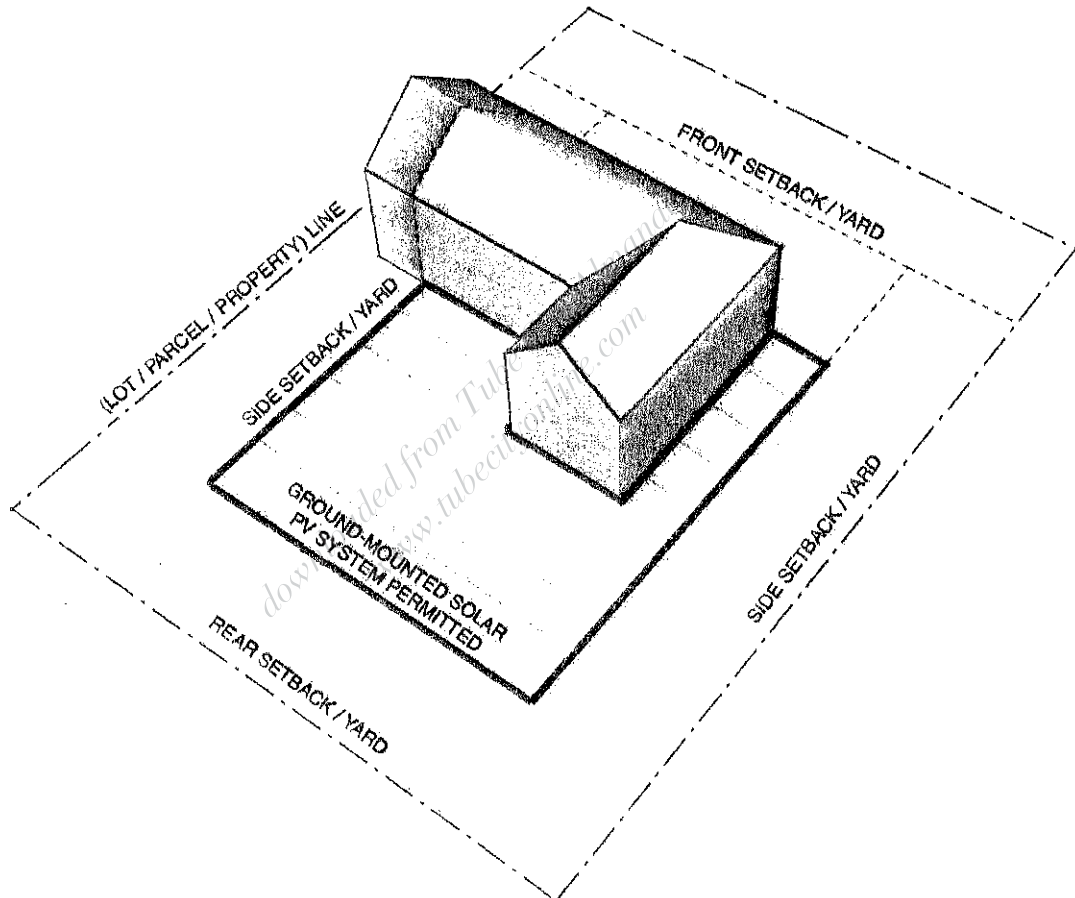
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**K. Ground-mounted systems:**

1. If a ground-mounted system is to be installed on a lot containing a structure that is non-conforming because the required minimum setbacks are exceeded, the proposed system shall be permitted so long as the system does not encroach into the established setback for the lot. If a ground-mounted system is to be installed on a lot that is non-conforming because it violates zoning district requirements other than setbacks, then a variance must be obtained for the proposed installation.

**Non-Conforming Lot, Setbacks: Ground-Mounted Solar PV System Isometric.**



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- L. No signage or graphic content may be displayed on the solar PV system except the manufacturer's badge, safety information and equipment specification information. Said information shall be depicted within an area no more than thirty-six (36) square inches in size.
- M. All solar PV systems are subject to compliance with applicable performance standards detailed elsewhere in the City of McKeesport Official Zoning Ordinance.
- N. The City of McKeesport reserves the right to inspect a solar PV system for building or fire code compliance and safety.
- O. If upon inspection the City of McKeesport determines that a fire code or uniform construction code violation exists, or that the system otherwise poses a safety hazard to persons or property, the City of McKeesport may order the landowner to repair or remove the system within a reasonable time. Such an order shall be in writing, shall offer the option to repair, shall specify the code violation or safety hazard found and shall notify the landowner of his or her right to appeal such determination.
- P. If a landowner fails to repair or remove a solar PV system as ordered, and any appeal rights have been exhausted, the City of McKeesport may enter the lot remove the system and charge the landowner for all costs and expenses of removal, including reasonable attorney's fees or pursue other legal action to have the system removed at the landowner's expense.
- Q. In addition to any other available remedies, any unpaid costs resulting from the City of McKeesport's removal of a vacated abandoned or de-commissioned solar PV system shall constitute a lien upon the lot against which the costs were charged. Legal counsel of the City of McKeesport shall institute appropriate action for the recovery of such cost, plus attorney's fees, including, but not limited to filing of municipal claims pursuant to 53 P.S. § 7107, et seq., for the cost of such work, six (6) percent interest per annum, plus a penalty of five (5) percent of the amount due plus attorney's fees and costs incurred by the City of McKeesport in connection with the removal work and the filing of the City of McKeesport's claim.
- R. Before any construction or installation on any solar PV system shall commence, a permit issued by the City of McKeesport shall be obtained to document compliance with this Section.

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## ARTICLE VII – OFF-STREET PARKING AND LOADING

## § 1331-701. General requirements.

No application for a zoning permit, in conjunction with an application for a building permit for the construction or substantial reconstruction of any principal building, and no application for conditional use or special exception approval shall be approved unless there is included with the plan for such building a plan showing the number of off-street parking spaces to be provided in connection with such construction or reconstruction in accordance with the regulations set forth herein.

- A. There shall be provisions for convenient and safe ingress and egress to all off-street parking spaces or lots.
- B. For the purposes of this Ordinance, an off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, but in no case measuring less than nine (9) feet by eighteen (18) feet, together with maneuvering room and properly related access to a public street or alley. Required off-street parking areas for three or more automobiles shall have individual spaces marked and shall be so designed, maintained and regulated so that no parking or maneuvering incidental to parking shall be on any public street or walk and so that any automobile may be parked or unparked without moving another. No driveway across public property or curb shall exceed a width of twenty-five (25) feet. Required or optional parking spaces shall not be permitted in a required front or side yard in residential districts unless on an access driveway leading to a garage or paved rear lot parking area.
- C. All open parking areas, including those for single-family and two-family dwellings shall have an approved surfacing of bituminous asphalt, concrete, brick or pavers, provided with bumper guards where appropriate.
- D. All off-street parking areas containing fifteen (15) or more parking spaces shall be effectively screened on each side adjoining any residence by a wall, opaque fence or densely planted compact hedge not less than four (4) or more than six (6) feet in height. All parking lots shall be graded to drain to a natural outfall or municipal storm sewer. All such parking lots shall be equipped with trash containers.
- E. Required off-street parking shall be located on the site of the principal building which is served by the parking or separated therefrom by a public right-of-way not more than twenty-five (25) feet in width. Said parking space shall not be encroached upon by buildings, storage or other use, nor shall the parking space be reduced from the specified size of eight (8) feet six (6) inches by eighteen (18) feet (see Subsection C above), except upon approval of the Zoning Officer and only after proof that the offstreet parking spaces provided are no longer needed by reason of the reduction in floor area, seating area or other factors controlling the regulation of such parking facilities as established in this section.
- F. All parking areas in Commercial and Industrial Districts shall be suitably illuminated at night, and such lighting shall be deflected away from any residential structure. Access shall be provided for parking areas to main buildings by means of paved sidewalks.

## § 1331-702. Parking requirements.

- A. The minimum number of off-street parking spaces to be provided for every new or substantially reconstructed building shall be as identified in **Table D: Parking Requirements**.
- B. In addition to the above requirements, each business operation or enterprise employing two (2) or more employees shall provide one off-street parking space for each two (2) employees or fraction

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thereof. When specific uses are not known at the time of site plan review and approval, reasonable estimates for the most intense use contemplated will be required.

**§ 1331-703. Handicapped parking.**

As applicable, all new and substantially new structures and required parking facilities must be in compliance with the Pennsylvania Accessibility Act, Act No. 235 of 1965, P.L. 459, as amended, 71 P.S. § 1455.1, except single-family homes, townhouses and multifamily apartments of fewer than six (6) dwelling units. All public facilities, buildings and businesses shall provide thirteen (13) foot wide space for physically handicapped. The number of such spaces is stipulated by laws governing the same. Curb cuts, ramps and accessible entrances shall be also provided for all new subsequent facilities within the City of McKeesport as of the date of this Ordinance.

**§ 1331-704. Mixed uses.**

When a number of different uses are proposed within a structure, facility or complex and when it can be demonstrated that one or more of such uses require parking needs at times other than normal business or operating hours, the Applicant may present for review and consideration a written report prepared by a professional traffic engineer or consultant, stating that a maximum combination of all such uses will not require that the total accumulative parking needs must be provided on the site. After review of the plan, if determined that a reduced overall parking requirement can satisfy the off-street parking needs of the combined facilities, the Applicant shall be permitted to reduce the parking spaces provided in accordance with the stipulated number of spaces by the appropriate reviewing body.

**§ 1331-705. Required off-street loading spaces.**

- A. An "off-street loading berth or space" is defined as a space logically and conveniently located for pickups and deliveries, scaled to delivery vehicles expected to be used and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading berths are not to be included as off-street parking space.
- B. On or after the date of adoption of this Ordinance, no application for a building permit for the construction or substantial reconstruction of any principal building for uses involving the receipt or distribution of material or merchandise shall be approved unless there is included with the plan for such building a plot plan showing the number of off-street loading spaces to be provided and permanently maintained within the structure or on the same zoning lot, as prescribed hereunder:
  1. Every railroad, industrial plant, manufacturing establishment, retail establishment, warehouse or mini-warehouse concrete or asphalt batch plant, collection and recycling facility, and extraction of mineral site which has an aggregate gross floor area of two thousand four hundred (2,400) square feet or more, arranged, intended or designed for such use, shall provide loading spaces in accordance with the requirements listed in **Table D: Parking Requirements**.
  2. Every hotel, motel, place of assembly/place of worship, amphitheater, business or professional office building, and restaurant which has an aggregate gross floor area of two thousand four hundred (2,400) square feet or more, arranged, intended or designed for such use shall provide loading spaces in accordance with the requirements listed in **Table D: Parking Requirements**.
  3. All required loading spaces shall be located on the same lot as the use served. No loading berth for vehicles of over two-ton capacity shall be closer than thirty (30) feet be closer than thirty (30) feet to any property in a residential district unless completely enclosed by building

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walls or a uniformly painted wall or fence, or any combination thereof, not less than six (6) feet in height. No loading berth shall be located in a required front or side yard, and any loading berth located in a required rear yard shall be open to the sky.

4. Each required off-street loading space shall be designed with appropriate means of vehicular access to a street in a manner which will least interfere with traffic movements. No driveway or point of access to an off-street loading berth shall be located within fifty (50) feet of the intersection of any two street lines.
5. All drives and loading berths shall be surfaced with a bituminous or concrete surface.

**§ 1331-706. Prohibited on-site storage.**

All required parking areas for commercial, industrial or institutional uses shall not be used to store abandoned vehicles, used and discarded tires, stacked or piled newspapers, discarded furniture, lumber, refuse in general and other items or materials not compatible with the use of the site or adjacent and nearby properties or as determined not to be in compliance with the performance standards of this Ordinance.

**§ 1331-707. Prohibited front yard parking on public walks.**

Parking vehicles is prohibited in front yards on that portion of a driveway that crosses any sidewalk intended for unobstructed public use.

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**ARTICLE VII  
OFF-STREET PARKING AND LOADING**

**City of McKeesport Official Zoning Ordinance**

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ARTICLE VIII – SIGNS

§ 1331-801. Purpose/general rule.

The purpose of this Article is to permit such signs that will not, by their reason, size, location, construction or manner of display, obstruct the vision necessary for traffic safety or otherwise endanger public health, safety and morals; and to permit and regulate signs in such a way to support and complement land use objectives set forth in this Ordinance. No construction, use of, or placements of any sign shall be permitted in any zoning district except in compliance with these minimum regulations for the display of signs.

§ 1331-802. General design and use regulations.

- A. No animated signs, no signs illuminated by a flashing, pulsating or intermittent source or no signs lighted in such manner as to create glare conditions on adjacent properties or any adjacent street shall be permitted.
- B. Signs may be placed no closer than fifteen (15) feet to an adjacent highway right-of-way line in a Commercial District and an Industrial District. In all other cases, the sign shall meet the required setback for structures.
- C. Signs in excess of thirty (30) square feet in area, as well as their structural supports, shall be made of noncombustible materials, meaning those materials which will not ignite or deform at temperatures below one thousand two hundred (1,200) degrees Fahrenheit.
- D. The computation of sign area shall be as follows:
  - 1. The surface area shall be computed by including the entire area within a single, continuous, rectilinear perimeter of not more than eight (8) straight lines or a circle or an ellipse, enclosing the extreme limits of the writing, representation, emblem or other display, together with any material or color, forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework or bracing that is clearly incidental to the display itself.
  - 2. If the sign consists of more than one (1) section or module, all of the area, including that between sections or modules, shall be included in the computation of the sign area.
  - 3. With respect to two (2) sided, multisided or three (3) dimensional signs, the sign surface area shall be computed by including the total of all sides designed to attract attention or communicate information.
- E. Every sign shall be designed and anchored to withstand a steady horizontal wind pressure of at least one hundred (100) miles per hour regardless of the direction of air movement. No loads except those of the sign itself plus normal snow and ice loads shall be placed on the supports of the sign.
- F. No sign shall be located so as to block doors, fire escapes, operable windows or access to them; nor shall a sign be attached to a fire escape. No sign shall by reason of location or message content create a traffic hazard by obstructing sight distances or confusing motorists.
- G. No sign shall be painted directly on a wall, but letters or other devices prepared elsewhere may be applied directly to a wall or to a display window.

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- H. Where glass panels on any sign exceed three square feet in area they shall be wire glass or shatter-proof glass; otherwise glass areas shall be at least one-fourth (1/4) inch thick safety glass.
- I. The sign shall be located only on the property containing the use identified by the sign, except in the case of billboards.
- J. All signage regulations for billboards are set forth by § 1331-416.

**§ 1331-803. Signs in residential districts.**

The following regulations shall apply in residential and mixed use districts:

**A. Permitted types of signs:**

- 1. Identification of property limited to name and address of occupants, such signs not to exceed two (2) square feet in area, per side.
- 2. Identification of property for sale, rental or lease indicating only owner or broker name, address and phone number or identification of apartment building or group, indicating only name and address of building or group and name, address and phone number of management agency or a temporary "for sale" sign which may be placed in a front yard, such signs not to exceed six square feet in area, per side. The sign shall be removed after ninety (90) days. Identification of lots for sale within a residential subdivision, during the initial construction phase of the development, shall be limited to thirty-two (32) square feet in area, per side.
- 3. Identification of public or semipublic uses and activities carried on by them, such signs not to exceed twelve (12) square feet in area per side with the exception of schools, which shall not exceed thirty-two (32) square feet.
- 4. Signs of architects, engineers, landowner and/or developers or contractors are not to exceed eight square feet in area, per side, and are to be removed not later than thirty (30) days after the completion of work on which the individual or firm was employed.
- 5. Identification sign for a nursing home not to exceed thirty-two (32) square feet.
- 6. Identification sign for a day care center or personal care home not to exceed twelve (12) square feet.
- 7. Identification sign for a bed and breakfast shall not exceed ten (10) square feet.
- 8. Identification sign for any other permitted non-residential development shall not exceed twenty-four (24) square feet in area, per side.

**B. Permitted kinds of signs:** All identification signs shall be wall signs except a place of worship, recreational facility, public building/use, school, nursing home or hospital may have a freestanding sign as an alternative.

**C. Location of signs:**

- 1. Signs shall be located only on the property containing the land use identified by the sign.

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2. Only one (1) sign of each type permitted shall be allowed on any property, except each contractor employed in construction on a property may have his own sign.
3. Freestanding signs shall be set back at least ten (10) feet from any property line or public right-of-way.
4. Where a property abuts more than one (1) public street, one (1) sign indicating sale, rental or lease of such property may occur on each street frontage.

**D. Height:**

1. Freestanding signs: not to exceed ten (10) feet (which includes sign and supporting structure).
2. Wall sign: not to exceed existing building height.

**E. Illumination:** Signs in a residential or mixed use district which identify public or semipublic uses may be lighted, provided that such lighting is from a hidden source and provided that no reflected glare occurs on adjacent roads or properties.

**§ 1331-804. Signs in commercial districts and industrial districts.**

The following regulations shall apply in Commercial Districts and Industrial Districts:

**A. Permitted types of signs:**

1. Any sign permitted in the residential districts.
2. Signs identifying a business or industry on property containing the structure or structures occupied by such business or industry, except directional signs as noted in Subsection G(3).

**B. Permitted kinds of signs:**

1. Freestanding sign (not permitted in the C-1 or C-2 district).
2. Wall sign attached flat to a wall surface but not painted on such wall.
3. Marquee attached to a wall.
4. Awning.
5. Canopy.
6. LED Signs (restricted only to the C-3 district).
7. Permanent window graphic sign.

**C. Size of signs:**

1. Freestanding signs shall not present more than two (2) faces parallel to one (1) another, back to back. For commercial or industrial sites with one principle use, each side of the sign shall not exceed one square foot for every one (1) foot of building frontage and shall not exceed more than one hundred-sixty (160) square feet total. For commercial or industrial sites with two (2) or more uses in the same building or center, a freestanding sign shall be permitted in

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addition to the principal sign for each business establishment that identifies all the individual business establishments in the building or center but shall not exceed two hundred (200) square feet of area per side.

2. In Commercial Districts or Industrial Districts, where at least fifty thousand (50,000) square feet of building floor area is occupied for commercial purposes on a property, the owner may erect one freestanding sign with a maximum area on each face of not more than three hundred (300) square feet, provided that no other permanent freestanding signs occur on the property.
3. Wall signs shall not exceed forty (40) square feet in area in the C-1 district. In all other non-residential districts, wall signs shall not exceed one (1) square foot for every one (1) foot of building frontage and shall not exceed more than two hundred twenty five (225) square feet total. Window and door areas may be counted in computing wall surface areas. Signs shall not be painted on the building.
4. An awning, canopy or marquee sign area shall not exceed more than twenty-five (25) percent of the sign structure.
5. Marquees shall extend no more than five (5) feet to either side of a building entrance door or doors along the wall to which the marquee is attached and may extend perpendicular no more than eight (8) feet from the wall surface to which it is attached.
6. Time/temperature signs, not exceeding one hundred-twenty (120) square feet in area, are permitted. Such signs may be attached to the building (wall or projecting) or free-standing and may be in addition to the principal identification sign for the use provided that no more than one (1) free-standing sign shall be located on the lot.
7. Window graphic signs, which are permanently painted or applied, shall not exceed more than fifty (50) percent of the total window area.
8. LED signs are permitted only in the C-3 district and shall not exceed eighty (80) square feet of area. Additionally, any LED sign located on a lot that fronts Walnut Street between Iowa Avenue and 36<sup>th</sup> Street shall not exceed forty (40) square feet.

**D. Location of signs:**

1. Only one (1) freestanding sign, identifying a business or businesses, located along an arterial road, shall be permitted on any property, except that on properties abutting two (2) or more streets, wall signs may be placed on two (2) walls. Where a principle building is devoted to two (2) or more permitted uses, the operator of each use may install a wall sign upon his/her proportionate share of the building wall to which the sign is to be affixed.
2. Freestanding signs shall be located in the front yard or side yards of a property abutting a public street, but not closer to a street right-of-way than fifteen (15) feet, nor shall they create a visual hazard for motorists because of location on the property or height above the ground.
3. Wall signs shall be located between the heads of windows and doors on the ground floor of the structure and the sills of windows on the second floor or the top of the parapet on a one story building. Where a wall contains no windows, the heads of windows and doors in an adjacent wall shall be used to determine location. Variations may be permitted by the Building Inspector to achieve continuity of height and location across the facade of a building.

**E. Height:**

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1. Ground or low-profile signs: not to exceed four (4) feet.
2. Monument, pole or pylon signs: not to exceed twenty-five (25) feet, including the sign and supporting structure. No monument, pole or pylon sign that is illuminated in any form shall exceed fifteen (15) feet in height if located on a lot that fronts Walnut Street between Iowa Avenue and 36<sup>th</sup> Street.
3. Wall sign: not to exceed existing building height.
4. An awning, canopy or marquee sign structure shall not extend above the first story of the building upon which it is located.
5. Canopies shall be held at least eight (eight) feet off the ground and no part of the canopy or its supporting structure shall extend closer than one (1) foot to a vehicular driveway. If supported by a building wall, canopies shall not exceed more than eight (8) feet at right angles to the wall.

**F. Illumination:**

1. Signs in Commercial Districts and Industrial Districts may be lighted, provided that no reflected glass occurs on adjacent roads or properties.
2. No sign shall produce glare conditions when the sign faces or partially faces an adjacent residentially zoned or residentially used property or such a property across a street from a sign.
3. LED Illumination.
  - a. Signs in the C-3 Commercial District may incorporate the use of LED illumination.
  - b. LED illuminated signs may change messages and/or images, but to prevent these signs from distracting drivers, this message and/or image change may not occur more than once every thirty (30) seconds.
  - c. LED illuminated signs shall not exceed a luminance of one thousand five hundred (1,500) nits during daylight hours between sunrise and sunset and shall not exceed a luminance of one hundred fifty (150) nits at all other times.

**G. Temporary and directional signs:**

1. Approval; permit; renewal.
  - a. A temporary sign not exceeding fifty (50) square feet in area may be allowed for a period not longer than thirty (30) days upon approval of a permit by the Zoning Officer and payment of a fee to the City of McKeesport. The permit may be renewed for one additional period of thirty (30) days upon payment of a fee. There can be only one renewal per calendar year. Payment fees are set forth by the City of McKeesport's Schedule of Fees.
  - b. For purposes of this section, portable signs and banner signs are considered to be temporary signs.
2. A temporary sign may be approved by the Zoning Officer for a period not to exceed thirty (30) days to advertise a store opening or a special event of a business or institution. Any

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temporary sign shall conform to § 1331-807 and § 1331-808. The Applicant shall provide a description and sketch of the sign as a condition of approval.

3. Private traffic control signs, indicating points of entrance and exit, may be approved by the Zoning Officer, provided that such signs are not greater than three (3) feet off the ground, not greater than four (4) square feet in area and contain only traffic directional information and a company log if desired. Such signs may be placed in the front yard up to the street right-of-way line.

**§ 1331-805. Permits, inspections and maintenance.**

- A. A building permit, issued by the Zoning Officer, shall be required before any sign may be erected in the City of McKeesport, except as allowed by § 1331-806.
- B. Application for permits shall include the following data on forms provided by the Inspector:
  1. Names, addresses and telephone numbers of the Applicant, the contractor to erect the sign and the owner of the property upon which the sign is to be located, as well as address of property if different from owner.
  2. Location of the sign relative to other buildings on the property, property boundary lines and height above ground to bottom and top of sign.
  3. Written consent of the owner of the property on which the sign is to be located permitting the sign to be erected.
  4. Construction drawings and specifications for the erection of the signs, showing materials, construction details, finishes, electrical system, support structure, treatment of support below grade, guying of sign or method of attachment to building and such other structural information as the Building Inspector may require.
  5. Statement of a registered professional engineer that the sign meets dead load and wind pressure requirements of this Article, as stated in § 1331-802.
  6. Such other information as the Building Inspector shall require to show full compliance with this and all other City of McKeesport zoning ordinances.
- C. Provided that the application is in order, the Zoning Officer shall issue a building permit for the erection of the sign, construction of which shall be completed within eighteen (18) months. The Zoning Officer shall collect a fee for each square foot of sign of face area before issuing the permit. Payment fees are set forth by the City of McKeesport's Schedule of Fees.
- D. A permit shall be required for the replacement, enlargement, remodeling or moving of any sign existing prior to adoption of this Article.
- E. If the Zoning Officer determines that any sign or structure regulated by this Article is unsafe or otherwise is a public menace or has been erected or maintained in violation of the provisions of this Article, the owner of such sign shall be given a written notice citing the irregularities found and the actions needed to gain compliance. If, after thirty (30) days from the date the notice was sent, the corrections have not been made, the owner shall be considered subject to proceedings as provided by Article XVIII of this Ordinance and in addition the Zoning Officer may cause to have the offending sign repaired or removed with the costs thereof assessed the owner, who shall be denied any further sign permits in the City of McKeesport until such assessed costs have been paid in full.

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- F. If the Zoning Officer determines that a sign is causing an immediate hazard to the public, he may order that the sign be removed immediately without further notice, with the costs assessed to the owner.
- G. Signs advertising places of business or activities which terminate operations shall be removed within sixty (60) days of such termination.

**§ 1331-806. Exemptions.**

- A. The following types of signs shall not require permits for erection:
  - 1. Real estate signs not exceeding six (6) square feet in area, limited to one (1) per property for sale, lease or rental, and only when placed on the property advertised.
  - 2. Signs denoting the architect, engineer or contractor when placed upon property on which the individual or firm is employed, not to exceed eight (8) square feet in area and to be removed within thirty (30) days of completion of the project.
  - 3. Occupational or professional name plates or signs not more than two (2) square feet in area, attached to a building, mailboxes or its supports, containing offices of the individual or firm advertised, and inscribed only with the name, address, phone number and occupation thereof.
  - 4. Memorial signs or tablets of incombustible materials erected by a public or nonprofit organization.
  - 5. Traffic or other municipal signs providing warning or information to the traveling public put up by a public agency or authorized to be put up by a public agency.
  - 6. Signs erected in connection with elections or political campaigns shall be erected no earlier than six (6) weeks before an election and such signs shall be removed within two (2) weeks following the election. No such sign shall exceed sixteen (16) square feet in area.
  - 7. Signs erected in connection with municipal or school district sports activities shall be permitted on football and baseball athletic fields. All signs shall be one (1) sided and face or be directed to the interior of the athletic facility. The sign(s) shall not be lighted and may not exceed fifteen (15) feet in height.
- B. The following types of signs shall require permits but shall not be obligated for any fees:
  - 1. Temporary signs for nonprofit, public and semipublic use, not to exceed twenty-five (25) square feet, shall not be required to pay any fees.

**§ 1331-807. Temporary signs on City of McKeesport property limited.**

No person, other than the City of McKeesport itself, may affix any political sign or temporary special event display on the grounds of any City of McKeesport owned property, unless the sign is in connection with a special event or election to be held or conducted on City of McKeesport property hosting the event on the date of the event, in which case each event or candidate will be able to erect one such temporary sign which sign shall not be affixed in any way to City of McKeesport structures. For the purpose of this Section, the day of the event shall include a period twenty-four (24) hours in advance of and after the event.



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**§ 1331-808. Temporary within road right-of-way lines limited.**

No sign including traffic signs and similar regulatory notices except those of a duly constituted governing body shall be allowed within road right-of-way lines. This section shall not apply to political signs or temporary special event display sign at any intersection, so long as such political signs and temporary special event display signs are erected or displayed within one hundred fifty (150) feet in any direction from the intersecting point, and are erected or displayed no earlier than fourteen (14) days prior to such election or event and removed within seven (7) days after such election or event to which they pertain.

**§ 1331-809. Authorization of non-conforming signs.**

- A. If the nonconformity consists of too many freestanding signs on a single lot or an excess of total sign area on a single lot, the person responsible for the violation may determine which sign or signs need to be altered or removed to bring the development into conformity with the provisions of this Article.
- B. The following types of non-conforming signs or signs that are non-conforming in any of the following ways, shall be altered to comply with the provisions of this Article or removed, within ninety (90) days after the effective date of this Article:
  1. Portable signs and temporary signs.
  2. Signs that are in violation of § 1331-802, § 1331-803, § 1331-804.

**ARTICLE IX – PERFORMANCE STANDARDS**

**§ 1331-901. General application.**

- A. Permitted, conditional and special exception uses enumerated in Articles IV and V and uses accessory thereto are subject to the following performance standards and procedures. In order to determine whether a proposed use will conform to the requirements of this Ordinance, the Zoning Officer or the appropriate reviewing body may require a plan of the proposed construction or development and description of machinery or techniques to be used during operation of the proposed use. The appropriate reviewing body may also obtain a qualified consultant to testify. See § 908(1.1) of the Pennsylvania Municipalities Planning Code, Act 247, pertaining to cost for consulting services.

**§ 1331-902. Performance standards procedure.**

- A. Prior to construction and operation. Any application for a building permit, zoning permit or occupancy permit for a use which shall be subject to performance standards shall be accompanied by a sworn statement by the owner of subject property that said use will be operated in accordance with the performance standards set forth herein.
- B. Continued compliance. Continued compliance with performance standards is required and enforcement of continued compliance with these performance standards shall be the duty of the Zoning Officer.
- C. Determination of violation. The Zoning Officer shall investigate any purported violation of performance standards and, if there is reasonable ground for the same, the City of McKeesport shall initiate enforcement proceedings by sending an enforcement notice as provided under § 616.1, Enforcement notice, Pennsylvania Municipalities Planning Code, Act 247.
- D. Enforcement remedies. See § 617.2, Enforcement remedies, Pennsylvania Municipalities Planning Code, Act 247 and other pertinent sections of Act 247.

**§ 1331-903. Fire protection.**

- A. Fire prevention and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involves the handling or storage of flammable or explosive materials.
- B. Building requirements shall comply with the design and construction regulations for fire prevention as per the Pennsylvania Uniform Construction Code as amended and the City of McKeesport Fire Code as amended.

**§ 1331-904. Radioactivity or electrical disturbance.**

- A. No activities shall be permitted which emit dangerous radioactivity or electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance or adversely affecting any persons in the vicinity of such disturbance.
- B. No activity shall cause repetitive or continuous electrical disturbance adversely affecting television, radio or other equipment in the vicinity.

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**§ 1331-905. Noise.**

- A. No operation or activity shall cause or create noise in excess of the sound levels prescribed below at any point on or beyond a lot boundary. For the purposes of this Ordinance, the noise level will be measured in decibels (dBA) which indicate the sound pressure level obtained from a frequency weighing network corresponding to the A-scale on a standard sound level meter.
1. Residential Districts. Not to exceed a maximum of sixty (60) dBA for more than one (1) hour per twenty-four (24) hours.
  2. Commercial Districts. Not to exceed a maximum of sixty-five (65) dBA for more than eight hours per twenty-four (24) hours.
  3. Industrial Districts. Not to exceed a maximum of seventy-five (75) dBA.
  4. Where two zoning districts in which different noise levels are prescribed share a common boundary, the most restrictive of the noise level standards shall govern.
- B. The preceding noise standards shall not apply to the following:
1. Noises emanating from construction and/or maintenance activities between 7:00 a.m. and 9:00 p.m.;
  2. Noises caused by safety signals, warning devices and other emergency-related activities or uses; and
  3. Transient noises emanating from moving sources, such as trucks, automobiles, airplanes and trains.

**§ 1331-906. Glare.**

- A. No direct reflected glare, whether from any lighting source or production operation, shall be visible from adjoining public streets or adjacent lots when viewed by a person standing on ground level. Glare shall be defined as direct or indirect light from such activities of greater than one-half ( $\frac{1}{2}$ ) foot candle at habitable levels.
- B. When any street lighting produces illumination in excess of one (1) foot candle at a particular point in a residential district, the contribution by light sources from any property in a non-residential zoning district, as measured at the same point, shall not exceed fifty percent (50%) of the street lighting.
- C. No outdoor lighting shall be of such intensity or brilliance as to cause glare which would impair the vision of drivers.

**§ 1331-907. Vibration.**

Any use or portion thereof creating intense or earthshaking vibrations shall be set back from the lot lines on all sides to a distance which will ensure that in no case shall any such vibration create a nuisance or hazard beyond such lot lines. Vibrations detectable without instruments on neighboring property shall be prohibited.

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**§ 1331-908. Smoke.**

The maximum amount of smoke emission permissible shall be determined by use of the Standard Ringlemann Chart issued by the U.S. Bureau of Mines. No smoke of a shade darker than No. 2 will be allowed. Exception to this may occur when starting fires or when there is a temporary breakdown of equipment. The emission and control of smoke must comply with the Allegheny County Health Department Air Pollution Control Regulations.

**§ 1331-909. Odor.**

No use shall emit odorous matter in such quantities as to be readily detectable at any point along or behind the boundaries of the lot wherein it is located. Malodorous gas or matter shall not be permitted to be emitted which is so objectionable as to damage property interest on any neighboring lot. The control of odors must meet and comply with the Allegheny County Health Department Air Pollution Control Regulations.

**§ 1331-910. Solid waste disposal.**

- A. No person or use shall dispose any solid waste matter or fill within the City of McKeesport. Commercial and industrial disposal shall be disposed of in a manner approved by the Pennsylvania Department of Environmental Protection.
- B. Restaurants, meat markets and other food establishments will store and dispose of grease, lard and excess meat products (renderings) in closed containers. Vehicles transporting the above shall be covered at all times during transit. Haulers of the same shall keep all public rights-of-way free from any such products and odors from the same.
- C. No resident, owner or tenant, institution, commercial or industrial establishment shall empty any waste or water into the public sewer system which may contain fat, oil or grease exceeding the limits contained in Article VIII of the Allegheny County Health Department Regulations.

**§ 1331-911. Air pollution.**

No emission of fly ash, dust, fumes, vapors, gases and other forms of air pollution shall be permitted which can cause any damage to the health of persons, to animals, vegetation or other property or which can cause any excessive soiling. All matters concerning air pollution shall conform to the Allegheny County Health Department Air Pollution Control Regulations.

**§ 1331-912. Hazardous waste.**

No liquid or solid waste known to be or determined to be hazardous by the Pennsylvania Department of Environmental Protection or other appropriate state or federal agencies shall be dumped, buried or otherwise dispersed within the City of McKeesport.

**§ 1331-913. Liquid waste or sewage.**

No discharge shall be permitted into a reservoir, sewage or storm disposal system, river or stream, open body of water or into the ground of any materials in such a way or of such nature or temperature as could contaminate any water supply or otherwise cause the emission of dangerous or objectionable elements. Such objectionable contaminants or emissions must be treated so that insoluble substances (oils, grease, acids, alkalis or other chemicals) are in accordance with the standards as approved by appropriate agencies of the Pennsylvania Department of Environmental Protection and the regulations of the City of McKeesport. See Article XIV of the Allegheny County

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Health Department Regulations, as amended, establishing regulations for the discharge of sanitary sewage and industrial wastes to the public sanitary sewerage system.

**§ 1331-914. Erosion.**

No erosion by wind or water shall be permitted which will carry or deposit objectionable substances onto neighboring properties. Provisions required by the Allegheny County Conservation District shall be applicable to all development or redevelopment.

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**City of McKeesport Official Zoning Ordinance**

**ARTICLE X  
NON-CONFORMING USES, STRUCTURES AND LOTS**

**ARTICLE X – NON-CONFORMING USES, STRUCTURES AND LOTS**

**§ 1331-1001. General.**

- A. Within the zoning districts established by this Ordinance, there exist uses and lots of land that were lawful before this Ordinance's adoption but which are now prohibited, regulated or restricted under the terms of this Ordinance. It is the intent of this Ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. Such uses are considered incompatible with the permitted uses in the zoning districts involved.
- B. A non-conforming structure may be modified, expanded and/or enlarged, so long as:
  - 1. The modification, expansion and/or enlargement is for a legal use;
  - 2. The modification, expansion and/or enlargement is not for a non-conforming use;
  - 3. The modification, expansion and/or enlargement does not increase the existing non-conformity(ies) associated with the lot.
- C. A non-conforming use may be extended throughout a building that was designed and arranged specifically for the non-conforming use, but the non-conforming use shall not be permitted to occupy land outside the building. If the use of any such non-conforming structure or lot ceases for any reason for a period of time as defined by the City of McKeesport, any subsequent use of the structure or lot shall conform to the regulations specified by this Ordinance for the zoning district involved.
- D. Accordingly, the following sections divide nonconformities into five (5) classes and provide appropriate regulations for each class. These classes are:
  - 1. Vacant lots smaller than the minimum size, width, depth or any combination thereof required by this Ordinance.
  - 2. Non-conforming buildings and structures used for a permitted use.
  - 3. Non-conforming uses of conforming buildings and structures.
  - 4. Non-conforming buildings and structures used for a non-conforming use.
  - 5. Non-conforming uses of land.

**§ 1331-1002. Non-conforming vacant lots.**

- A. Use of non-conforming vacant lots.
  - 1. In any zoning district in which single-family residential buildings are permitted, a single-family residential building and associated accessory structures may be erected on any single lot of record existing on the date of adoption or amendment City of McKeesport Ordinance 1331. Zoning. Such a lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though the lot fails to meet the zoning district's requirements for area or width, or both, provided that the lot conforms to the zoning district's setback dimensions and other requirements not involving area or width, or both. Variance of area, width and setback requirements shall be obtained only through action of the Zoning Hearing Board.

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**NON-CONFORMING USES, STRUCTURES AND LOTS**

2. If two (2) or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Part, and if all or part of the lots do not meet the requirements for lot width and area as established by this Part, the lands involved shall be considered to be an undivided parcel for the purposes of this Part, and no portion of the parcel shall be used or sold which does not meet lot width and area requirements established by this Part, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this Part.

**§ 1331-1003. Non-conforming buildings and structures used for a permitted use.**

Non-conforming buildings and non-conforming structures and are subject to all of the following regulations:

- A. Ordinary repair and maintenance.
  1. Ordinary maintenance and repair work or repair and replacement of nonbearing walls, fixtures, wiring or plumbing may be accomplished; provided, however, that this subsection shall not be deemed to authorize any violation of Subsections B through D of this section.
  2. Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of a non-conforming building, subject to the provisions of Subsection D of this section, in accordance with the order of a public official who is charged with protecting the public safety and who declares such building to be unsafe and orders its restoration to a safe condition.
- B. Repairs and alterations. Repairs, maintenance, alterations and modernization may be made to a non-conforming building or structure, except that no structural alteration shall be made in or to such building or structure except those required by law and except those making the building or structure and use thereof conform or more closely conform to the regulations of the district in which it is located.
- C. Enlargements. No non-conforming building shall be enlarged or altered in any manner which increases its non-conformity, but any building or portion thereof may be altered to decrease its non-conformity or extended along established, existing building setback lines, provided that a minimum of three feet is observed. City of McKeesport Ordinance 1331. Zoning
- D. Reconstruction. In the event that a non-conforming building containing a permitted use is damaged or destroyed by any means to an extent of more than fifty (50) percent of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance. In the event that such damage or destruction is fifty (50) percent or less than the replacement costs of the structure, repairs or reconstruction may be undertaken, provided that such restoration is started within twelve (12) months of the date of damage.
- E. Moving. No non-conforming building or other structure shall be moved in whole or in part for any distance whatever, to any other relocation on the same lot or any other lot, unless the entire building and the use thereof shall thereafter conform to the regulations of the district in which it is located after being moved.

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**ARTICLE X  
NON-CONFORMING USES, STRUCTURES AND LOTS**

**§ 1331-1004. Non-conforming uses of conforming buildings and structures.**

A lawfully existing non-conforming use of part or all of a conforming building or structure may be continued subject to all of the following provisions:

- A. Expansion of non-conforming use. A non-conforming use of a part of a building or structure may be expanded or extended into any other portion of such building or structure, provided that such expansion or extension shall not in any case be detrimental to or tend to alter the character of the neighborhood and that approval therefore be granted by the Zoning Hearing Board.
- B. Enlargement of buildings containing non-conforming uses. No structural enlargements or additions to a building or structure containing a non-conforming use shall be made which, when added to all structural enlargements and additions made since the use first began to be non-conforming, shall cause the aggregate gross floor area of all such structural enlargements and additions to exceed ten (10) percent of the gross floor area of the structure when the use first began to be non-conforming, subject to the following provisions:
  1. Any such structural enlargements or additions shall be in conformity with the area and height regulations of this Ordinance for the district where the structure or building is located and shall be contained within the boundaries of the lot occupied by the structure at the time the use first began to be non-conforming; and
  2. Any such structural enlargements or additions shall not be detrimental to or tend to alter the character of the neighborhood and that approval therefore be granted by the Zoning Hearing Board.
- C. Change of non-conforming use. A non-conforming use all or partially conducted in a structure or structures may be changed to another non-conforming use only upon determination by the Zoning Hearing Board, after public hearing that the proposed new use will be more conforming to its neighborhood and surroundings than the use it is to replace. In determining such relative conformity, the Zoning Hearing Board shall review the written report of the Zoning Officer, which shall include the recommendations of the City Planning Commission. This report shall take into consideration such factors, among others, as City of McKeesport Ordinance 1331. Zoning traffic generated, nuisance characteristics, such as emission of noise, dust, odors and smoke, creation of vibrations and fire hazards, the hours and manner of operation. The Zoning Officer may request the assistance of other applicable City of McKeesport agencies in preparing his report.
- D. Discontinuance of non-conforming use. A use occupying a building or structure, not conforming to the regulations of the district in which it is located, that is discontinued during any continuous period of time as defined by the City of McKeesport is presumed to be abandoned and shall not be continued, and said building or structure shall only be occupied by a use which conforms to the district in which it is located. However, if the Zoning Hearing Board determines that the presumption of abandonment has been rebutted, it may grant a special exception permitting the resumption of the discontinued use.
- E. Reconstruction. In the event that a conforming building containing a non-conforming use is damaged or destroyed by any means, said building may be restored to its original condition.
- F. Moving. No building or other structure that is devoted in whole or in part to a non-conforming use shall be moved in whole or in part for any distance whatsoever to any other lot unless the entire building or other structure and the use thereof shall thereafter conform to the regulations of the district in which it is located after being so moved. Moreover, no non-conforming use of land shall be moved in whole or in part for any distance whatsoever to any other location on the same or



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**NON-CONFORMING USES, STRUCTURES AND LOTS**

any other lot unless such use shall thereafter conform to the regulations of the district in which it is located after being moved.

**§ 1331-1005. Non-conforming buildings and structures used for a non-conforming use.**

A lawfully existing non-conforming building or other structure that contains a lawfully existing non-conforming use of part or all of said building or structure may be continued subject to all the following provisions:

- A. Ordinary repair and maintenance of non-conforming building or structure:
1. Ordinary maintenance and repair work or repair and replacement of nonbearing walls, fixtures, wiring or plumbing may be accomplished; provided, however, that this subsection shall not be deemed to authorize any violation of Subsections B through H of this section.
  2. Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of a non-conforming building, subject to the provisions of Subsection G of this section, in accordance with the order of a public official who declares such building to be unsafe and orders its restoration to a safe condition.
- B. Repairs and alterations to a non-conforming building or structure. Repairs, maintenance, alterations and modernization may be made to a non-conforming building or structure, except that no structural alteration shall be made in or to such building or structure, City of McKeesport Ordinance 1331. Zoning except those required by law and except those making the building or structure and use thereof conform or more closely conform to the regulations of the district in which it is located.
- C. Enlargements of non-conforming building or structure. No non-conforming building or structure shall be enlarged or added to in any manner unless such building or structure shall thereafter conform to or more closely conform to the regulations of the district in which it is located.
- D. Expansion of non-conforming use. A non-conforming use of a part of a non-conforming building or structure may be expanded or extended into any portion of such building or structure, provided that such expansion or extension shall not in any case be detrimental to or tend to alter the character of the neighborhood and that approval therefore be granted by the Zoning Hearing Board.
- E. Change of non-conforming use. A non-conforming use all or partially conducted in a non-conforming structure or structures may be changed to another non-conforming use only upon determination by the Zoning Hearing Board, after public hearing that the proposed new use will be more conforming to its neighborhood and surroundings than the use it is to replace. In determining such relative conformity, the Zoning Hearing Board shall review the written report of the Zoning Officer, which shall include the recommendations of the City Planning Commission. This report shall take into consideration specific characteristics of this new non-conforming site and how said new site functions in relation to its surroundings. Factors to be considered must include, but are not limited to: proposed parking expansions or reductions, change in vehicle and/or pedestrian entry ways, potential traffic patterns and/or congestion generated, hours of operation and anticipated levels of walk-in traffic, proposed or potential arising nuisance characteristics such as emission of noise (if produced), dust (if produced), odors (if produced) and smoke(if produced/emitted), the extent to which vibrations and fire hazards may be created based upon the land use activity, and any other proposed and/or continued non-conformance with the City of McKeesport Official Zoning Ordinance. The Zoning Officer will denote a comparison between the above factors as generated by the existing and the proposed land use.

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The Zoning Officer may request the assistance of other applicable City of McKeesport agencies, or any assignee(s), in developing this report.

- F. Discontinuance of non-conforming use. A use occupying a non-conforming building or structure, not conforming to the regulations of the district in which it is located, that is discontinued during any continuous time as defined by the City of McKeesport shall be presumed to have been abandoned and shall not be continued, and said building or structure shall only be occupied by a use which conforms to the district in which it is located. However, if the Zoning Hearing Board determines that the presumption of abandonment has been rebutted, it may grant a special exception permitting the resumption of the discontinued use.
- G. Reconstruction. In the event that a non-conforming use within a non-conforming building or structure damaged or destroyed by any means to such an extent that the cost of restoring it to its condition prior to damage or destruction exceeds fifty (50) percent of the current replacement cost of the entire building, exclusive of foundations, such building and use shall not be restored unless it shall thereafter conform to the regulations for the district in which it is located.
- H. Moving. No non-conforming building or other structure that is devoted in whole or in part to a non-conforming use shall be moved in whole or in part for any distance whatsoever to any other lot unless the entire building or other structure and the use thereof shall thereafter conform to the regulations of the district in which it is located City of McKeesport Ordinance 1331. Zoning after being so moved. Moreover, no non-conforming use of land shall be moved in whole or in part for any distance whatever to any other location on the same or any other lot unless such use shall thereafter conform to the regulations of the district in which it is located after being moved. In the event that a lot is occupied by two (2) or more buildings and the use of said buildings is a permitted use under this Ordinance and the owner desires to sell one or more of said structures, requiring a lot split or subdivision plan to be prepared and approved by the prospective body of the City of McKeesport, then and in such event that the remaining lots would not comply with the yard area and lot coverage requirements as set forth in this Ordinance, said requirements shall not apply.

**§ 1331-1006. Non-conforming use of land.**

The non-conforming use of land not involving a building or structure or in connection with any building or structure thereon which is incidental or accessory to the principal use of land may be continued, subject to all of the following provisions:

- A. Expansion of use. A non-conforming use of land may be expanded to occupy an area which is greater by twenty-five (25) percent than the area occupied at the effective date of adoption of this Ordinance or an amendment thereto, provided that such expansion is not detrimental to or does not alter the character of the neighborhood and that approval therefore be granted by the Zoning Hearing Board.
- B. Discontinuance of use. A use not conforming to the regulations of the district in which it is located which is discontinued and is not renewed during any continuous period of time as defined by the City of McKeesport shall be presumed to have been abandoned and shall not be renewed except by a use which conforms to the use regulations of the district in which the land is located. However, if the Zoning Hearing Board determines that the presumption of abandonment has been rebutted, it may grant a special exception permitting the resumption of the discontinued use.

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**City of McKeesport Official Zoning Ordinance**

**ARTICLE XI  
CITY COUNCIL**

**ARTICLE XI – CITY COUNCIL**

**§ 1331-1101. Duties of City Council as per this Ordinance.**

- A. The City Council. Under this Ordinance City Council shall have the duties of considering and adopting or rejecting proposed amendments or the repeal of this Ordinance, as provided by law; and of establishing a schedule of fees and charges. Under no circumstances shall the duties of the City Council include hearing and deciding questions of enforcement that may arise.
- B. The Mayor, with the advice and given consent of City Council, shall appoint members of the City Planning Commission, the Zoning Hearing Board and the Zoning Officer.
- C. City Council shall receive and consider the recommendations of the City Planning Commission on matters the Commission reviews pursuant to this Ordinance.
- D. City Council shall ask for recommendations of the City Planning Commission on the adoption or amendment of this Ordinance if such recommendations are not prepared by the City Planning Commission. In accordance with § 303(a) of the Pennsylvania Municipalities Planning Code, City Council must ask for recommendations from the City Planning Commission for proposed actions related to:
  - 1. The location, opening, vacation, extension, widening, narrowing or enlargement of any street, public ground, pierhead or watercourse;
  - 2. The location, erection, demolition, removal or sale of any public structure located within the municipality;
  - 3. The adoption, amendment or repeal of an official map, SALDO, zoning ordinance or capital improvements program; or
  - 4. The construction, extension or abandonment of any water line, sewer line or sewage treatment facility.
- E. City Council shall advertise and host a public hearing before adopting a zoning ordinance or any amendment thereto.
- F. The Mayor, with the advice and given consent of the City Council, shall remove members of the City Planning Commission, the Zoning Hearing Board or the Zoning Officer from their positions for just cause after a formal hearing per the Home Rule Charter of the City of McKeesport.
- G. Establish fees for the issuance of land development, building, occupancy and sign permits. In accordance with § 617.3(e) of the Pennsylvania Municipalities Planning Code, City Council may also prescribe fees for conditional use applications, landowner curative amendments, municipal curative amendments and for hearings before the Zoning Hearing Board.
- H. City Council shall have exclusive jurisdiction to hear and render final adjudications in the following matters:
  - 1. All applications pursuant to § 508 of the Pennsylvania Municipalities Planning Code, 53 P. S. § 10508, for approval of subdivisions or land developments under Part V of the Pennsylvania Municipalities Planning Code, 53 P. S. § 10501 et seq.
  - 2. Applications for conditional use under the express provisions of this Ordinance.

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3. Applications for curative amendment to this Ordinance or pursuant to § 609.1 and 916.1(a) of the Pennsylvania Municipalities Planning Code, 53 P. S. § 10609.1, 10916.1(a).
4. All petitions for amendments to land use ordinances, pursuant to the procedures set forth in § 609 of the Pennsylvania Municipalities Planning Code, 53 P. S. § 10609.
5. Appeals from the determination of the Zoning Officer or the City Engineer in the administration of any land use ordinance or provisions thereof with reference to sedimentation and erosion control and stormwater management as enabled by the Pennsylvania Municipalities Planning Code.

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**City of McKeesport Official Zoning Ordinance****ARTICLE XII  
ZONING OFFICER AND BUILDING INSPECTOR****ARTICLE XII – ZONING OFFICER AND BUILDING INSPECTOR****§ 1331-1201. Duties of Zoning Officer as per this Ordinance.**

- A. The day-to-day administrative procedures provided for in this Ordinance are the responsibility of the Zoning Officer. The Zoning Officer's duties generally involve receiving, reviewing, and issuing building and zoning permits and certificates of occupancy, maintaining records of applications and permits, performing inspections to determine compliance with this Ordinance, notify persons violating this Ordinance, keeping this Ordinance and map up-to-date and accepting applications for and presenting facts at hearings before the Zoning Hearing Board. City Council may amend the duties of the Zoning Officer as deemed necessary for the health, safety and welfare of the residents. The Zoning Officer must administer this Ordinance by its literal terms; the Zoning Officer does not have any discretionary power and can neither waive nor tighten any requirement of the Ordinance. The Zoning Officer is required to meet qualifications established by the City of McKeesport and the Pennsylvania Municipalities Planning Code and must be able to demonstrate a working knowledge of the municipal zoning. The Zoning Officer may also serve as the Building Inspector.

**§ 1331-1202. Duties of Building Inspector as per this Ordinance.**

- A. The Building Inspector shall enforce this Ordinance by issuing building permits and occupancy permits for only such structures and uses that comply with the provisions of this Ordinance. The Building Inspector shall conduct all inspections necessary to determine compliance with the Ordinance and shall maintain records thereof.
- B. The Building Inspector shall be responsible for:
1. Maintaining all of the records of this Ordinance including, but not limited to, all maps, amendments and variances, non-conforming uses appeals and applications thereof and hearing thereon.
  2. Collecting fees which shall accompany applications for building and occupancy permits and variances.
  3. Receiving, filling and forwarding to the City Council and the City Planning Commission for action all applications for amendments to this Ordinance.
  4. Receiving, filing and forwarding to the Zoning Hearing Board all applications for variances and appeals in accordance with the provisions of this Ordinance.
- C. The Building Inspector may also serve as the Zoning Officer.

**§ 1331-1203. Zoning permits, building permits and certificate of occupancy.**

Before issuing the zoning permit, building permit or certificate of occupancy referred to in Article XIV, the Zoning Officer shall assure that the proposed construction or use is in conformity with the provisions of this Ordinance, as well as other applicable ordinances of the City of McKeesport.

**§ 1331-1204. Application for special exception.**

The Zoning Officer shall be responsible for informing Any Applicant applying for any use which is permitted as a use by special exception in a district of the rules and procedures of the Zoning Hearing Board relating to such applications.

**ARTICLE XII**

**ZONING OFFICER AND BUILDING INSPECTOR**

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**§ 1331-1205. Other duties.**

Other duties of the Zoning Officer are to:

- A. Act on behalf of the municipality in any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, demolition, maintenance or use of any building or structure, to restrain, correct or abate such violation, so as to prevent the occupancy or use of any building, structure or land, or to prevent any illegal act, conduct, business or use in or about such premises.
- B. Revoke by order any building permit, zoning permit or certificate of occupancy issued under a mistake of fact or contrary to the law or the provisions of this Ordinance.
- C. Record and file all applications and plans for permits and the action taken thereon. All applications, plans and documents shall be a public record.
- D. Maintain the City of McKeesport Official Zoning Map showing the current zoning districts for all the land within the municipality. Upon request, the Zoning Officer shall make determination of any Zoning Map district boundary question. Such determination may be appealed to the Zoning Hearing Board.
- E. Upon the request of the City Council, City Planning Commission or Zoning Hearing Board, present facts, records or information to assist them in making decisions.
- F. Provide testimony at hearings of the Zoning Hearing Board, if requested.
- G. Conduct inspections and surveys as prescribed by City Council or ordinance to determine compliance or noncompliance with the terms of the City of McKeesport Official Zoning Ordinance.
- H. The Zoning Officer may also serve as the Building Inspector.

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**ARTICLE XIII  
CITY PLANNING COMMISSION AND  
ZONING HEARING BOARD**

**ARTICLE XIII – CITY PLANNING COMMISSION AND ZONING HEARING BOARD**

**§ 1331-1301. City Planning Commission specific intent.**

It is the purpose of this Article to cite the responsibilities of the City Planning Commission in the administration of designated duties and functions according to the Pennsylvania Municipalities Planning Code, Act 247, as amended.

**§ 1331-1302. City Planning Commission administration and procedure.**

- A. Continuance of commission. There shall be in and for the City of McKeesport a Planning Commission, as previously created by City of McKeesport Ordinance pursuant to Act 247.
- B. Appointment, term and vacancy. The City Planning Commission of the City of McKeesport shall be appointed by the Mayor with the advice and the consent of City Council. The City Planning Commission shall consist of five (5) members, all of whom shall be full-time residents of the City of McKeesport. The term of each member shall be for four (4) years; not more than two (2) shall expire during any calendar year. The Chairman of the City Planning Commission shall promptly notify the Mayor and City Council concerning vacancies in the City Planning Commission for any reason, and the Mayor, with the advice and consent of City Council, shall fill the vacancy only for the unexpired term. Such appointments shall be made within a period of sixty (60) days after such vacancy occurs.
- C. Meetings. The City Planning Commission shall meet as required and as deemed necessary.
- D. Conduct of business. City Officers shall serve annual terms and may succeed themselves. The City Planning Commission may make and alter bylaws and rules and regulations to govern its procedures consistent with the ordinances of City of McKeesport and the laws of the Commonwealth of Pennsylvania.
- E. Also see the Pennsylvania Municipalities Code, Article II.

**§ 1331-1303. City Planning Commission powers, duties and other functions.**

- A. Conduct.
  - 1. The City Planning Commission shall at the request of the City Council have the power and shall be required to:
    - a. Prepare the comprehensive plan for the development of the City of McKeesport as set forth in this act, and present it for the consideration of the City Council.
    - b. Maintain and keep on file records of its action. All records and files of the City Planning Commission shall be in the possession of City Council.
  - 2. The City Planning Commission at the request of City Council may:
    - a. Make recommendations to City Council concerning the adoption or amendment of a City of McKeesport Official Zoning Map.
    - b. Prepare and present to City Council a zoning ordinance, and make recommendations to the City Council on proposed amendments to it as set forth in this act.



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- c. Prepare, recommend and present subdivision and land development regulations for the consideration of City Council.
  - d. Prepare and present to City Council a uniform construction code and a housing code and make recommendations concerning proposed amendments thereto following review and approval by the Pennsylvania Department of Labor and Industry.
  - e. Review and present recommendation to City Council on conditional uses applications.
  - f. Prepare and present to City Council an environmental study. Submit to City Council a recommended capital improvements program.
  - g. Prepare and present to City Council a water survey which shall be consistent with the State water plan and any applicable water resources plan adopted by a river basin commission. The water survey shall be conducted in consultation with any public water supplier in the area to be surveyed.
  - h. Promote public interest in, and understanding of, the Joint Comprehensive Plan for the Cities of Duquesne & McKeesport and planning initiatives.
  - i. Make recommendations to individuals, governmental, civic and private agencies as to the effectiveness of such agencies' proposals.
  - j. Hold public hearings and meetings.
  - k. Present testimony before any board.
  - l. Require from other departments or agencies of the City of McKeesport such available information as relates to the work of the City Planning Commission.
  - m. In the performance of its functions, enter upon any land to make examinations and surveys with the consent of the owner.
  - n. Prepare and present to City Council a study regarding the feasibility and practicability of using renewable energy sources in specific areas within the City of McKeesport.
  - o. Review the zoning, subdivision and land development ordinance, City of McKeesport Official Zoning Map and regulations governing the development of land no less frequently than it reviews the comprehensive plan.
3. The City Planning Commission at the request of City Council may also provide recommendations for proposed actions related to:
- a. The location, opening, vacation, extension, widening, narrowing or enlargement of any street, public ground, pierhead or watercourse;
  - b. The location, erection, demolition, removal or sale of any public structure located within the municipality;
  - c. The construction, extension or abandonment of any water line, sewer line or sewage treatment facility.

B. Also see the Pennsylvania Municipalities Code, Article II.

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**§ 1331-1304. City Planning Commission administrative and technical assistance.**

City Council may employ administrative and technical services to aid in carrying out the provisions of Act 247 either as professional consultants on particular matters or as regular employees of the City of McKeesport.

**§ 1331-1305. City Planning Commission assistance.**

The City Planning Commission may, with consent of City Council, accept and utilize any funds, personnel or other assistance made available by Allegheny County, the Commonwealth of Pennsylvania or the federal government or any of their agencies or from private sources.

**§ 1331-1306. City Planning Commission removal.**

Any member of the City Planning Commission once qualified and appointed may be removed from office for malfeasance, misfeasance or nonfeasance in office or for other just cause by the Mayor with the advice and consent of City Council, taken after the member has received fifteen (15) days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing. Any appointment to fill a vacancy created by removal shall be only for the unexpired term.

**§ 1331-1307. Membership of Zoning Hearing Board.**

The membership of the Zoning Hearing Board shall consist of three (3) residents of City of McKeesport appointed by City Council. Their terms of office shall be three (3) years and shall be so fixed that the term of one member shall expire each year. The Zoning Hearing Board shall promptly notify City Council of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Zoning Hearing Board shall hold no other elected or appointed office in City of McKeesport nor shall any member be an employee of the City of McKeesport.

**§ 1331-1308. Organization of the Zoning Hearing Board.**

The Zoning Hearing Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and taking of any action, a quorum shall be not less than a majority of all the members of the Board, but the Zoning Hearing Board may appoint a Hearing Officer from its own membership to conduct any hearings on its behalf and the parties may waive further action by the Zoning Hearing Board as provided by law. The Zoning Hearing Board shall adopt rules consistent with this Ordinance and the laws of the Commonwealth of Pennsylvania. Such rules shall include, but not be limited to, the manner of filing appeals and the manner of filing applications for special exceptions and variances. The City Administrator or his or her representative shall serve as Secretary to the Zoning Hearing Board.

**§ 1331-1309. Removal of Zoning Hearing Board members.**

Any Zoning Hearing Board member may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of City Council which appointed the member, taken after the member has received fifteen (15) days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

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**§ 1331-1310. Zoning Hearing Board jurisdiction, meetings, hearings and other matters.**

- A. Zoning Hearing Board. City Council shall appoint a Zoning Hearing Board in accordance with the provisions of the City of McKeesport's Code of Ordinances and § 901 of the of the Pennsylvania Municipalities Planning Code. The Zoning Hearing Board shall have the following powers:
1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Officer in the enforcement of this Ordinance.
  2. To hear and decide all variances to the terms of this Ordinance the Zoning Hearing Board is required to act under provisions of this Ordinance including approval of the expansion, extension or enlargement of non-conforming uses only as provided for in this Ordinance and/or as otherwise prescribed within the Pennsylvania Municipalities Planning Code Section 909.1.
  3. To authorize upon appeal in specific cases such variance from the terms of this Ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this Ordinance would result in an unnecessary hardship, and so that the spirit of the this Ordinance shall be observed and substantial justice done.
  4. To hear and decide substantive challenges to the validity of any land use ordinance, except those brought before the governing body pursuant to § 609.1 and § 916.1(a)(2) of the Pennsylvania Municipalities Planning Code.
  5. To hear and decide appeals from a determination by a municipal engineer or the zoning officer with reference to the administration of any flood plain or flood hazard ordinance or such provisions within a land use ordinance.
  6. To hear and decide appeals from the zoning officer's determination under § 916.2 of the Pennsylvania Municipalities Planning Code.
  7. To hear and decide appeals from the determination of the zoning officer or municipal engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same related to development not involving Article IV or V applications prescribed within the Pennsylvania Municipalities Planning Code.
  8. To hear and decide applications for special exceptions under the City of McKeesport Official Zoning Ordinance pursuant to the Pennsylvania Municipalities Planning Code Section 912.1.
- B. In exercising the above mentioned powers, such Zoning Hearing Board may, in conformity with the provisions of this Part, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as in its opinion ought to be made. Notice of such decision shall forthwith be given to all parties in interest and shall be filed immediately with the Zoning Officer.

**§ 1331-1311. Zoning Hearing Board meetings.**

Meetings of the Zoning Hearing Board shall be held at the call of the Chairman and at such other times as the Zoning Hearing Board may determine as per its rules and procedures. All meetings of the Zoning Hearing Board shall be open to the public. The Zoning Hearing Board shall keep minutes of its proceedings showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of

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which shall be immediately filed with the permanent records of the Zoning Hearing Board and shall be a public record.

**§ 1331-1312. Zoning Hearing Board hearings.**

The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the requirements and provisions under § 908, Hearings, Pennsylvania Municipalities Planning Code. Public notice shall be given and written notice shall be given to the Applicant, the Zoning Officer and such other persons who have registered a name and address for this purpose with the Zoning Hearing Board.

**§ 1331-1313. Zoning Hearing Board mediation option.**

Parties to proceedings may utilize mediation as an aid in completing such proceedings as per the provisions of § 908.1. Mediation option, Pennsylvania Municipalities Planning Code.

**§ 1331-1314. Zoning Hearing Board expenditure for services.**

Within the limits of funds appropriated by the City Council, the Zoning Hearing Board may employ or contract for secretaries, clerks, legal counsel, professional consultants and other technical and clerical services. Members of the Zoning Hearing Board may receive compensation for the performance of their duties, as may be fixed by City Council and as per the provisions of § 907 of the Pennsylvania Municipalities Planning Code.

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**ARTICLE XIII  
CITY PLANNING COMMISSION AND  
ZONING HEARING BOARD**

**City of McKeesport Official Zoning Ordinance**

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ARTICLE XIV – CERTIFICATES AND PERMITS

§ 1331-1401. Zoning permits.

No structure or building shall be erected, added to or otherwise have any structure alterations made to it and no use listed in this Ordinance may be established or changed until a zoning permit has been issued by the City of McKeesport. No zoning permit shall be issued for any structure or building where said construction, addition, structural alteration or use thereof would be in violation of any of the provisions of this Ordinance. Any zoning permit issued in conflict with the provisions of this Ordinance shall be null and void. A zoning permit may be issued concurrently with a subdivision and/or land development application, but in no case after.

A. Application requirements. All applications for zoning permits shall be made in writing by the owner, tenant, vendee under contract of sale or authorized agent on a form supplied by the City of McKeesport and shall be filed with the Zoning Officer. The application shall include four (4) copies of the following information:

1. A statement as to the proposed use of the building or land.
2. A site layout drawn to scale showing the location, dimensions and height of proposed buildings, structures or uses and any existing buildings in relation to property and street lines. If the application relates to property scheduled to be developed in successive stages, such plans shall show the relationship of the portion scheduled for initial developments to the proposed layout of the entire property.
3. The location, dimensions and arrangements of all open spaces and yards, including methods to be employed for screening.
4. The location, size, arrangement and capacity of all areas to be used for motor vehicle access, off-street parking, off-street loading and unloading and provisions to be made for lighting such areas.
5. The dimensions, location and methods of illumination for signs, if applicable.
6. The location and dimensions of sidewalks and all other areas to be devoted to pedestrian use.
7. Provisions to be made for treatment and disposal of sewage and industrial wastes, water supply and storm drainage.
8. The capacity and arrangement of all buildings used or intended to be used for dwelling purposes, including the proposed density in terms of number of dwelling units per acre of land.
9. A description of any proposed industrial or commercial operations in sufficient detail to indicate effects of those operations in producing noise, glare, air pollution, water pollution, fire hazards, traffic congestion or other safety hazards.
10. Description of methods to be employed in controlling any excess noise, air pollution, smoke, fumes, water pollution, fire hazards or other safety hazards as determined from review of operations.
11. Any other data deemed necessary by the Zoning Officer to enable him to determine the compliance of the proposed development with the terms of this Ordinance.

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- B. A decision either approving or disapproving an application for a zoning permit shall be rendered within ninety (90) days after the application is filed. Any disapproval of the application shall contain a brief explanation setting forth the reasons for the disapproval and the manner in which the application can be corrected and/or modified to obtain the required approval. If no decision is rendered on the application within ninety (90) days, the application shall be deemed to have been granted immediately, unless the application has agreed, in writing, to an extension of time.

**§ 1331-1402. Certificate of occupancy.**

- A. It shall be unlawful to use or occupy or permit the use or occupancy of any building or lot, or part thereof, hereinafter erected, connected or wholly or partly altered or enlarged in its size or structure until an occupancy permit has been issued therefore by the Zoning Officer. Said occupancy permit shall state that the proposed use of the building or land conforms to the requirements of this Ordinance.
- B. No nonconforming use shall be changed or extended until an occupancy permit has been issued by the Zoning Officer therefore.
- C. Occupancy permits shall be applied for coincident with the application for a building permit and shall be issued within five (5) working days after the erection or alteration has been completed and inspected by the Zoning Officer and approved by said the Zoning Officer as complying with the provisions of this Ordinance.
- D. Application for occupancy permits for a new or changed use of land where no building permit is required shall be made directly to the office of the Zoning Officer. Occupancy permits to be issued, as well as written notices stating why an occupancy permit cannot be issued, shall be given to the applicant no later than ten (10) days after the application has been received by the Zoning Officer.
- E. A temporary occupancy permit for owner occupied development may be issued by the Zoning Officer for a period not exceeding six (6) months during alterations as partial occupancy of a building pending its completion, provided that such temporary permit may require such conditions and safeguards as will protect the safety of the occupants and the public.
- F. Failure to obtain an occupancy permit shall be in violation of this Chapter and subject to enforcement remedies as per § 1331-1802 of this Ordinance.
- G. The Zoning Officer shall maintain a record of all occupancy permits and copies shall be furnished upon request, to any person having a proprietary or tenancy interest in the building or lot affected.

**§ 1331-1403. Fees.**

Fees for permits shall be paid in accordance with a fee schedule to be adopted by resolution of City Council, and all such fees shall be paid to the City of McKeesport for deposit into the City of McKeesport Treasury. Each Applicant for an appeal, special exception, variance or other procedures requiring a fee shall, at the time of making application, pay a fee, in accordance with the aforementioned fee schedule, for the cost of advertising and ailing notices as required by this Ordinance.

**ARTICLE XV – GENERAL APPLICATION AND REVIEW PROCESS**

**§ 1331-1501. Schedule of fees.**

- A. The City Council shall by resolution establish a schedule of fees and shall post said schedule conspicuously in the City of McKeesport Municipal Building.
- B. No permit, certificate, application or variance shall be issued unless, or until such costs, charges, fees or expenses as established by such resolution have been paid in full; nor shall any action be taken by the City Council and/or Zoning Hearing Board take action unless or until preliminary charges and fees have been paid in full.
- C. A zoning permit shall be required prior to the establishment, change or alteration of any use, or the construction, enlargement, expansion or alteration of any structure.
- D. A building permit may also be required in conjunction with a zoning permit and shall be regulated by the City of McKeesport Uniform Construction Code.

**§ 1331-1502. Requests for reasonable accommodation.**

- A. Persons with a claim for reasonable accommodation under the Fair Housing Amendments Act or the Americans with Disabilities Act shall submit an application for a special exception to the Zoning Hearing Board. The Zoning Hearing Board shall require the information outlined in § 1703 Special Exception Procedures of Approval to process the application.
- B. The Zoning Hearing Board may hold any meeting(s) and/or hearing(s) necessary in its discretion to elicit information or argument pertinent to the request for accommodation.
- C. The Zoning Hearing Board's decision shall be in writing; the discussion shall be issued to the Applicant and the City Council within thirty (30) days of filing of the request for accommodation or at the next regularly scheduled Zoning Hearing Board meeting, whichever is the later of the two (2).
- D. A request for reasonable accommodation should be directed to the Zoning Hearing Board. In considering a request for reasonable accommodation, the Zoning Hearing Board shall, with the advice of the appointed legal counsel, apply the following criteria:
  - 1. Whether the Applicant is handicapped or disabled within the meaning of the Federal Fair Housing Act Amendments or the Americans with Disabilities Act.
  - 2. The degree to which the accommodation sought is related to the handicap or disability of the Applicant.
  - 3. A description of hardship, if any, that the Applicant will incur absent provisions of the reasonable accommodation requested.
  - 4. The extent to which the requested accommodation is necessary to afford the Applicant an opportunity equal to a non-handicapped or non-disabled person to use and enjoy the dwelling in question.
  - 5. The extent to which the proposed accommodation may impact other landowners in the immediate vicinity.



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6. The extent to which the proposed accommodation may be consistent with or contrary to the zoning purposes promoted by the Joint Comprehensive Plan for the Cities of Duquesne & McKeesport, and the community development objectives set forth in the City of McKeesport Official Zoning Ordinance.
7. The extent to which the requested accommodation would impose financial and administrative burdens upon the City of McKeesport.
8. The extent to which the requested accommodation would impose an undue hardship upon the City of McKeesport.
9. The extent to which the accommodation would require a fundamental alteration in the nature of the City of McKeesport's regulatory policies, objectives and regulations.
10. The extent to which the requested accommodation would result in a subsidy, privilege, or benefit not available to non-handicapped or non-disabled persons.
11. The permanency of the requested accommodation and the conditions under which such accommodation will be removed, terminated or discontinued when they are no longer needed to provide handicapped or disabled persons equal opportunity to use and enjoy the dwelling in question.
12. The extent to which the requested accommodation will increase the value of the lot during and after its occupancy by Applicant.

**§ 1331-1503. Special exception procedures of approval.**

**A. Approval of uses by special exception.**

1. Where the City Council, in the zoning ordinance, has stated special exceptions to be granted or denied by the board pursuant to express standards and criteria, the Zoning Hearing Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the Zoning Hearing Board may attach such reasonable conditions and safeguards, in addition to those expressed in the ordinance, as it may deem necessary to implement the purposes of this act and the zoning ordinance. See also § 912.1 of the Pennsylvania Municipalities Code.

**B. Requests for Reasonable Accommodation. See § 1331-1502.**

**C. Conditions and safeguards.**

1. In considering an application for approval of a use by special exception, the Zoning Hearing Board may prescribe appropriate conditions and safeguards in conformity with the spirit and intent of this Ordinance. A violation of such conditions and safeguards, when made part of the terms and conditions under which approval of a use by special exception is granted, shall be deemed a violation of this Ordinance.

**D. Expiration of approval of use by special exception.**

1. Approval of a use by special exception shall expire automatically without written notice to the Applicant if an application for a building permit or zoning permit to undertake the construction for the authorized occupancy described in the application for approval of the use by special exception is not submitted within twelve (12) months of said approval.

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- E. The Zoning Hearing Board, in their sole discretion, may grant an extension of the special exception upon receipt of a written request by the Applicant prior to the expiration date of approval. Only a one (1) time twelve (12) month extension may be granted.
- F. Expiration of Approval of Use by Special Exception Granted Prior to Effective date of this Ordinance. Approval of a use by special exception granted prior to the effective date of this Ordinance shall expire automatically without written notice to the Applicant if an application for a grading permit, building permit or zoning permit to undertake the construction or authorize the occupancy described in the application for approval of the use by special exception is not received within twelve (12) months of the effective date of this Ordinance or as specified in the approval.

**§ 1331-1504. Conditional uses procedure for approval.**

- A. The City Council shall hear and decide requests for conditional uses within the time periods and according to the procedures set forth in the Pennsylvania Municipalities Planning Code § 913.2. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons therefore. Conclusions based on any provisions of this Ordinance or any other Ordinance shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found.
- B. A written application for conditional use shall be submitted in accordance with the Application Requirements and associated Application Process defined by the City of McKeesport.
  1. The application for a conditional use shall pay the required fee as per § 1331-1501.
  2. Where the City Council fails to render the decision within the period required by this subsection or fails to commence, conduct or complete the required hearing as provided in § 908 (1.2) of the Pennsylvania Municipalities Planning Code, the decision shall be deemed to have been rendered in favor of the Applicant unless the Applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the Applicant because of failure of the City Council to meet or render a decision as hereinabove provided, the City Council shall give public notice of the decision within ten (10) days from the last day it could have met to render a decision in the same manner as required by the public notice requirements of this act. If the City Council shall fail to provide such notice, the Applicant may do so.
  3. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction. A copy of the final decision or, where no decision is called for, the findings shall be delivered to the Applicant personally or mailed to him no later than the day following its date.
  4. In granting a conditional use, the City Council may attach such reasonable conditions and safeguards in addition to those expressed in this Ordinance, as necessary to implement the purposes of the Pennsylvania Municipalities Planning Code and this Ordinance.
  5. City Council shall review a conditional use application and may approve, deny or attach additional conditions, in order to protect the public's health, safety and welfare.
  6. Concurrent to the Applicant for conditional use approval, the Applicant may wish to apply for conditional approval of the site plan. In such a case, the Applicant shall include five (5) copies of the site plan, with all required components as per the preliminary plan of the City of

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McKeesport Subdivision and Land Development Ordinance. For site plan requirements, see §1317.06(b) of the City of McKeesport Subdivision and Land Development Ordinance.

- C. Expiration of conditional use approval. Conditional use approval shall expire automatically without written notice to the Applicant if no application for a grading permit, building permit or occupancy permit to undertake the construction or authorize the occupancy described in the application for conditional use approval is submitted within twelve (12) months of said approval. The City Council may extend conditional use approval upon written request of the Applicant received prior to its expiration. The maximum extension permitted shall be one (1) twelve (12) month extension.
- D. Expiration of conditional use approval granted prior to effective date of this Ordinance. Conditional use approval granted prior to the effective date of this Ordinance shall expire automatically without written notice to the Applicant if no application for a grading permit, building permit or occupancy permit to undertake the construction or authorize the occupancy described in the application for conditional use approval is submitted within twelve (12) months of the effective date of this Ordinance or as specified in the approval. The City Council may extend conditional use approval upon written request of the Applicant received prior to its expiration. The maximum extension permitted shall be one (1) twelve (12) month extension.

**§ 1331-1505. Rezoning application and review.**

See Article XVI of this Ordinance.

**§ 1331-1506. Variances.**

- A. The Zoning Hearing Board shall hear requests for variances where it is alleged that the provisions of the City of McKeesport Official Zoning Ordinance inflict unnecessary hardship upon the Applicant. The Zoning Hearing Board may by rule prescribe the form of application and may require preliminary application to the Zoning Officer. The Zoning Hearing Board may grant a variance, provided that all of the following findings are made where relevant in a given case:
  - 1. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the City of McKeesport Official Zoning Ordinance in the neighborhood or district in which the property is located.
  - 2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the City of McKeesport Official Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
  - 3. That such unnecessary hardship has not been created by the appellant.
  - 4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
  - 5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- B. A variance from the terms of this Ordinance shall not be granted by the Zoning Hearing Board unless and until:

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1. A written application for the variance is submitted.
  2. The required fees are paid.
  3. Public notice by advertising shall be given at least two (2) weeks in advance of the hearing. The owner of the property for which the variance is sought or his agent shall be notified by mail.
  4. The hearing shall be held. Any party may appear in person, or by agent or by attorney.
  5. The Zoning Hearing Board shall make findings that the requirements of this Section, have been met by the Applicant for the variance.
  6. The Zoning Hearing Board shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.
  7. Zoning Hearing Board shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
- C. In granting any variance, the Zoning Hearing Board may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and such safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and subject to § 1331-1802. Remedies.
- D. Under no circumstances shall the Zoning Hearing Board grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

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**GENERAL APPLICATION AND REVIEW PROCESS**

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**ARTICLE XVI  
REZONING**

**ARTICLE XVI – REZONING**

**§ 1331-1601. Purpose of rezoning.**

- A. The purpose of rezoning is to protect the safety, capacity and efficiency of the City of McKeesport's existing infrastructure systems; to maintain fiscal responsibility; and to uphold the objectives of the Joint Comprehensive Plan for the Cities of Duquesne & McKeesport.
- B. Rezoning requests shall be evaluated on the basis of the projected benefits and/or detrimental effects to the City of McKeesport as a whole.

**§ 1331-1602. Rezoning application forms.**

- A. All Applicants submitting rezoning applications shall be required to prepare a series of plans, analyses and reports as enumerated in § 1331-1604. Application criteria to demonstrate the compatibility of a rezoning proposal.

**§ 1331-1603. Review of rezoning applications.**

- A. The Zoning Officer shall review the application in compliance with the following procedural guidelines:
  - 1. Upon receipt of a rezoning application, the Zoning Officer will perform a desk check review of the package to determine the completeness of the application.
  - 2. The Zoning Officer will provide the Applicant a letter within seven (7) business days stating that the application has been submitted with all required information attached.
  - 3. If the Zoning Officer finds the application to be incomplete or insufficient, the rezoning application will be returned to the Applicant.
  - 4. When the rezoning application is found to be complete, the Zoning Officer shall compile a report and forward the application package and report to the City Planning Commission for review.
- B. As part of the rezoning approval process, the City Planning Commission and City Council shall consider the motivation and implications of each plan, analysis and report.
- C. The City of McKeesport shall review the application in compliance with the following procedural guidelines:
  - 1. If the rezoning proposal is found to be generally consistent with the Joint Comprehensive Plan for the Cities of Duquesne & McKeesport, the City Planning Commission shall consider any projected beneficial and/or detrimental effects on the City of McKeesport. The City Planning Commission may host a public hearing on the application if they deem it applicable.
  - 2. Based on these analyses, the City Planning Commission shall submit a written recommendation either in favor or not in favor of the rezoning proposal including a specific statement as to whether or not the proposed rezoning is in accordance with the objectives of the Joint Comprehensive Plan for the Cities of Duquesne & McKeesport.
- D. The final recommendation of the City Planning Commission shall be forwarded to the City Council.

**ARTICLE XVI  
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**City of McKeesport Official Zoning Ordinance**

- E. Upon receipt of the City Planning Commission's final recommendations, the City Council shall host a public hearing on the application. The City Council shall compose a brief summary explanation of its decision and forward the decision and explanation to the Applicant. The City Council may deny the rezoning proposal and shall provide a brief summary explanation of the decision to the Applicant. Upon approval of the rezoning proposal the Zoning Officer shall update the City of McKeesport Official Zoning Map accordingly.
- F. See also § 609 of the Pennsylvania Municipalities Planning Code and § 1331-1701 of this Ordinance.

**§ 1331-1604. Application criteria.**

- A. Application Requirements. The following outlines the plans, analyses and reports that a landowner and/or developer shall submit as part of rezoning applications. The plans, analyses and reports to be submitted include:
  - 1. Sketch Plan.
  - 2. Estimated infrastructure (sanitary sewer and potable water) demands (gallons per day).
  - 3. Off-street parking projections (number of parking spaces) available on site.
  - 4. A summary of anticipated impacts on adjoining lots including but not limited to noise, vibration, night-time lighting, service area locations and visibility, hours of operation.
  - 5. Depending upon the location of lot access, infrastructure service/demands and impacts identified in § 1331-1604.A.4. on adjoining lots, the City Council may require a landowner and/or developer to prepare other potential related studies.

**§ 1331-1605. Additional information.**

The City Planning Commission and the City Council reserve the right to request additional information as part of the rezoning review and approval process in order to evaluate the applicability of the rezoning.

**City of McKeesport Official Zoning Ordinance**

**ARTICLE XVII  
AMENDMENTS**

**ARTICLE XVII – AMENDMENTS**

**§ 1331-1701. Enactment of City of McKeesport Official Zoning Ordinance amendments.**

- A. The City Council may amend, supplement, or repeal any of the regulations and provisions of this Ordinance as set forth in Pennsylvania Municipalities Planning Code.
- B. The City Council will conduct hearings and make decisions in accordance with the Pennsylvania Municipalities Planning Code. Before voting on the enactment of an amendment, the City Council shall hold a public hearing thereon, pursuant to public notice and pursuant to mailed notice and electronic notice to an owner of a tract or parcel of land located within the City of McKeesport, or an owner of the mineral rights in a tract or parcel of land within the municipality who has made a timely request in accordance with Pennsylvania Municipalities Planning Code Section 109.
- C. In the case of an amendment other than that prepared by the City Planning Commission, the City Council shall submit each such amendment to the City Planning Commission to provide the City Planning Commission an opportunity to submit recommendations.
- D. If, after any public hearing held upon an amendment, the proposed amendment is changed substantially, or is revised, to include land previously not affected by it, the City Council shall hold another public hearing, pursuant to mailed and electronic public notice as specified by the Pennsylvania Municipalities Planning Code, before proceeding to vote on the amendment.
- E. Prior to the public hearing on the amendment by the City Council, the amendment shall be forwarded to Allegheny County and surrounding municipalities for recommendations.
- F. A copy of the adopted amendment to this Ordinance shall be forwarded to Allegheny County for record.

**§ 1331-1702. Procedure for landowner curative amendments.**

- A. A landowner and/or developer who desires to challenge on substantive grounds the validity of this Ordinance or the City of McKeesport Official Zoning Map or any provision thereof, which prohibits or restricts the use or development of land in which he has an interest may submit a curative amendment to the City Council with a written request that his challenge and proposed amendment be heard and decided as provided in § 916.1 of the Pennsylvania Municipalities Planning Code 53 P. S. § 10916.1. The curative amendment and challenge shall be referred to the City Planning Commission and the county planning agency as provided in § 609 and notice of the hearing thereon shall be given as provided in § 610 and § 916.1 of the Pennsylvania Municipalities Planning Code, 53 P. S. § 10609, 10610, and 10916.1.
- B. The City Council will conduct hearings and make decisions in accordance with the Pennsylvania Municipalities Planning Code. If the City of McKeesport does not accept a landowner and/or developer's curative amendment brought in accordance with this subsection and a court subsequently rules that the challenge has merit, the court's decision shall not result in a declaration of invalidity for this entire Ordinance and City of McKeesport Official Zoning Map, but only for those provisions which specifically relate to the landowner's curative amendment and challenge.
- C. The City Council, if it determines that a validity challenge has merit, may adopt landowner's curative amendment, with or without revision, or may adopt an alternative amendment, which will cure the challenged defects. The City Council shall consider the curative amendments, plans and explanatory material submitted by the landowner and shall also consider:



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**City of McKeesport Official Zoning Ordinance**

1. The impact of the proposal upon roads, sewer facilities, water supplies, school and other public service facilities.
2. If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of this Ordinance or City of McKeesport Official Zoning Map.
3. The suitability of the lot for the intensity of use proposed by the lot's soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources and other natural features.
4. The impact of the proposed use on the lot's soils, slopes, woodlands, wetlands, floodplains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts.

**§ 1331-1703. Procedure for City of McKeesport curative amendments.**

- A. If the City of McKeesport determines that this Ordinance, or any portion hereof, is substantially invalid, it shall take the following actions:
  1. The City of McKeesport shall declare by formal action, this Ordinance or portions hereof substantially invalid and propose to prepare a curative amendment to overcome such invalidity. Within thirty (30) days following such declaration and proposal City Council shall:
    - a. By resolution make specific findings setting forth the declared invalidity of this Ordinance, which may include:
      - i. References to specific uses that are either not permitted or not permitted in sufficient quantity;
      - ii. Reference to a class of use or uses which requires revision; or,
      - iii. Reference to this entire Ordinance, which requires revisions.
    - b. Begin to prepare and consider a curative amendment to this Ordinance to correct the declared invalidity.
  2. City Council will conduct hearings and make decisions in accordance with the Pennsylvania Municipalities Planning Code.

**§ 1331-1704. Content of public notice.**

- A. Public notices of proposed zoning ordinances and amendments shall include either the full text thereof, or a brief summary setting forth the principal provisions in reasonable detail, and a reference to a place within the City of McKeesport where copies of the proposed ordinance or amendment may be examined, in addition to the time and place of hearing. If the proposed amendment involves a zoning map change, notice of said public hearing shall comply with Pennsylvania Municipalities Planning Code.

**City of McKeesport Official Zoning Ordinance**

**ARTICLE XVIII  
ENFORCEMENT AND VIOLATIONS**

**ARTICLE XVIII – ENFORCEMENT AND VIOLATIONS**

**§ 1331-1801. Enforcement notice.**

- A. If it appears to the City of McKeesport that a violation of this Ordinance has occurred, the City of McKeesport shall initiate enforcement proceedings by sending an enforcement notice as provided in this Ordinance.
- B. The enforcement notice shall be sent to the owner of the lot on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that lot, and to any other person requested in writing by the owner of record.
- C. An enforcement notice shall state at least the following:
  1. The name of the owner of record and any other person against whom the City of McKeesport intends to take action.
  2. The location of the lot in violation.
  3. The specific violation with a description of the requirements, which have not been met, citing in each instance the applicable provisions of this Ordinance.
  4. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
  5. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within the timeframe as defined by the enforcement notice.
  6. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

**§ 1331-1802. Remedies.**

- A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the City of McKeesport, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the City of McKeesport as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the City of McKeesport may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this Ordinance shall be paid over to the City of McKeesport.
- B. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

**ARTICLE XVIII  
ENFORCEMENTS AND VIOLATIONS**

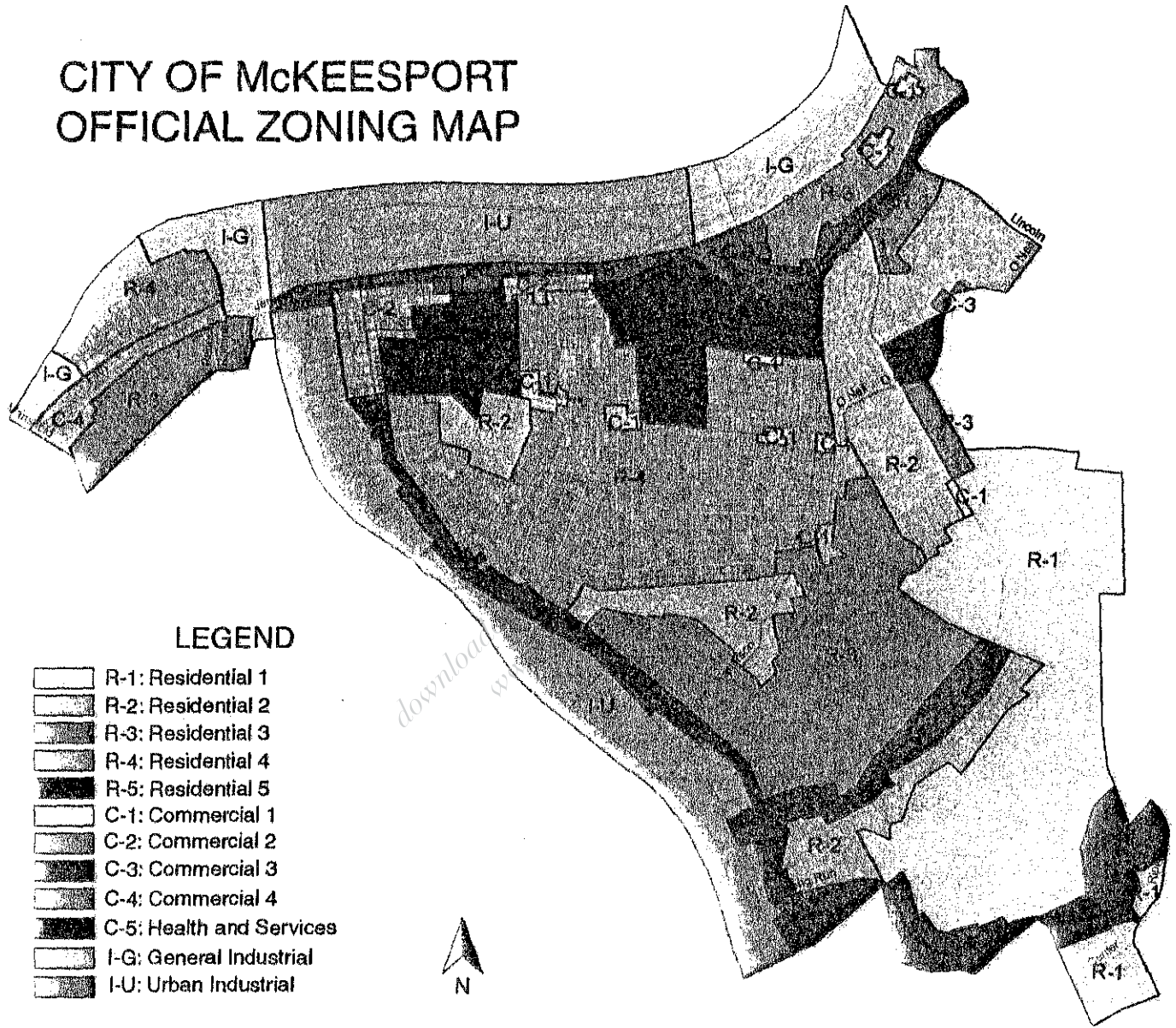
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- C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the City of McKeesport the right to commence any action for enforcement pursuant to this Section.

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ARTICLE XIX – CITY OF McKEESPORT OFFICIAL ZONING MAP

CITY OF McKEESPORT  
OFFICIAL ZONING MAP



**TABLE D  
Parking Requirements**

|                  | Authorized Land Use | Minimum Off Street Parking Requirement (# of spaces) | Minimum Loading Requirements                                   |
|------------------|---------------------|--|--|
| Residential Uses | 1                   | Boarding House                                       | 1:guest room + 2 visitor                                       |
|                  | 2                   | Mixed Use Residential/Non-Residential                | As determined by the City                                      |
|                  | 3                   | Custodial Care Facility                              | 1:4 beds + 1 employee space                                    |
|                  | 4                   | Home-Based Business, No Impact                       | 1 space/dwelling unit (in addition to residential requirement) |
|                  | 5                   | Home Occupation                                      | 1:dwelling unit (in addition to residential requirement)       |
|                  | 6                   | Manufactured Mobile Home Park                        | 1.5:mobile home  |
|                  | 7                   | Multi-family, Apartment Dwelling                     | 1:bedroom  |
|                  | 8                   | Townhouse Dwelling                                   | 2:dwelling unit  |
|                  | 9                   | Nursing Home/Assisted Living Facility                | 1:6 beds + 1:staff or visiting doctor + 1:2 employees.         |
|                  | 10                  | Personal Care Home                                   | 1:4 beds + 1 employee space                                    |
|                  | 11                  | Single-Family, Detached Dwelling                     | 2:dwelling unit  |
|                  | 12                  | Single-Family, Attached Dwelling                     | 2:dwelling unit  |
|                  | 13                  | All Other Residential Uses                           | As determined by the City                                      |

|                      |                       |   |  |
|----------------------|-----------------------|---|--|
| Non-Residential Uses | 14                    | Adult Book/Video Store                                | 1:100 sf of GFA  |
|                      | 15                    | Adult Entertainment Nightclub                         | 1:100 sf of GFA  |
|                      | 16                    | Amphitheater  | 1:5 seats provided for visitor use.  |
|                      | 17                    | Amusement Arcade                                      | 1 space/200 sf of net floor area and   |
|                      |                       |   | 1 space/2 employees on peak shift  |
|                      | 18                    | Animal Hospital                                       | 1 space/employee and 2 spaces/exam room                                      |
|                      | 19                    | Artisan Workspace/Sale                                | 1 space  |
|                      | 20                    | Automobile Rental                                     | 1 space/3 vehicles rented +  |
|                      |                       |   | 1 space/employee   |
|                      | 21                    | Automobile Repair                                     | 1:2 employees +  |
|                      |                       |   | 2:automobile service bay   |
|                      | 22                    | Automobile Sales and Service                          | Sales - 1:600 sf of net floor area (NFA)                                     |
|                      |                       |   | Service - 1:2 employees + 2:automobile service bay                           |
|                      | 23                    | Automobile Salvage/Junkyard                           | 1:employee on peak shift +   |
|                      |                       |   | 2:patron spaces  |
|                      | 24                    | Bar/Tavern/Microbrewery                               | 1 space/50 sf of public or net floor area and 1 space/employee on peak shift |
|                      |                       |   | 1 space/guest room and   |
| 25                   | Bed and Breakfast     | 1 space/permanent resident                            |  |
|                      |                       | 1 space/300 sf of net floor area (indoor display) and |  |
| 26                   | Beverage Distribution | 1 space/1,000 sf of outdoor display                   |  |
| 27                   | Billboard             |   |  |
| 28                   | Biomedical Operation  | 0-19,999 s.f. = 1 berth                               |  |
|                      |                       | 20,000-60,000 s.f. = 2 berths                         |  |
| 29                   | Boat Launch           | each add'l 60,000 s.f. = 1 berth                      |  |
| 30                   | Boatworks             | As determined by the City                             |  |
|                      |                       | As determined by the City                             |  |

City of McKeesport Official Zoning Ordinance

ATTACHMENTS

|                      | Authorized Land Use | Minimum Off Street Parking Requirement (# of spaces) | Minimum Loading Requirements   |  |
|----------------------|---------------------|--|--|--|
| Non-Residential Uses | 31                  | Building Materials Sales or Storage                  | 1:200 sf of GFA + 1:employee   |  |
|                      | 32                  | Bulk Materials or Machinery Storage                  | 1:200 sf of GFA + 1:employee<br>1 berth  |  |
|                      | 33                  | Business or Professional Office                      | 1 space/200 sf of gross floor area   |  |
|                      | 34                  | Car Wash   | 3 stacking spaces/wash bay   |  |
|                      | 35                  | Cemetery/Crematorium/Mausoleum                       | 10:chapel or parlor + 1:funeral vehicle + 1:employee   |  |
|                      | 36                  | Day Care Center                                      | 1:employee on peak shift + 1:5 students  |  |
|                      | 37                  | Civic Use  | Library: 1 space/250 sf of net floor area<br>Museum: 1 space/400 sf of net floor area<br>City Building: 1 space/300 sf of gross floor area | As determined by the City  |
|                      | 38                  | Club/Lodge   | 1 space/75 sf of net floor area of largest assembly area   | As determined by the City  |
|                      | 39                  | Coffee Shop  | As determined by the City  |  |
|                      | 40                  | Collection and Recycling Facility                    | As determined by the City  | As determined by the City  |
|                      | 41                  | Commercial Boat Operation                            | 1:boat slip + 1:employee   | As determined by the City  |
|                      | 42                  | Communications Tower                                 | 1 space  |  |
|                      | 43                  | Community Garden                                     |  |  |
|                      | 44                  | Concrete or Asphalt Batch Plant                      | 1 space/1,000 sf and 1 space employee on peak shift  | 0-19,999 s.f. = 1 berth<br>20,000-60,000 s.f. = 2 berths<br>each add'l 60,000 s.f. = 1 berth |
|                      | 45                  | Confectionary  | 1 space/200 sf of gross floor area   |  |
|                      | 46                  | Convenience Store                                    | 1:400 sf of GFA  | 1 berth  |
|                      | 47                  | Day Care Home (Adult and/or Child)                   | 2:bed and 1:employee on peak shift   |  |
|                      | 48                  | Doggie Day Care                                      | 1:employee + 1:1,000 sf of GFA   |  |
|                      | 49                  | Dry Cleaning Plant                                   | 1 space/200 sf of gross floor area   | 0-9,999 s.f. = 1 berth<br>10,000-19,999 s.f. = 2 berths<br>each add'l 20,000 s.f. = 1 berth  |
|                      | 50                  | Emergency Services, Private                          | 1:500 sf of GFA  |  |
|                      | 51                  | Emergency Services, Public                           | 1:500 sf of GFA  |  |
|                      | 52                  | Essential Services                                   | 1 space/employee on peak shift   |  |
|                      | 53                  | Exterminator   | 1:employee + 400 sf of GFA   |  |
|                      | 54                  | Extraction of Minerals                               | As determined by the City  | As determined by the City  |
|                      | 55                  | Farm   | As determined by the City  | As determined by the City  |
|                      | 56                  | Financial Institution                                | 1 space/200 sf of gross floor area and 1 space/employee on peak shift and 5 off-street waiting spaces/drive-in window                      |  |
|                      | 57                  | Farm   | As determined by the City  | As determined by the City  |
|                      | 58                  | Fuel/Energy Recharge Service Station                 | 1:400 sf of GFA  |  |
|                      | 59                  | Furniture Refinishing Plant                          | 1 space/400 sf of showroom space + 1 space/employee  | 0-19,999 s.f. = 1 berth<br>20,000-60,000 s.f. = 2 berths<br>each add'l 60,000 s.f. = 1 berth |
|                      | 60                  | Garage, Public                                       |  |  |

**ATTACHMENTS**

**City of McKeesport Official Zoning Ordinance**

|                             | <b>Authorized Land Use</b>                   | <b>Minimum Off Street Parking Requirement (# of spaces)</b>   | <b>Minimum Loading Requirements</b>  |
|-----------------------------|--|---|--|
| <b>Non-Residential Uses</b> | 61 Garden<br>Center/Nursery/Greenhouse       | 1:300 sf of NFA + 1:1000 sf of outdoor display  | 1 berth  |
|                             | 62 Gas and/or Oil Well Production            | As determined by the City   | As determined by the City  |
|                             | 63 Golf, Miniature                           | 1 space/200 sf of course area   |  |
|                             | 64 Health and Fitness-Related Establishment  | 1 space/200 sf of gross floor area  |  |
|                             | 65 Health Care Facility                      | 1:bed + 1:2 full time employees   | As determined by the City  |
|                             | 66 Hospital                                  | 1:bed + 1:3 full time employees   | As determined by the City  |
|                             | 67 Hotel/Motel                               | 1 space/employee on peak shift and 1 space/sleeping unit; and add'l regulations for restaurant/ bar/conference room if accessory use open to general public | 0-19,999 s.f. = 1 berth<br>20,000-60,000 s.f. = 2 berths<br>each add'l 60,000 s.f. = 1 berth |
|                             | 68 Incinerator                               | Greater of 1 space/750 sf of gross floor area or 1 space/employee on peak shift   | 1 berth  |
|                             | 69 Junkyard                                  | 1:employee on peak shift +<br>2:patron spaces   |  |
|                             | 70 Kennel                                    | 1 space/employee and 1 space/1,000 sf   |  |
|                             | 71 Laundry and/or Dry Cleaning Establishment | 1 space/200 sf of gross floor area  | 0-9,999 s.f. = 1 berth<br>10,000-19,999 s.f. = 2 berths<br>each add'l 20,000 s.f. = 1 berth  |
|                             | 72 Local Public Office                       | As determined by the City   | As determined by the City  |
|                             | 73 Manufacturing, Heavy                      | 1:2 employees on peak shift   | 0-19,999 s.f. = 1 berth<br>20,000-60,000 s.f. = 2 berths<br>each add'l 60,000 s.f. = 1 berth |
|                             | 74 Manufacturing, Light                      | 1:2 employees on peak shift   | 0-19,999 s.f. = 1 berth<br>20,000-60,000 s.f. = 2 berths<br>each add'l 60,000 s.f. = 1 berth |
|                             | 75 Marina                                    | 1:boat slip + 1:employee  | As determined by the City  |
|                             | 76 Mechanical Repair, Large                  | 1 space/400 sf of showroom space, 1 space/employee  | 1 berth  |
|                             | 77 Mechanical Repair, Small                  | 1 space/400 sf of showroom space, 1 space/employee  | 1 berth  |
|                             | 78 Medical or Dental Clinic                  | 5 spaces/doctor or dentist on duty  |  |
|                             | 79 Mini-Warehouse                            | 1:2 employees on peak shift + 1:10 storage spaces   | 0-19,999 s.f. = 1 berth<br>20,000-60,000 s.f. = 2 berths<br>each add'l 60,000 s.f. = 1 berth |
|                             | 80 Mortuary/Funeral Home                     | 1 space/3 seats in the first viewing room parlor and 10 spaces/each additional parlor   | 1 for every 4 viewing rooms  |
|                             | 81 Multiple-Establishment Center             | As determined by the City   | As determined by the City  |
|                             | 82 News and Magazine Store                   | 1 space/200 sf of gross floor area and 1 space/employee (does not include vehicle refueling positions)  | 0-9,999 s.f. = 1 berth<br>10,000-19,999 s.f. = 2 berths<br>each add'l 20,000 s.f. = 1 berth  |
|                             | 83 Nightclub                                 | 1 space/50 sf of public or net floor area and 1 space/employee on peak shift  |  |
|                             | 84 Nursery School/Preschool                  | 1:employee on peak shift + 1:5 students   |  |

City of McKeesport Official Zoning Ordinance

ATTACHMENTS

|                      | Authorized Land Use               | Minimum Off Street Parking Requirement (# of spaces)   | Minimum Loading Requirements   |
|----------------------|-----------------------------------|--|--|
|                      | 85 Other Public Administration    | As determined by the City  | As determined by the City  |
|                      | 86 Other Public Service or Office | As determined by the City  | As determined by the City  |
|                      | 87 Park, Private                  | As determined by the City  |  |
|                      | 88 Park, Public                   | As determined by the City  |  |
|                      | 89 Parking Lot (commercial)       |  |  |
|                      | 90 Personal Services              | 1 space/200 sf of net floor area and 1 space/2 employees on peak shift   | 0-9,999 s.f. = 1 berth<br>10,000-19,999 s.f. = 2 berths<br>each add'l 20,000 s.f. = 1 berth  |
|                      | 91 Place of Assembly              | 1 space/75 sf of net floor area of largest assembly area or for a theater, 1 space/3 seats   | As determined by the City  |
|                      | 92 Place of Worship               | 1 space/75 sf of net floor area of largest assembly area or for a theater, 1 space/3 seats   | As determined by the City  |
|                      | 93 Railroad                       | As determined by the City  | As determined by the City  |
|                      | 94 Recreation Facility, Private   | As determined by the City  | As determined by the City  |
|                      | 95 Recreation Facility, Public    | As determined by the City  | As determined by the City  |
|                      | 96 Recreation Open Space          | As determined by the City  | As determined by the City  |
| Non-Residential Uses | 97 Research and Development       | 1:1000 sf of GFA   |  |
|                      | 98 Restaurant, Drive-Through      | 1 space/50 sf open to the public and 1 space/employee on peak shift area   | 1 berth  |
|                      | 99 Restaurant, Fast Food          | 1 space/50 sf of gross floor area and 1 space/employee on peak shift   | 1 berth  |
|                      | 100 Restaurant, Standard          | 1 space/2 patrons during peak seating and 1 space/employee on peak shift   | 1 berth  |
|                      | 101 Retail, Large                 | 1:200 sf of GFA  | 0-19,999 s.f. = 1 berth<br>20,000-60,000 s.f. = 2 berths<br>each add'l 60,000 s.f. = 1 berth |
|                      | 102 Retail, Small                 | 1:200 sf of NFA  | 0-19,999 s.f. = 1 berth<br>20,000-60,000 s.f. = 2 berths<br>each add'l 60,000 s.f. = 1 berth |
|                      | 103 School, Post-Secondary        | 1 space/3 seats utilized at maximum capacity or 1 space/200 sf of gfa, whichever is greater  |  |
|                      | 104 School, K-12                  | Elementary and Junior High: 1 space/staff employee on peak shift and 1 space/classroom<br>Secondary and Post-Secondary: 1 space/staff and 4 spaces/classroom |  |
|                      | 105 Shopping Center, Community    | 1 space/200 sf of gross floor area   | 0-19,999 s.f. = 1 berth<br>20,000-60,000 s.f. = 2 berths<br>each add'l 60,000 s.f. = 1 berth |
|                      | 106 Shopping Center, Neighborhood | 1 space/200 sf of gross floor area   | 0-19,999 s.f. = 1 berth<br>20,000-60,000 s.f. = 2 berths<br>each add'l 60,000 s.f. = 1 berth |



**ATTACHMENTS**

**City of McKeesport Official Zoning Ordinance**

|                             | <b>Authorized Land Use</b>         | <b>Minimum Off Street Parking Requirement (# of spaces)</b>         | <b>Minimum Loading Requirements</b>  |
|-----------------------------|------------------------------------|---|--|
| <b>Non-Residential Uses</b> | 107 Station, Bus Passenger         | As determined by the City   |  |
|                             | 108 Telecommunications Tower       | 1 space   |  |
|                             | 109 Theater, Indoor                | 1 space/3 theater seats   |  |
|                             | 110 Trade Shop                     | 1 space/200 sf of gross floor area                                  | As determined by the City  |
|                             | 111 Truck Terminal                 | As determined by the City   | As determined by the City  |
|                             | 112 Warehouse                      | 1:employee on peak shift or .5:1000 sf of GFA, whichever is greater | 0-19,999 s.f. = 1 berth<br>20,000-60,000 s.f. = 2 berths<br>each add'l 60,000 s.f. = 1 berth |
|                             | 113 All Other Non-Residential Uses | As determined by the City   | As determined by the City  |

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FIGURE A  
Yard Distinctions

