

CHAPTER 27

ZONING

A. Zoning Regulations

Part 1

Short Title; Purpose; Scope; Objectives; Intent

- \$101. Short Title
- \$102. Purpose
- \$103. Scope
- \$104. Statement of Community Development Objectives
- \$105. Legislative Intent

Part 2

Zoning Districts; Map

- \$201. Zoning Districts
- \$202. Boundaries of Zoning Districts
- \$203. District Boundary Lines
- \$204. Lots in Two (2) Zoning Districts
- \$205. Bodies of Water
- \$206. Annexed Land

Part 3

Interpretation and Application

- \$301. Interpretation
- \$302. Application

Part 4

Residential Districts

- \$401. Intent of Residential Districts
- \$402. Area Regulations
- \$403. Residential Low Density R-1
- \$404. Residential Medium Density R-2
- \$405. Residential High Density R-3
- \$406. Home Occupations
- \$407. Temporary Sales
- \$408. Residential Offices
- \$409. Group Homes
- \$410. Planned Residential Developments

Part 5

Commercial Districts

- §501. Intent of Commercial Districts
- §502. Area Requirements
- §503. Central Commercial C-1
- §504. General Commercial C-2

Part 6

Industrial Districts

- §601. Intent of Manufacturing and Industrial District M-1
- §602. Area Requirements
- §603. Uses
- §604. Parking
- §605. General Controls
- §606. Loading and Unloading Areas
- §607. Nonconforming Residential and Commercial Uses

Part 7

Preservation District

- §701. Intent of Preservation District P
- §702. Area Requirements
- §703. Permitted Uses
- §704. General Development Controls

Part 8

General Controls

- §801. Supplementary Use Regulations
- §802. Supplementary Height Regulations
- §803. Supplementary Area Regulations
- §804. Special Exceptions in Use
- §805. General Control of Outdoor Illumination; Illumination of Buildings
- §806. Screening of Borders
- §807. Prohibited Uses
- §808. Swimming Pools
- §809. Satellite Discs and Dishes

Part 9

Sign Regulations

- §901. Sign Regulations
- §902. District Regulations

Part 10

Parking Regulations

- \$1001. General
- \$1002. Parking Schedule
- \$1003. Parking
- \$1004. Residential Conversions
- \$1005. Location of Parking
- \$1006. Parking, Storage or Use of Major Recreational Equipment

Part 11

Nonconforming Uses, Premises, Structures and Lots

- \$1101. Statement of Intent
- \$1102. Nonconforming Use Regulations
- \$1103. Nonconforming Lots of Records
- \$1104. Nonconforming Signs; Nonconforming Sign Regulations
- \$1105. Registration of Nonconformity; Registration of Nonconforming Uses and Signs

Part 12

Office of Zoning Administration

- \$1201. Office of Zoning Administration
- \$1202. Duties and Powers and the Zoning Administrator
- \$1203. Notice of Violation
- \$1204. Prosecution of Violation
- \$1205. Enforcement Remedies
- \$1206. Abatement of Violation
- \$1207. Stop Work Order

Part 13

Zoning Hearing Board

- \$1301. Creation and Function
- \$1302. Hearings
- \$1303. Termination and Modification of Permit

Part 14

Amendment, Supplement or Change

- \$1401. Procedure for Amendments
- \$1402. Amendment Filing Fee

Part 15

Appeals

- §1501. Appeals to Zoning Hearing Board
- §1502. Time Limitations
- §1503. Stay of Proceedings
- §1504. Appeals and Application to City Council
- §1505. Appeals to Court

Part 16

Definitions

- §1601. Definitions

B. Zoning Map; Reclassification of Districts

A. Zoning Regulations

Part 1

Short Title; Purpose; Scope; Objectives; Intent

§101. Short Title. This Chapter shall be known and may be cited as the "Zoning Ordinance of the City of Warren, Warren County, Pennsylvania." (Ord. 1295, 4/20/1981, §100; as amended by Ord. 1491, 12/12/1988, §2; and by Ord. 1622, 12/8/1997)

§102. Purpose.

1. The zoning regulations and districts set forth in this Chapter are made after careful study of the needs of the City, in conjunction with the City's Master Plan, and intended to achieve the following purposes: [Ord. 1491]

- A. Lessen congestion on the streets.
- B. Secure safety from fire and panic.
- C. To promote health and general welfare.
- D. Provide adequate light and circulation.
- E. Prevent overcrowding of the land.
- F. Avoid unsafe or unhealthy population congestion.
- G. Facilitate sound provisions for housing, commercial and industrial development, transportation, water, sewage, schools, parks and other public improvements.

2. It is further the purpose of this Chapter to guide development not only within the above stated purposes, but also in consideration of the existing structure and character of the community in order to conserve existing values while making the most appropriate use of land throughout the City. [Ord. 1491]

(Ord. 1295, 4/20/1981, §101; as amended by Ord. 1491, 12/12/1988, §2)

§103. Scope. This Chapter regulates and restricts within the boundaries of the City of Warren, Warren County, Pennsylvania: [Ord. 1491]

- A. The size of buildings and other structures.
- B. Their alteration or extension.
- C. The percentage of lot that may be occupied.

ZONING

- D. The density of population.
- E. All facilities and services in or about such buildings and structures.
- F. The size of open space.
- G. Parking, signs and other public features.
- H. The location and use of buildings, structures and land for trade, industry, residence or other purposes.
- I. Building lines and building setbacks as between buildings and upon public streets.

(Ord. 1295, 4/20/1981, §102; as amended by Ord. 1491, 12/12/1988, §2)

§104. Statement of Community Development Objectives. This Chapter has been developed as a legislative and administrative tool to help the City Council and Planning Commission to carry out the general development objectives prescribed in the City's Comprehensive and Community Development Plans. Although the specifics of these plans may change from time to time, the general objectives of the community are: [Ord. 1491]

- A. Maintain the aesthetic quality of existing buildings.
- B. Improve the quality of life.
- C. Encourage the expansion of residential development and use.
- D. Prevent the further development of incompatible activities.
- E. Encourage the use of upper stories of existing buildings, particularly in the central business district.
- F. Protect the economic viability of the existing business district.
- G. Protect the waterways from adverse or undesirable development.
- H. Encourage the efficient use or re-use of vacant or under utilized buildings.
- I. Improve traffic flow and reduce congestion on the streets.
- J. Protect the residential character of the major portions of the community now devoted primarily to residential use.
- K. Prevent the unwarranted expansion of new strip-type commercial development.
- L. Permit greater density of residential development in a

controlled manner.

M. Provide for and encourage existing enterprises the maximum opportunity to expand.

(Ord. 1295, 4/20/1981, §103; as amended by Ord. 1491, 12/12/1988, §2)

§105. Legislative Intent.

1. It is the intent of the Council of the City of Warren to rescind in total the Zoning Ordinance of the Borough of Warren, Ordinance No. 858 of March 22, 1967, and all amendments thereto enacted prior to the adoption of this Chapter which replaces Ordinance No. 858, as amended.

2. It is the intent of the City Council to promote regulations, standards and guidance for the development and renewal of the City of Warren through sound planning which is carried out through this Chapter and other measures.

(Ord. 1295, 4/20/1981, §104; as amended by Ord. 1491, 12/12/1988, §2)

Part 2

Zoning Districts; Map

§201. Zoning Districts. The City of Warren, for the purpose of this Chapter, is hereby divided into the following zoning districts to be designated as follows:

<u>Full Name</u>	<u>Abbreviation</u>
Residential Low Density	R-1
Residential Medium Density	R-2
Residential High Density	R-3
Central Commercial	C-1
General Commercial	C-2
Manufacturing and Industrial	M-1
Preservation	P

(Ord. 1295, 4/20/1981, §200; as amended by Ord. 1491, 12/12/1988, §2)

§202. Boundaries of Zoning Districts. The boundaries of the zoning districts are hereby established and shall be as shown upon the Zoning Map, entitled "City of Warren Zoning Map," which accompanies this Chapter and is made a part of this Chapter. (Ord. 1295, 4/20/1981, §201; as amended by Ord. 1491, 12/12/1988, §2)

§203. District Boundary Lines. The district boundary lines shall be as shown on the Zoning Map. District lines of streets, the boundary limits of the City or as dimensioned on the map. In case of doubt or disagreement concerning the exact location of the boundary line, the Planning Commission shall make the determination of the exact location of said boundary line. (Ord. 1295, 4/20/1981, §202; as amended by Ord. 1491, 12/12/1988, §2)

§204. Lots in Two (2) Zoning Districts. Where a zoning district boundary line divides a lot which was in single ownership and a lot of record at the effective date of this Chapter, any extension of the least restrictive zone shall be approved by the Planning Commission. (Ord. 1295, 4/20/1981, §203)

§205. Bodies of Water. All areas within the corporate limits of the City which are under water shall be considered to be in the Preservation District (P) unless otherwise specifically zoned. (Ord. 1295, 4/20/1981,

ZONING

§204; as amended by Ord. 1491, 12/12/1988, §2)

§206. Annexed Land. All land annexed to the City after the effective date of this Chapter shall be provided a zoning designation by City Council based upon the recommendation of the Planning Commission as part of the process of annexation. (Ord. 1295, 4/20/1981, §205; as amended by Ord. 1491, 12/12/1988, §2)

Part 3

Interpretation and Application

§301. Interpretation. In interpreting and applying the provisions of this Chapter, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals, comfort, convenience and the general welfare. Where the provisions of this Chapter impose greater restrictions than those of any statute, other ordinance or regulations, the provisions of this Chapter shall be controlling; where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Chapter, the provisions of such statute, other ordinance or regulation shall be controlling. (Ord. 1295, 4/20/1981, §300)

§302. Application. The provisions of this Chapter shall apply to the use and/or occupancy of all buildings, structures and/or lots in the City of Warren. (Ord. 1295, 4/20/1981, §301; as amended by Ord. 1491, 12/12/1988, §2)

Part 4

Residential Districts

§401. Intent of Residential Districts. The intent of the residential districts is to provide zoning districts in which the predominant use will be residential, while providing for those uses that are generally considered residential in character. It is further the intent of these regulations to permit the orderly development of the full range of residential uses and reuses in keeping with the character of the neighborhoods within which such uses take place. (Ord. 1295, 4/20/1981, §400; as amended by Ord. 1358, 7/11/1983, §1)

§402. Area Regulations. The density of development in all residential districts shall be controlled by the following area requirements:

A. Percentage of Lot Coverage Relative to Size. The total ground floor square foot area of all buildings located on a lot shall not exceed the given percentage of the total lot area. The maximum permitted percentages of lot coverage are: [Ord. 1358]

<u>Lot Area</u>	<u>Maximum Lot Coverage</u>
4,000 to 5,999 sq. ft50%
6,000 to 9,999 sq. ft45%
Over 10,000 sq. ft35%

B. Minimum Yard Requirements. Yards and distances from buildings shall be:

(1) Front Yard. Average of the setbacks of the adjoining lots within the block.

(2) Side and Rear Yard. Minimum of five (5) feet.

(3) Adjoining Buildings. No building shall be constructed less than ten (10) feet from an adjoining building.

(4) Corner Lots. All lot area facing a street shall be treated as a front yard for purposes of yard requirements.

(5) Average Setback. Shall be determined by the Zoning Officer by calculating the average of the setbacks for existing buildings within a block. At the option of the owner, existing buildings which deviate twenty-five (25) percent or more from the average shall be deleted from all calculations. Where no average setback exists on a given block, the Zoning Officer shall determine the setback requirement in keeping with the character of the neighborhood. [Ord. 1358]

ZONING

(6) Existing Buildings. Existing buildings, including accessory buildings, not conforming to setback and yard requirements may be repaired, maintained, replaced and/or enlarged at their existing location so long as the existing nonconforming yard line setbacks are not reduced. This regulation does not effect required use regulations.

(7) Accessory buildings on lots of less than sixty (60) feet in width may have minimum setbacks of three (3) feet for side yards and rear yards.

(8) Accessory buildings on lots of less than sixty (60) feet in width shall be limited to only one (1) story in height, not to exceed fifteen (15) feet. [Ord. 1358]

(9) Multi-Family Dwellings. Density of land use, including percentage of lot coverage and yard requirements for any multi-family use, shall be in accordance with §409(3) of this Chapter.

C. Floor Area Ratio (FAR). The total square feet of floor area (building area exclusive of garages, basements and accessory buildings) expressed as a ratio to the total square feet of lot area. The maximum permitted floor area ratio (FAR) for each of the residential districts shall be:

- (1) In the R-1 District0.3
- (2) In the R-2 District0.5
- (3) In the R-3 District0.8

To calculate the maximum square feet of floor area permitted in any residential zone, multiply the FAR times the total lot area.

[Ord. 1576]

D. Minimum Lot Size and Width. The minimum lot size for new residential development shall be five thousand (5,000) square feet.

(1) Existing lots of record of at least four thousand (4,000) square feet may be used for residential development.

(2) The minimum lot width on which new residential development may take place is forty (40) feet.

E. Minimum Dwelling Size.

(1) A single-family dwelling shall contain a minimum of eight hundred (800) square feet of living space.

(2) Multi-family dwelling units shall contain, as a minimum, an average of five hundred fifty (550) square feet of living space per dwelling unit except that a multi-family dwelling containing

only one (1) bedroom units shall contain a minimum of four hundred (400) square feet of living space per dwelling unit. All multi-family dwellings shall meet the requirements of subsection (C), above.

(3) Basements, garages, accessory buildings and nonexclusive areas shall not be included in measurement of living space.

[Ord. 1576]

F. Parking. Parking shall be provided in accordance with Part 10 of this Chapter.

G. Junk. The visible storage or placement of junk is not permitted in any residential district.

(Ord. 1295, 4/20/1981, §401; as amended by Ord. 1329, 3/22/1982, §1; by Ord. 1358, 7/11/1983, §§2-4; and by Ord. 1576, 2/14/1994, §§1, 2)

§403. Residential Low Density R-1.

1. Intent. To provide a district to preserve principally single-family low density residential development.

2. Permitted Uses. Within the R-1 District, the following uses of land, buildings or premises are permitted:

A. Single-family detached dwellings.

B. Planned residential developments.

3. Permitted Accessory Uses. Only the following accessory uses are permitted:

A. Customary residential accessory uses.

B. Swimming pools, tennis courts and similar recreational uses if designed primarily for the use of the occupants.

C. Tool or storage sheds, greenhouses, garages, heat collectors, walls, fences, lamp posts and similar accessory structures if designed solely for the use of the occupants.

D. Parking in accordance with Part 10 of this Chapter.

E. No antenna, solar collectors, sheds, swimming pools or similar accessory uses are permitted in the front yard.

F. Satellite discs and dishes in accordance with §810 of these zoning regulations. [Ord. 1399]

4. Special Exceptions. The following uses shall be permitted as a special exception where authorized by the Zoning Hearing Board, subject to

Part 13 of this Chapter:

- A. Home occupations in accordance with §406 of this Chapter.
- B. Elderly housing with common dining facilities.

(1) Intent.

(a) To provide for group elderly housing living where unrelated persons age fifty-five (55) or over occupy a building or group of buildings and residents reside in individual rooms with central cooking and dining facilities while maintaining the essential neighborhood character.

(b) The principle difference between group homes and group elderly housing with common dining facilities include, the age and degree of independent living of the residents and the method of selection of a group of persons to reside in the home and profit or nonprofit status of the organization supervising/managing. Persons in a group elderly housing with common dining facilities are placed therein by a Pennsylvania nonprofit corporation by the IRS for charitable deduction purposes.

(2) General Conditions.

(a) All regulations regarding residential use in the R-1 District shall be followed in the use of group elderly housing with common dining facilities.

(b) The corporation shall annually and on any change of ownership certify to the City that it is in compliance with the terms of this Section, any special exception use conditions by the Zoning Hearing Board and the entire provisions of this Chapter.

(c) Parking shall be in accordance with Part 10 of this Chapter.

(3) Maximum Density. The maximum number of individuals permitted to reside in a group elderly housing with common dining facilities will be two (2) times the number of dwelling units that would otherwise be permitted in the structure. See §402(E).

(Ord. 1295, 4/20/1981, §402; as amended by Ord. 1399, 1/21/1984, §1; and by Ord. 1650, 5/8/2000, §1)

§404. Residential Medium Density R-2.

1. Intent. To provide a district permitting primarily single-family residential use and multi-family residential uses. It is also the intention to permit more dense development than the R-1 District in this zone.

2. Permitted Uses. Within the R-2 District, the following uses of land, buildings or premises are permitted:

- A. Single-family detached dwellings.
- B. Multi-family dwellings.
- C. Planned residential developments.
- D. Home occupations in accordance with §406 of this Chapter.
- E. Conversion of single-family dwellings to multi-family dwellings in accordance with the density requirements of §402(E).

3. Permitted Accessory Uses. Only the following accessory uses are permitted:

- A. Customary residential accessory uses.
- B. Swimming pools, tennis courts and similar recreational uses if designed primarily for the use of the occupants.
- C. Tool or storage sheds, greenhouses, garages, solar heat collectors, walls, fences, lamp posts and similar accessory structures if designed solely for the use of the occupants.
- D. Parking in accordance with Part 10 of this Chapter.
- E. No antennas, solar collectors, sheds, swimming pools or similar accessory uses are permitted in the front yard.
- F. Satellite discs and dishes in accordance with §810 of these zoning regulations. [Ord. 1399]

4. Special Exceptions. The following uses shall be permitted as a special exception where authorized by the Zoning Hearing Board, subject to Part 13 of this Chapter:

- A. Public/semi-public uses.

(Ord. 1295, 4/20/1981, §403; as amended by Ord. 1399, 1/21/1984, §1)

§405. Residential High Density R-3.

1. Intent. To provide a district that permits an integrated mixture of uses, including high density residential, public/semi-public, office and commercial.

2. Permitted Uses. Within the R-3 District, the following uses of land, buildings and premises are permitted:

- A. Single-family detached dwellings.

ZONING

- B. Multi-family dwellings.
- C. Planned residential developments.
- D. Home occupations in accordance with §406 of this Chapter.
- E. Conversion of single-family dwellings to multi-family dwellings in accordance with the density requirements of §402(E).
- F. Public/semi-public uses.
- G. Offices in residential structures in accordance with §408 of this Chapter.
- H. Mortuary.
- I. Group homes in accordance with §409 of this Chapter.

3. Permitted Accessory Uses. Only the following accessory uses are permitted:

- A. Customary residential accessory uses.
- B. Swimming pools, tennis courts and similar recreational uses if designed primarily for the use of the occupants.
- C. Tool or storage sheds, greenhouses, garages, solar heat collectors, walls, fences, lamp posts and accessory structures if designed solely for the use of the occupants.
- D. Parking in accordance with Part 10 of this Chapter.
- E. No antennas, solar collectors, sheds, swimming pools or similar accessory uses are permitted in the front yard.
- F. Satellite discs and dishes in accordance with §810 of these zoning regulations. [Ord. 1399]

4. Special Exceptions. The following uses shall be permitted as a special exception where authorized by the Zoning Hearing Board, subject to Part 13 of this Chapter:

- A. Offices.
- B. Membership clubs.
- C. Dormitories.
- D. Public recreation facilities.
- E. Group elderly housing with common dining facilities. [Ord. 1564]

[Ord. 1358]

(Ord. 1295, 4/20/1981, §404; as amended by Ord. 1358, 7/11/1983, §§5, 6; by Ord. 1399, 1/21/1984, §1; and by Ord. 1564, 5/10/1993)

§406. Home Occupations.

1. Intent. To permit the residents of single-family homes to carry on certain occupations wholly within their residences while maintaining the basic residential character of their property and neighborhoods.

2. Permitted Home Occupations. A home occupation is an accessory use conducted entirely within a dwelling by the members of the immediate family occupying such dwelling and which does not permit selling articles produced elsewhere than on the premises, does not permit having exterior displays of goods visible from the outside and does not permit making external alterations which are not customary in residential buildings. Seamstresses, artists, photographers, beauticians and barbers are examples of, but not the only, permitted home occupations. [Ord. 1358]

3. Not Permitted As Home Occupations. The following uses are not permitted as home occupations in any event:

A. Motor vehicle repair, minor or major, including painting of vehicles, trailers or boats.

B. Woodworking shops.

C. Antiques, crafts or gift shops for sale of such items.

D. Medical or dental clinics.

E. Veterinary clinic or hospital, including animal kennels or boarding or raising of domestic animals or pets.

F. Private schools.

G. Mortuaries.

H. Sales or rentals of any vehicles, boats, trailers, recreational vehicles or similar items.

4. Conditions of Home Occupation Use. The following conditions shall apply in any home occupation use:

A. In no way shall the appearance of the structure be altered, or the occupation within the residence be conducted, in a manner which would cause the premises to differ from its essential character, either by the use of colors, materials, construction, lighting, signs or the emission of sounds, noises, vibrations or odors.

B. Not more than twenty-five (25) percent of the gross floor area of the building, or fifty (50) percent of the first floor area, shall

ZONING

be used for the home occupation.

C. The front yard shall not be used to meet any parking needs generated by the home occupation.

(Ord. 1295, 4/20/1981, §405; as amended by Ord. 1358, 7/11/1983, §7)

§407. Temporary Sales. The retail sale of new items by catalog or sample may be conducted in all residential districts provided that items may not be purchased and carried from the premises upon sale. Such sales may be conducted for period of time which do not exceed a total of eight (8) weeks per year; provided, that such sales are open only to customers who receive invitations from the seller and who have prearranged appointments to visit the premises at an established time; and, also provided, that there be no exterior or interior signs advertising the sale event. Any person, firm or corporation conducting retail sales in accordance with the provisions of this Section must register at the City Office in accordance with procedures established by the Zoning Administrator. (Ord. 1295, 4/20/1981; §406; as added by Ord. 1392, 9/17/1984, §1; by Ord. 1491, 12/12/1988, §2; and by Ord. 1549, 5/18/1992, §2)

§408. Residential Offices.

1. Intent. To permit the conversion and/or use of residential structures for professional offices, such as accountant, architect, doctor, dentist, etc., in such a way as to maintain the general residential character of the neighborhood.

2. Conditions of Residential Office Use. Office uses permitted shall be limited to the practice of a profession by a physician, surgeon, dentist, lawyer or persons providing similar services, or the conducting of a business in which the primary functions of consulting, record keeping, clerical work and sales (provided that saleable tangible goods are not displayed or stored on the premises) are performed.

A. In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its essential character, either by the use of colors, materials, construction, lighting, signs or the emission of sounds, noises or vibrations.

B. The front yard shall not be used to meet any parking needs generated by the office.

C. Parking shall be in accordance with Part 10.

D. Signs shall be in accordance with Part 9 of this Chapter.

(Ord. 1295, 4/20/1981, §407)

§409. Group Homes.

1. Intent. To provide for group homes or congregate living where unrelated persons occupy a single structure with central cooking and dining facilities while maintaining the essential neighborhood character.

2. Clarification of Terms. A group home is a facility providing living space on a long-term basis for four (4) or more unrelated persons. The facility generally provides central cooking and dining facilities as well as other forms of supervised living activities or guidance. The facility may be operated for profit or by a nonprofit group or organization to serve a group of persons. The principal differences between boarding homes and group homes include the level of supervised services and the method of selection of a group of persons to reside in the home. Persons in a group home are placed therein by a court or governmental unit or agent of a governmental unit. [Ord. 1391]

3. General Conditions.

A. All regulations regarding residential use in the R-3 District shall be followed in the use of group homes.

B. Parking shall be in accordance with Part 10 of this Chapter.

4. Maximum Density. The maximum number of individuals permitted to reside in a group home will be two (2) times the number of dwelling units that would otherwise be permitted in the structure. See §402(E).

(Ord. 1295, 4/20/1981, §408; as amended by Ord. 1358, 7/11/1983, §8; and by Ord. 1391, 8/13/1984, §1)

§410. Planned Residential Developments.

1. Intent. To provide for the single development of three (3) acre or more tracts in a planned and coordinated manner in order to maximize the use of the land while developing aesthetically pleasing living areas. It is the intention of these regulations to permit maximum design flexibility in order to encourage innovative use of the land while maintaining a sense of community responsibility.

2. Permitted Uses. Within the planned residential development all residential uses and their customary accessory uses, as outlined in §405(3), are permitted. No commercial, office or similar use is permitted in a planned residential development.

3. Density of Land Use. Within the planned residential development, the following density and intensity controls shall apply:

A. Percentage of Land Area Coverage. The maximum percentage of the total land area of the development that may be covered with buildings is thirty five (35) percent.

B. Yard Requirements. All yards shall be determined as the minimum distances between principal structures. These distances shall be related to the height of the structure in the following manner:

(1) Front of Structure to Front of Structure. Two (2) times the height.

(2) Side of Structure to Side. One (1) times the height.

(3) Rear of Structure to Rear. Four (4) times the height.

(4) Front of Structure to Rear of Structure. Four (4) times the height.

(5) Side of Structure to Rear of Structure. Three (3) times the height.

No other structure arrangements are permitted.

4. General Standards. The planned development must meet one (1) of the following general standards:

A. The planned development is consistent with the comprehensive plan.

B. The planned development is an effective and unified treatment of the development possibilities on the project site, and the development plan makes appropriate provision for the preservation of streams and stream banks, wooded coves, rough terrain and similar areas.

C. The planned development shall be planned and developed to harmonize with any existing or proposed development in the area surrounding the project site.

D. Provision for sewage treatment must be made.

E. Provision for adequate site drainage must be made.

5. Required Recreational Land. Land equal to ten (10) percent of the total land area must be reserved for and developed for active recreation use, such as swimming pools, tennis courts, tot lots, ballfields and similar recreational facilities. Development of the recreational facilities shall be the responsibility of the developer. The City shall be assured of the reservation of this land through an agreement with the developer. [Ord. 1491]

6. Parking. Parking shall be provided in accordance with Part 10 of this Chapter. All required parking areas shall be shown on plans submitted for approval of the development and their location shall be subject to review and approval by the City. [Ord. 1491]

7. Construction Standards. All site construction, such as sewers, roads, parking areas, etc., shall be in accordance with the City's Subdivision Ordinance [Chapter 22], Building Code [Chapter 5], and other applicable City Codes and ordinances. [Ord. 1491]

8. Enforcement and Modification. The enforcement and modification of the development plan shall be carried out in accordance with Article VII,

§706 of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, 53 P.S. §10706.

9. Application for Tentative Approval. Application for a planned residential development shall be made to the Zoning Administrator. The application shall include the payment of required fees as established by resolution of the City Council. The application procedure shall be as required in Article VII, §707 of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended. [Ord. 1549]

10. Public Hearings. Public hearings on the application for a planned residential development shall be held in accordance with Article VII, §708, of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, 53 P.S. §10708.

11. Findings of the City. The City shall find and act in accordance with Article VII, §709, of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, 53 P.S. §10709. [Ord. 1491]

12. Status of Plan After Tentative Approval. The City shall proceed in accordance with Article VII, §710, of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, 53 P.S. §10710. [Ord. 1491]

13. Application for Final Approval. The developer shall make application to the Zoning Administrator for final approval in accordance with Article VII, §711, of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, 53 P.S. §10711. [Ord. 1549]

(Ord. 1295, 4/20/1981, §409; as amended by Ord. 1358, 7/11/1983, §9; by Ord. 1491, 12/12/1988; and by Ord. 1549, 5/18/1992, §2)

Part 5

Commercial Districts

§501. Intent of Commercial Districts.

1. The intent of the commercial districts is to provide sufficient space in appropriate locations for the types of commercial and service establishments required within the City of Warren. [Ord. 1491]

2. It is further the intent to promote the most desirable use of land and buildings and, in particular, to promote their reuse.

3. It is also intended that maximum use should be made of upper stories of existing buildings and, in this regard, residential use is not only permitted but encouraged in this district.

4. The uses and controls established for the commercial districts recognizes the growing trend toward mixed use developments. When such developments are done in a planned and coordinated manner, they are hereby encouraged.

(Ord. 1295, 4/20/1981, §500; as amended by Ord. 1491, 12/12/1988, §2)

§502. Area Requirements. It is the intent of these requirements to permit the maximum possible commercial development potential while protecting any adjacent residential properties: [Ord. 1358]

A. Minimum Lot Size. There are no limitations on lot size, maximum lot coverage, minimum lot width or maximum height.

B. The Floor Area Ratio (FAR). The total square feet of building area, exclusive of basements, expressed as a ratio to the total square feet of lot area. The maximum permitted floor area ratio (FAR) for each of the commercial districts shall be:

(1) In the C-1 District.....6.0

(2) In the C-2 District.....2.0

To calculate the maximum square feet of floor area in a building permitted in any commercial zone, multiply the FAR times the total lot area.

C. Street Setback. Shall be the same as the average setback for the block. Where no average setback exists on a given block, or where such setback is difficult to determine, the Zoning Administrator shall determine the setback requirement in keeping with the character of the neighborhood. [Ord. 1549]

D. Adjacent to Residential Use. On a commercially-zoned lot which borders a residential district, the following shall apply to all new

ZONING

construction, including exterior structural renovations which decrease the distance from the commercial structure to the residential district:

(1) No commercial structure, except a fence or a wall, shall be located closer than ten (10) feet to the boundary of the adjacent residential lot or lots.

(2) No commercial building shall be located closer than fifteen (15) feet to the boundary of the adjacent residential lot or lots.

(3) Commercial buildings must be constructed so that the general residential character of the adjoining residential neighborhood is maintained in architecture, facade and materials. A site plan detailing construction must be approved by the Planning Commission.

[Ord. 1591]

E. Parking. Parking shall be provided in accordance with Part 10 of this Chapter.

F. Residential Use Density. Residential uses in commercial districts shall comply with the regulations for R-3 Residential Districts. [Ord. 1358]

(Ord. 1295, 4/20/1981, §501; as amended by Ord. 1358, 7/11/1983, §§10-12; by Ord. 1549, 5/18/1992, §2; and by Ord. 1591, 4/10/1995, §1)

§503. Central Commercial C-1.

1. Intent. To provide a district in which will be encouraged the development of an attractive, functional and efficient central shopping and business district containing offices, retail and service establishments serving the entire community. Further, to provide for residential uses, particularly on the upper floors of business establishments.

2. Permitted Uses. Within the C-1 District, the following uses of land, buildings or premises are permitted:

- A. Retail business.
- B. Service establishments.
- C. Offices.
- D. Restaurants.
- E. Hotels, motels.
- F. Public recreation facilities.
- G. Clubs, membership.

- H. Public/semi-public.
- I. Parking facilities.
- J. Residential above the first floor.
- K. Mortuary.
- L. Boarding homes. [Ord. 1358]

[Ord. 1500]

3. Special Exceptions. The following uses shall be permitted as special exceptions where authorized by the Zoning Hearing Board, subject to Part 13 of this Chapter:

- A. Light manufacturing.
- B. Automotive Service Establishments.
- C. Drive-in businesses.
- D. Multi-family residential.

(Ord. 1295, 4/20/1981, §502; as amended by Ord. 1358, 7/11/1983, §13; by Ord. 1500, 5/8/1989, §3)

§504. General Commercial C-2.

1. Intent. To provide a district in which will be encouraged the maintenance of those offices, retail and service business establishments essential to the efficient functioning of a residential neighborhood; to provide for auto-oriented business along major transportation routes; to encourage such commercial development to provide a proper interface with adjacent residential uses.

2. Permitted Uses. Within the C-2 District, the following uses of land, buildings or premises are permitted:

- A. Retail business.
- B. Automotive dealers.
- C. Clubs.
- D. Restaurants
- E. Drive-in facilities.
- F. Service establishments.
- G. Public/semi-public.

ZONING

- H. Public recreation facilities.
- I. Offices.
- J. Parking facilities.
- K. Automotive service establishments.
- L. Residential uses.
- M. Hotels, motels.
- N. Mortuary.
- O. Boarding homes. [Ord. 1358]
[Ord. 1500]

3. Special Exception. The following uses shall be permitted as special exceptions where authorized by the Zoning Hearing Board, subject to Part 13 of this Chapter:

- A. Light manufacturing.
- B. Automotive repair garage. [Ord. 1480]
- C. Mini-storage building. [Ord. 1522]

(Ord. 1295, 4/20/1981, §503; as amended by Ord. 1358, 7/11/1983, §14; by Ord. 1480, 7/11/1985, §1; by Ord. 1500, 5/8/1980, §3; and by Ord. 1522, 2/11/1991, §1)

Part 6

Industrial Districts

§601. Intent of Manufacturing and Industrial District M-1. The intent of the Manufacturing and Industrial District M-1 is to provide for and encourage the establishment and maintenance of industrial establishments for the manufacture, assembly, compounding, processing or storage of products; to prohibit adverse, unhealthy or noxious facilities; to prohibit residential development. (Ord. 1295, 4/20/1981, §600)

§602. Area Requirements. It is the intent of these requirements to permit the maximum possible development potential while protecting the general life and safety of community residents and, in particular, adjacent residential uses:

A. Minimum Property Standards. Except as required adjacent to residential uses and in the general standards of this Chapter, Part 8, there are no minimum property standards for this district.

(Ord. 1295, 4/20/1981, §601)

§603. Uses.

1. Permitted Uses. Within the M-1 District, the following uses of land, buildings or premises are permitted:

- A. All general manufacturing.
- B. Offices.
- C. Warehouses, shipping terminals.
- D. Supply, service operations.
- E. Gas and oil wells, when required City permits have been obtained. [Ord. 1491]
- F. Recreational facilities.
- G. Junkyards.
- H. Automotive Repair Garage. [Ord. 1480]
- I. Mini-storage buildings. [Ord. 1522]

2. Prohibited Uses. Within the M-1 District, the following uses of land, buildings or premises are prohibited:

- A. Residential.

ZONING

B. The manufacture, processing or storing of any materials that may be considered hazardous, noxious or dangerous. See §808 for a general listing of prohibited items.

(Ord. 1295, 4/20/1981, §602; as amended by Ord. 1480, 7/11/1988, §2; by Ord. 1491, 12/12/1988, §2; and by Ord. 1522, 2/11/1991, §2)

§604. Parking. Parking shall be provided in accordance with Part 10 of this Chapter. (Ord. 1295, 4/20/1981, §603)

§605. General Controls. The general controls, as specified in Part 8 of this Chapter, apply to this district. (Ord. 1295, 4/20/1981, §604)

§606. Loading and Unloading Areas. All required loading/unloading areas shall be provided on site, shall not require trucks to project onto public streets and shall be screened from any adjacent residential areas. (Ord. 1295, 4/20/1981, §605)

§607. Nonconforming Residential and Commercial Uses. Any addition to a nonconforming residential use shall conform in all respects to the requirements for residences in an R-3 Residential District. Any addition to a nonconforming commercial use shall conform in all respects, including signs and parking, to the requirements for commercial uses in a C-2 Commercial District. (Ord. 1295, 4/20/1981, §606; as added by Ord. 1358, 7/11/1983, §15)

Part 7

Preservation District

§701. Intent of Preservation District P. It is the intent of the Preservation District P to provide a district in which only very limited uses and development will be permitted in order to preserve and protect floodplains, water use areas, steep slopes, and special natural, historic or recreational uses. (Ord. 1295, 4/20/1981, §700)

§702. Area Requirements. There are no specific area requirements for this district as they would apply to the particular type of land form (floodplain, steep slope) and therefore must each be decided on an individual basis. (Ord. 1295, 4/20/1981, §701)

§703. Permitted Uses.

1. Within the P District, the following uses of land, buildings or premises are permitted:

- A. Recreation.
- B. Parks.
- C. Open space.

2. Special Exception. The following uses shall be permitted as a special exception when authorized by the Zoning Hearing Board, subject to Part 13 of this Chapter:

- A. Permanent recreation facilities.
- B. Single-family residential.
- C. Multi-family residential.

(Ord. 1295, 4/20/1981, §702)

§704. General Development Controls.

1. Within any area designated as a Preservation District P, no construction or development shall take place unless the plans and specifications for such development have been presented to the Planning Commission for their review and approval.

2. The Planning Commission shall review and determine the adequacy of any plans for development in the P District within sixty (60) days of their presentation to the Commission.

3. Nonconforming Use. Any present use in a P District shall be

ZONING

considered nonconforming as of the date of this Chapter, and any subsequent development shall comply with the requirements for "Nonconforming Uses," Part 11 of this Chapter.

(Ord. 1295, 4/20/1981, §703)

Part 8

General Controls

§801. Supplementary Use Regulations.

1. Where the terms "customary" or "similar" are used in defining use, it shall mean other uses which, in the judgment of the Zoning Administrator, are similar to and not more objectionable to the general welfare than the uses listed in the same section. Such use so determined by the Zoning Administrator shall be regarded as a permitted use. [Ord. 1549]

2. Essential Services. Essential services, as defined in this Chapter, shall be permitted in any zoning district.

3. Soil Removal. Any person, firm or corporation shall not strip, excavate or otherwise remove top soil for sale or for use other than on the premises from which the same shall be taken, except in connection with the construction, alteration of a building on such premises and excavation or grading incidental thereto.

(Ord. 1295, 4/20/1981, §800; as amended by Ord. 1549, 5/18/1989, §2)

§802. Supplementary Height Regulations.

1. Exceptions to Height Requirements. The maximum height limitations of this Chapter shall not apply to:

A. Appurtenant Structures. Church spire, belfry, cupola, dome, monument, smokestack, derrick, conveyor, flag pole, radio tower, television tower, mast, antenna, aerial, roof tank, ventilating air conditioning and similar building service equipment; roof structure, chimney and/or parapet wall; provided, any such structure shall setback from the vertical plane of the permitted building line one (1) foot horizontally for each two (2) feet of height which exceeds the maximum height permitted in the zoning district in which it is located.

B. Existing Designed Structures. The vertical extension of a structure existing at the effective date of this Chapter may be erected to such height as the original drawings of said building indicated; provided, the building was actually designed and constructed to carry the additional stories necessary for such height.

(Ord. 1295, 4/20/1981, §801)

§803. Supplementary Area Regulations.

1. Number of Principal Structures on a Lot. Only one (1) principal structure may be permitted on a lot in an R zone except in planned residential developments and for multi-family dwellings.

ZONING

2. Lot Width and Area Exceptions for Lot of Record. A one (1) family detached dwelling may be constructed on any lot of record at the effective date of this Chapter as long as such lot contains at least four thousand (4,000) square feet.

3. Determination of Yards and Minimum Distance to Lot Lines on Irregularly Shaped Lots. When any main wall of a structure does not parallel the lot line which the wall faces, the yard or minimum distance to the lot line, from any given point along the face of the wall, shall be equal to the minimum dimension required for that yard or distance to lot line, whichever is applicable.

4. Planned Residential Developments. Under controlled conditions and in accordance with §410, more than one (1) principal structure may be permitted on a lot and required area regulations and yard requirements may be waived, but any such developments must comply with the requirements in §410 for planned residential developments.

5. Projections into and Occupancy of Yards, Courts, or Other Open Spaces. The following projections into and the occupancy of required yards, courts or other open spaces, except a porch and/or similar attached or semi-detached accessory structure, shall be permitted subject to the following provisions:

A. Steps, stoops, window sills, belt courses, eaves, similar architectural features, rain leaders and/or chimney; provided, it shall not project more than six (6) feet beyond the face of the wall.

B. Exterior stairways, fire towers, balconies, fire escapes or other required means of egress; provided, it shall not project more than six (6) feet beyond the face of the wall.

C. Trees, shrubs, lawns, flowers, all other vegetation; provided, no vegetation shall obstruct visual clearance at intersecting streets by being over three (3) feet in height above the curb line within the triangular area formed by the intersection of the curb lines and a straight line adjoining said curb lines at points which are fifteen (15) feet distant from the point of intersection, measured along said intersecting curb lines.

6. Fences, Walls and Hedges.

A. The yard requirements of this Chapter shall not apply to any otherwise lawful fence, hedge or wall; provided, that in any residential district no fence, hedge or wall shall exceed four (4) feet in height in any front yard nor six (6) feet in height in any side or rear yard.

B. The owners of existing principal structures which are placed to the rear of the average setback line for the block may extend a side-yard height fence, wall or hedge to the average setback line.

C. Permits shall be required for the erection of any new fence or wall.

D. Special Exception. Exceptions to the maximum height limitations as provided in subsections (A), (B) and (C), above, may be permitted as a special exception when authorized by the Zoning Hearing Board, subject to Part 13 of this Chapter.

E. Nonconformances.

(1) Any present fence or wall not in compliance with the height limitations as provided in subsections (A), (B) and (C), above, shall be considered nonconforming as of the date of this Chapter, and any subsequent erection of a fence or wall shall comply with the requirements for "Nonconforming Uses," Part 11 of this Chapter.

(2) Any present hedge not in compliance with height limitations as provided in subsection (A), (B) and (C), above, shall be brought into compliance within one (1) year of the effective date of this Chapter.

[Ord. 1469]

7. Woodpiles. The storage of wood for use as fuel in all zoning districts of the City shall be permitted so long as wood is stacked in piles in side and rear yards no higher than six (6) feet. [Ord. 1491]

(Ord. 1295, 4/20/1981, §802; as amended by Ord. 1358, 7/11/1983, §16; by Ord. 1390, 7/16/1984, §1; by Ord. 1400, 1/21/1984, §1; by Ord. 1469, 10/12/1987, §§1-3; by Ord. 1491, 12/12/1988, §2; and by Ord. 1569, 10/11/1993, §1)

§804. Special Exceptions in Use.

1. The temporary erection and use of a real estate office and/or contractor's storage yard in any R Residential District:

A. Provided that the Zoning Hearing Board shall hear and decide such special exception as provided for in Part 13.

B. Provided that, in cases where such use is incidental and reasonably necessary to the development of housing or construction purposes, and where the proposed use is clearly of a temporary nature, to be abandoned as the adjacent areas become occupied for residential use. Any permit so authorized shall be only for such limited period of time, and in no case more than one (1) year, or as the Zoning Hearing Board, considering the character of the area in question, shall determine is reasonable; provided, such permit shall be conditional upon written agreement by the owner to remove any building or other structure erected thereunder, upon the expiration of the permit.

2. The Reasonable Extension of Use Regulations into Another Zoning District over a Lot Divided by a Zoning District Boundary Line.

A. Provided that the Zoning Hearing Board shall hear and decide

ZONING

such exception.

B. Provided that such extension shall not be more than fifty (50) feet beyond the boundary line of the zoning district, and when all parts of such lot are held under the same ownership at the effective date of this Chapter.

(Ord. 1295, 4/20/1981, §804)

§805. General Control of Outdoor Illumination; Illumination of Buildings. Buildings and uses in commercial and industrial zones may be illuminated by reflected light provided that the source of such light shall be suitably shielded so as not to detract from the quiet enjoyment of surrounding uses. The Zoning Administrator may, at any time, require existing lights to be rearranged or shielded to conform. Such an order may be appealed to the Zoning Hearing Board, but otherwise must be complied with within thirty (30) days from the date of notification. (Ord. 1295, 4/20/1981, §805; as amended by Ord. 1549, 5/18/1989, §2)

§806. Screening of Borders. In a commercial or industrial district where a permitted nonresidential use abuts a residential district, in cases of new construction (including interior and exterior renovations), change of use or change of zoning, the owner shall provide the following:

A. Suitable screening consisting of either a compact evergreen hedge which will reach a height of six (6) feet within three (3) years or a solid wood fence or unpierced masonry wall six (6) feet in height.

B. That all screening shall be maintained with a neat, attractive appearance with no dead plants nor peeling paint.

C. That all required screening shall be completed within six (6) months from commencement of construction activities or a change in use or change in zoning.

D. Trash or wastestorage areas completely enclosed by a solid wood fence or unpierced masonry wall six (6) feet in height.

E. A bond to be posted with the City of Warren in the amount of one thousand five hundred dollars (\$1,500.00) to cover the completion of the required screening and to be discharged after one (1) year from the date of completion if at said time the screening is in place, properly maintained and in good condition.

(Ord. 1295, 4/20/1981, §806; as amended by Ord. 1591, 4/10/1995, §2)

§807. Prohibited Uses. A building may be erected or used, and a lot may be used or occupied, for any lawful purpose except for those purposes specified below or any purposes substantially similar to any so specified:

A. Acetylene gas manufacture, except as consumed by the manufac-

turer.

B. Acid manufacture (hydrochloric, nitric, picric, sulphuric, sulphanois, carbolic, etc.).

C. Ammonia, bleaching powder or chlorine manufacture.

D. Commercial ammunition manufacturing or wholesale storage of ammunition.

E. Animal black, lamp black or bone black manufacture.

F. Arsenal.

G. Bone distillation.

H. Cement, lime gypsum, or plaster of Paris manufacture.

I. Creosote treatment or manufacture.

J. Curing, tanning or storage of raw hides and skins.

K. Dead animals and offal reduction.

L. Distillation of bones, refuse, grain or wood (except in the manufacture of gas).

M. Drilling of oil, gas or other minerals, except in industrial districts.

N. Dyestuff manufacture.

O. Emery cloth or sandpaper manufacture.

P. Explosives, fireworks and gunpowder manufacture or storage thereof.

Q. Fat rendering.

R. Fertilizer manufacture.

S. Glue, sizing or gelatine manufacture.

T. Incineration, reduction, storage or dumping of slaughter.

U. Linoleum manufacture.

V. Match manufacture.

W. Paper or pulp manufacture.

X. Potash works.

Y. Proxylin manufacture.

ZONING

Z. Mining for coal or other minerals.

AA. Slaughter house.

BB. Soap manufacture.

CC. Stock yard.

DD. Asphalt batching plants.

EE. Mobilehomes and mobilehome parks.

(Ord. 1295, 4/20/1981, §807)

§808. Swimming Pools. Inground and above-ground swimming pools shall be permitted as a residential accessory use provided a pool is located in the rear yard of the dwelling to which it is accessory. Any pool is to be located ten (10) feet from any lot line and must be enclosed by a continuous barrier not less than four (4) feet high nor more than six (6) feet in height. (Ord. 1295, 4/20/1981, §808; as amended by Ord. 1358, 7/11/1983, §17)

§809. Satellite Discs and Dishes.

1. Residential. Satellite discs and dishes are permitted in all residential districts in the rear yard of lots. Satellite discs and dishes that are two (2) feet in diameter or less are permitted on the roof or rear or side walls of a building, and not in violation of setback requirements. Satellite discs and dishes shall not contain additional advertising except the manufacturer's logo. [Ord. 1594]

2. Other Uses. Satellite discs and dishes are permitted in all other use districts according to the regulations for residential installations or they may be securely installed on the roofs of structures.

(Ord. 1295, 4/20/1981, §809; as added by Ord. 1399, 1/21/1984, §2; and as amended by Ord. 1594, 6/12/1995)

Part 9

Sign Regulations

§901. Sign Regulations.

1. Sign Definitions. See Part 18 of this Chapter.
2. Permanent Sign Regulations. Wherever signs are located, signs shall conform to the following regulations:

A. Condition.

(1) Every sign must be constructed of durable material and kept in good condition and repair. Any sign which is allowed to become deteriorated so as to be unsafe or unsightly, as may be determined by the Zoning Officer, shall be repaired or removed by the owner or lessee of the property on which it is located within ten (10) days of the receipt of written notice from the Zoning Administrator. [Ord. 1549]

(2) Should the owner or lessee not comply with the order, the City may have such sign removed at the expense of the owner or lessee. The requirements of the BOCA Building Codes [Chapter 5] shall be followed by the Zoning Administrator in his enforcement of this subsection. [Ord. 1622]

B. Liability. The owner of a premises upon which a sign is erected, or upon which a sign has been erected and remains, shall maintain a liability insurance policy with the following coverages: an amount not less than fifty thousand dollars (\$50,000.00) for injuries, including accidental death to any one (1) person; in an amount of not less than one hundred thousand dollars (\$100,000.00) for injuries or death to more than one (1) person, or both, on account of one (1) accident; and property damage insurance of ten thousand dollars (\$10,000.00); and provide a certificate thereof to the City Clerk; provided, however, that the requirements of this subsection shall apply only to those signs which extend over or into a public right-of-way or which are in a position to fall upon a public right-of-way.

C. Lighting.

(1) The light source shall not be exposed and covered by a shield, globe or barrier.

(2) No artificial light or reflected device shall be used as part of a sign where such light interferes with, or can be mistaken for, a traffic signal.

(3) Illumination for signs shall not cause excessive glare upon streets, sidewalks or adjacent property.

(4) No blinking, intermittent lights, animation or moving

ZONING

parts shall be on, or within, any sign except that portion of a sign which displays the time and temperature.

(5) No sign shall obscure light or air from a building.

(6) All signs having electrical connections must meet the requirements of the City Building Code [Chapter 5]. [Ord. 1622]

(Ord. 1295, 4/20/1981, §901; as amended by Ord. 1491, 12/12/1988, §2; by Ord. 1549, 5/18/1992, §2; and by Ord. 1622, 12/8/1997)

§902. District Regulations.

1. The following additional regulations shall be in effect according to the district in which the premises are located:

A. R-1 Residential. One (1) non-illuminated sign is permitted, not exceeding two (2) square feet in area, which indicates only the name and address of the occupant and a permitted home occupation. The sign shall be attached to a building. [Ord. 1329]

B. R-2 Residential. The regulations of the R-1 District, above, shall be in effect in the R-2 District with the following additions: Signs erected by rooming houses, convalescent homes, philanthropic institutions, private or parochial schools and other public or semi-public uses shall not exceed four (4) square feet, and the sign shall be attached to a building with no more than one (1) sign per dwelling unit. Signs in this district may be illuminated indirectly by a hooded light source constructed in such a way that the light source is not visible from the street. [Ord. 1329]

C. R-3 Residential. The regulations of the R-1 and R-2 Districts, above, shall be in effect in the R-3 Districts. Signs for permitted offices shall be permitted as long as they do not exceed a total of six (6) square feet in area on one (1) side. Signs may be on a separate support not more than four (4) feet in height and shall be at least five (5) feet from the street right-of-way or property line. [Ord. 1329]

D. C-1 and C-2 Commercial. The overall size of signs:

(1) Wall Sign. Four (4) square feet of sign for each lineal front foot of building, up to thirty (30) lineal feet; three (3) square feet for each lineal front foot in excess of thirty (30) lineal feet up to one hundred (100) lineal feet; two (2) square feet for each lineal front foot in excess of one hundred (100) lineal feet.

(2) Free-standing signs shall be a maximum height of twenty-five (25) feet and a maximum total area of one (1) side, excluding base, frames and supports, of seventy-five (75) square feet, so that a total of all faces does not exceed one hundred fifty (150) square feet. The base, supports and sign shall be located entirely within the property lines of the business for which the sign was erected.

(3) Projecting signs may project a maximum of seventy-two (72) inches into the public right-of-way but may project no more than seventy-two (72) inches from the building to which it is attached and shall not be closer than four (4) feet from the curb. Projecting signs shall have a maximum area of twenty-four (24) square feet per side with a maximum total area of all sides not to exceed forty-eight (48) square feet per sign. The lower edge of the sign shall be at least ten (10) feet from the ground surface.

(4) The total area of all signs for one (1) business shall not exceed the total area permitted in subsection (1), above.

(5) The above size regulations shall apply for each side of a building facing on more than one (1) street.

E. M-1 Industrial.

(1) The size of signs in the M-1 Industrial District shall not be limited. The height of a freestanding sign shall not be more than thirty-five (35) feet.

(2) Projecting signs which do not extend over the right-of-way shall be subject to the requirements of free-standing signs in the M-1 District.

2. Temporary Sign Regulations for All Districts.

A. Temporary signs are defined as any sign made of a nonpermanent material or installed in a nonpermanent manner for displaying information about an event of a noncontinuing nature. Temporary signs include those displaying information regarding the advertisement of land or premises for purchase, a development or occupancy, the services of building contractors and subcontractors performing work on the premises where the sign is to be located, signs advertising political campaigns and signs announcing special events or promotions by commercial concerns or other special events of interest to the community at large. Temporary signs, as opposed to banners, must be placed on the ground or a wall and must be placed on private property. Temporary signs shall not exceed the following sizes:

(1) In R-1 and R-2 Districts, no more than four (4) square feet per side.

(2) In R-3 Districts, no more than six (6) square feet per side.

(3) In C-1 Districts, no more than ten (10) square feet per side.

(4) In C-2 Districts, there shall be no limit on the size of an individual temporary sign as long as the allotted square footage for signs of the business is not exceeded by this and other signage.

Temporary signs shall not obscure the view of oncoming traffic for

ZONING

vehicles exiting onto or from any street, driveway or parking lot.
[Ord. 1656]

B. For signs regarding real estate and services of building contractors and subcontractors, all must be removed immediately upon sale of property or completion of the contract; for signs regarding special events, whether commercially related or otherwise, temporary signs may be erected for a period not to exceed four (4) weeks. Temporary signs used by commercial outlets can only be erected in accordance with square footage allocations for signs based on the front footage of the building, see §902(1), "District Regulations." Permits for temporary signs are required except in the case of signs advertising land or premises for purchase, development or occupancy and signs advertising the services of building contractors and subcontractors performing work on the premises and signs advertising political campaigns. Permits shall be issued for period of up to four (4) weeks and shall not be renewed. [Ord. 1656]

C. The size requirements for contractors' and subcontractors' temporary signs will not be effective until April 1, 1986. Until April 1, 1986, contractors and subcontractors will be permitted to use signs up to sixteen (16) square feet per side in all districts.

[Ord. 1422]

D. Banners. Banners are defined as a strip of cloth or other impermanent material on which is painted or printed a sign. Banners are hung above the ground with the ends tied to supports of some kind. Banners shall be permitted only to advertise public events held or sponsored by nonprofit organizations. A permit is needed to erect a banner, which can be erected one (1) week prior to the event it advertises. All banners must be removed within twenty-four (24) hours of the event's completion.

3. Restrictions.

A. No sign shall be erected which announces, advertises or informs about any business conducted off the premises or any product not sold or made on the premises.

B. Signs are permitted on the premises only for a use permitted in the district where the sign will be located.

C. No sign shall be erected or located to prevent free entrance or exit from a window, door or fire escape.

D. No sign shall extend above the roofline of the building on which it is placed except in M-1.

E. No more than one (1) wall sign and one (1) projecting sign shall be permitted on a building for each business.

4. Exempt Signs. The following signs shall be exempt from these regulations:

A. Street, traffic, public safety signs, and signs providing direction to a business district, public parking, hospitals or school.

B. Any signs required by Federal and State statutes and regulations governing public utilities and their operation.

5. Church or Other Permitted Public Use. For church or other permitted public use, regulations of the district in which a sign is located shall be in effect except that the size of a permanent sign or bulletin board may be a maximum of sixteen (16) square feet.

6. Nonconforming Signs.

A. A nonconforming sign is one which does not conform to the provisions of this Chapter but which exists on the date of enactment.

B. A nonconforming sign of a conforming or nonconforming use may be continued only for the owner or lessee originally using the nonconforming sign, but the area or faces of such sign or signs shall not be increased or changed.

C. Nonconforming signs may be kept in repair but the size or faces may not be increased or changed and can be removed for repair but must be replaced within thirty (30) days.

D. No nonconforming sign shall be moved to another position on the building or lot on which it is located after the effective date of this Chapter or amendment thereto.

E. In the event that any nonconforming sign is damaged to the extent of twenty-five (25) percent of the cost of replacement, at the time of destruction, such sign shall not be restored or replaced.

F. No conforming sign or sign structure shall be erected on the same single business locality with an existing nonconforming sign until the nonconforming sign has been removed or made to conform.

7. Sign Permits.

A. A permit from the Zoning Administrator shall be required before a sign of any kind (excepting only those temporary signs advertising land or premises for purchase, development or occupancy and signs advertising the services of building contractors and subcontractors performing work on the premises and signs advertising political campaigns) can be erected, altered or enlarged. A permit shall not be issued by the Zoning Administrator unless all sign regulations of this Chapter are met. All requests for erection, alteration or enlargement of any sign must be accompanied by a plan drawn to scale showing the exact size, shape, height and dimensions of such sign and its proposed location or placement upon any structure or property. The permit shall not be granted until the Chief of Police certifies that the sign will not obscure the view of oncoming traffic for vehicles exiting from any street, driveway or parking lot. [Ord. 1656]

ZONING

B. Requirements of §901(2) shall be complied with prior to the issuance of a permit.

C. There shall be a fee for a sign permit. [Ord. 1358]

8. Cessation.

A. When a business vacates a building, all signs visible to the public shall be removed from the business premises within thirty (30) days, except for a "for rent" or "for sale" sign described below. Such removal shall be commenced within fifteen (15) days from receipt of a notice from the Zoning Administrator and completed within ten (10) days after such removal is commenced. If the order of the Zoning Officer is not complied with, as is provided herein, the City may have such signs removed at the expense of the owner or lessee. [Ord. 1549]

B. Any owner or person entitled to possession of a vacant building is prohibited from displaying upon the windows of such store any sign except one (1) sign consisting of a maximum size of twelve (12) square feet advertising the availability of the premises or as otherwise allowed by this Chapter for a particular zone.

(Ord. 1295, 4/20/1981, §902; as amended by Ord. 1329, 3/22/1982, §2; by Ord. 1358, 7/11/1983, §§18-22; by Ord. 1379, 3/19/1984, §1; by Ord. 1422, 9/23/1985, §1; by Ord. 1491, 12/12/1988, §2; by Ord. 1549, 5/18/1989, §2; and by Ord. 1656, 1/8/2001)

Part 10

Parking Regulations

§1001. General.

1. Each parking space shall be a minimum of nine (9) feet by twenty (20) feet, and have adequate ingress and egress.
2. All parking spaces required under §1002 hereof and driveways providing access thereto shall be paved with a permanent impervious surface; provided, that existing parking spaces and driveways that are in place prior to the enactment of this amendment shall be exempted from the requirements of this Section. Single and duplex residential uses in all districts are exempt from the paving requirements. [Ord. 1569]
3. Parking and driving areas shall be graded to shed surface water to a street, alley or public storm water system. No drainage onto adjacent properties will be permitted.
4. Any parking area of three (3) or more spaces adjoining a residential use shall be screened from the residential area by a thick hedge or solid fence a minimum of four (4) feet high.
5. Any parking area containing lighting shall have the lighting designed in such a way as to not cause glare on adjoining properties.
6. Any parking area of over fifty (50) spaces shall contain perimeter and/or site landscaping of at least five (5) percent of the total lot.
7. Parking areas adjacent to a street shall have between the street right-of-way and the parking area a planting strip ten (10) feet in width and with a tree planted every fifty (50) feet of lineal frontage. Breaks may be permitted for entrances and exits with no greater combined width than twenty (20) feet per each fifty (50) feet. [Ord. 1591]

(Ord. 1295, 4/20/1981, §1001; as amended by Ord. 1569, 10/11/1993, §3; and by Ord. 1591, 4/10/1995, §3)

§1002. Parking Schedule.

1. Residential Uses.

- A. All residential uses, except elderly housing, one (1.0) for each dwelling unit.
- B. Elderly housing, three-tenths (0.3) for each dwelling unit.
- C. Group home, one-half (0.5) for each resident.
- D. Hospital, nursing home, institutional home, one (1.0) for each bed.

ZONING

E. Home occupation, two (2.0) plus one (1.0) for each dwelling.

F. Group elderly housing with common dining facilities, one-half (0.5) for each resident; one (1.0) per employee based on the number of employees on the maximum working shift. [Ord. 1563]

2. Public/Semi-Public Uses.

A. Government facility, one (1.0) for each employee plus one (1.0) for each five hundred (500) square feet of floor area.

B. Church, synagogue or other place of worship, one (1.0) for each five (5) units seating area.

C. School, college, day nursing school (auditoriums require additional parking), one (1.0) for each twenty (20) seats in an elementary school; one (1.0) for each ten (10) seats in all other schools.

D. Places of public assembly, such as a theater, auditorium, etc., one (1.0) for each five (5) seats.

E. Membership clubs, one (1.0) for each four hundred (400) square feet of gross floor space.

3. Commercial Uses.

A. Retail or personal services establishment, one (1.0) for each three hundred (300) square feet of gross floor area.

B. Office establishments, one (1.0) for each five hundred (500) square feet of gross floor area.

C. Eating and/or drinking establishments, one (1.0) for each four (4) units of seating capacity.

D. Hotel/motel, one (1.0) for each sleeping room plus one (1.0) for each five (5) seating units of restaurant.

E. Recreation facilities (except bowling alleys), one (1.0) for each four hundred (400) square feet of gross floor area.

F. Bowling alleys, five (5.0) for each alley.

G. Mortuary or funeral homes, fifteen (15.0) for each chapel, plus two (2.0) for each dwelling unit plus one (1.0) for each employee.

H. Wholesale, warehouse and industrial establishment, one (1.0) for each employee based on the number of employees on the maximum working shift.

4. Uses Not Covered. For any uses not specifically named, the Zoning Administrator shall determine the most appropriate use category based on similarity of the proposed use to those uses listed. [Ord. 1549]

(Ord. 1295, 4/20/1981, §1002; as amended by Ord. 1549, 5/18/1989, §2; and by Ord. 1563, 5/10/1993, §1)

§1003. Parking.

1. Residential District.

A. Parking spaces in any residential district shall not be located in the front yard except in the following situations:

- (1) A lot containing two (2) or more street frontages.
- (2) A lot with too narrow side yards or rear yard to permit vehicular passage.

In said circumstances, parking spaces may be permitted behind the average setback line of the block in a front yard. Said spaces may be enclosed in a structure complying with the requirements of §402(B), hereof.

B. Driveways and turnaround areas in any residential district may be permitted in the front, side and rear yards.

C. Parking spaces and parking areas in any residential district shall be related to the use of the lot and not provide parking spaces for other uses; except that public/semi-public uses with permitted accessory parking spaces may provide parking spaces for other uses. [Ord. 1660]

D. Parking May Be Permitted by Special Exception for Public/Semi-Public Uses. Parking may be permitted by special exception for public/semi-public uses up to the number of parking spaces required by zoning for the primary use, on lots that are separated from the primary use only by an accepted public street right-of-way of a width of less than twenty (20) feet. [Ord. 1662]

2. Commercial and Industrial Districts.

A. Commercial and industrial zoned property may contain permitted parking spaces, parking areas, driveways and turnaround areas within the front, side and rear yard areas.

B. Within commercial and industrial zoned property proposed for new development all parking spaces shall be a minimum of ten (10) feet from any abutting street right-of-way.

C. Residential use parking spaces in any commercial or industrial district shall not be located in the front yard, except in the following situations:

- (1) A lot containing two (2) or more street frontages.
- (2) A lot with too narrow side yards or rear yard to permit

ZONING

vehicular passage.

In said circumstances, parking space may be permitted behind the average setback line of the block in a front yard. Said spaces may be enclosed in a structure complying with the requirements of §402(B), hereof.

(Ord. 1295, 4/20/1981, §1003; as amended by Ord. 1569, 10/11/1993, §4; by Ord. 1660, 8/13/2001, §1; and by Ord. 1662, 10/8/2001, §1)

§1004. Residential Conversions. In the conversion of existing properties to residential use, including single-family to multi-family and the upper floors of commercial buildings, if there is not sufficient land area to provide required parking on site, fifty (50) percent of the on site parking requirement shall be waived. (Ord. 1295, 4/20/1981, §1004)

§1005. Location of Parking.

1. Private Parking Lot. Where there is not adequate land onsite, off-street parking spaces within five hundred (500) feet of the site may be counted to meet the parking requirements. Off-street parking spaces are defined as parking spaces located on a private parking lot and meeting the parking requirements of this Chapter. Said spaces shall be owned by the applicant or available by a current written agreement.

2. Public Parking Lot. Where there is not adequate land onsite, public parking lot spaces within five hundred (500) feet of the site may be counted to meet the parking requirements. Public parking lot spaces are defined as unreserved spaces within a municipal parking lot. This definition does not include on-street parking spaces.

(Ord. 1295, 4/20/1981, §1005; as amended by Ord. 1358, 7/11/1983, §23; and by Ord. 1569, 10/11/1993, §§5, 6)

§1006. Parking, Storage or Use of Major Recreational Equipment.

1. Major recreational equipment, as defined for purposes of these regulations, includes travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, boats and boat trailers, motorcycles, snowmobiles, all terrain vehicles and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be stored on any public right-of-way.

2. Occupancy. No such equipment shall be used for living, sleeping or housekeeping purposes, except as provided for under the following conditions: travel trailers, pickup campers or coaches, motorized dwellings and tent trailers may be temporarily parked and occupied for sleeping purposes by visitors and house guests only and in accordance with the following provisions:

A. The temporary parking and occupancy period shall not exceed forty-eight (48) hours.

B. Such vehicles and/or trailers shall have adequate off-street parking areas to the rear of the principal building.

3. Permanent Parking and Storage of Camping and Recreational Equipment. Permanent storage of such equipment shall be limited to the interior of automobile garages or other available onlot accessory buildings or to that portion of the lot behind the principal building.

4. Spacing. Major recreational equipment six (6) feet or more in average height above the ground shall be governed as to spacing with respect to buildings on the lot as though it were a building.

5. Lot Coverage. Major recreational equipment six (6) feet or more in height shall be included on the same basis as buildings for regulations of lot coverage by all buildings, with area covered computed on the basis of the largest horizontal area covered by such equipment.

6. Derelicts. No major recreational equipment shall be stored outside on residential premises unless it is in condition for safe and effective performance of the function for which it is intended or can be made so at a cost not exceeding the value of the equipment in its existing state. In no case shall any such equipment be so stored for a period of more than six (6) months if not in condition for safe and efficient performance of the function for which it is intended.

(Ord. 1295, 4/20/1981; as added by Ord. 1569, 10/11/1993, §8)

Part 11

Nonconforming Uses, Premises, Structures and Lots

§1101. Statement of Intent.

1. The zoning districts established by this Chapter are designed to guide future use of land in the City by encouraging the development of desirable residential, commercial and manufacturing areas, with appropriate groupings of compatible and related uses, to the end of promoting and protecting the public health, safety, comfort, property and other aspects of the general welfare. [Ord. 1491]

2. To achieve this end, lawful existing uses which would be prohibited or restricted under the terms of the Chapter, or future amendments, and which do not conform to the character and regulations of the zoning district in which they are located, shall be subject to certain limitations.

3. Similarly, buildings or other structures which do not comply with one (1) or more of the applicable district use requirements are deemed to be nonconforming.

4. Nonconforming uses and structures will be generally permitted to remain; the purpose of regulating them is to restrict further investment in uses or structures which are inappropriate to their locations.

5. To avoid undue hardship, nothing in this Chapter shall be deemed to require a change in plans, construction or intended use of any building on which actual construction was lawfully begun prior to the effective date, or amendment, of this Chapter, and on which actual building construction has been diligently carried on.

(Ord. 1295, 4/20/1981, §1100; as amended by Ord. 1491, 12/12/1988, §2)

§1102. Nonconforming Use Regulations. Lawful uses, located either within a building or other structure, or part thereof, or on the land, or combination of both, which, at the effective date of this Chapter or subsequent amendment thereto, became nonconforming, may be continued so long as they remain otherwise lawful, including subsequent sales of the property subject to the following regulations:

A. Enlargement and Change.

(1) A nonconforming use of a building may be changed to another nonconforming use of the same or a more restricted classification, if no structural alterations are made therein, and such change may include structural alterations when authorized as a special exception. Whenever a nonconforming use of a building has been changed to a more restricted classification, or to a conforming use, such use shall not thereafter be changed to a use of less restricted classification.

(2) A nonconforming use shall be enlarged or increased only on land in the same lot and in the same ownership as the nonconforming use on the effective date of this Chapter or any nonconforming use created by an amendment hereto. Such enlargements, up to twenty-five (25) percent, may be permitted by the Zoning Administrator upon the applicant meeting all other requirements of this Chapter. A special exception from the Zoning Hearing Board must be obtained for all enlargements in excess of twenty-five (25) percent. [Ord. 1549]

[Ord. 1481]

B. Damage or Destruction.

(1) A structure in which a nonconforming use is conducted, in a district permitting less restrictive uses, which is damaged in whole or in part by fire, explosion or natural disaster may be rebuilt or repaired and used for a nonconforming use provided that:

(a) The reconstructed building shall comply with the area regulations of the district in which it is located.

(b) A building permit for reconstruction of the building must be obtained within one (1) year from the date of occurrence of such damage and reconstruction shall commence. [Ord. 1622]

(c) Any proposed change of use or enlargement must conform to §1102(A) of this Chapter.

(2) A structure in which a nonconforming use is constructed in a district permitting more restrictive uses which is damaged in whole or in part by fire, explosion or natural disaster may be rebuilt and used for the same use in accordance with subsections (a), (b) and (c), above; provided, that a special exception is granted by the Zoning Hearing Board.

[Ord. 1500]

C. Discontinuance.

(1) If a nonconforming use of land or building is discontinued for a period of six (6) months, the owner must file, within such six (6) month period with the Zoning Administrator, a certificate of intention to maintain such use. Such certificate of intention shall terminate after a period of six (6) months and may be renewed by the owner for successive six (6) month periods to a maximum of two (2) years next proceeding such discontinued nonconforming use. [Ord. 1549]

(2) Should such owner fail to file a certification of intention to maintain such nonconforming use, for each of the six (6) month periods as prescribed for above, then this shall be presumed to be intent to abandon such nonconforming use, and any

subsequent use of the land or building must conform to the regulations of this Chapter.

(Ord. 1295, 4/20/1981, §1101; as amended by Ord. 1358, 7/11/1983, §24; by Ord. 1481, 8/8/1988, §1; by Ord. 1500, 5/8/1989, §2; by Ord. 1549, 5/18/1989, §2; and by Ord. 1622, 12/8/1997)

§1103. Nonconforming Lots of Record.

1. Regulations. In any district in which single-family houses are permitted, notwithstanding the area limitation imposed by other provisions of this Chapter, a single-family house and customary accessory buildings may be erected or enlarged on any single lot of record in existence at the effective date of adoption or amendment of this Chapter; provided, the following requirements shall be observed:

A. Such lot must be in separate ownership and not form part of a continuous frontage with other lots in the same ownership.

B. The provisions of this Section shall apply even though such lot fails to meet requirements of area or width, or both, generally applicable in the district in which the lot is located, and a permit shall be issued by the Zoning Administrator; provided, all requirements for front yard, side and/or rear yards are observed. [Ord. 1549]

2. An application for a special exception may be made if two (2) or more lots with continuous frontage in a single ownership are of record at the time of passage or amendment of this Chapter and, if all or part of the lots do not meet the requirements for lot widths and area established by this Chapter, the lands involved shall be considered an undivided parcel, and no portion of such parcel shall be occupied which does not meet lot width and area requirements established by this Chapter.

(Ord. 1295, 4/20/1981, §1102; as amended by Ord. 1549, 5/18/1989, §2)

§1104. Nonconforming Signs; Nonconforming Sign Regulations. Signs in existence at the effective date of this Chapter or amendments thereto may be continued subject to the regulations at §902(6). (Ord. 1295, 4/20/1981, §1103)

§1105. Registration of Nonconformity; Registration of Nonconforming Uses and Signs. In order to administer this Chapter, the Building Inspector, or any other person designated as Zoning Administrator, shall prepare, immediately after the adoption of this Chapter, a complete list of all nonconforming uses and signs in accordance with §1202(3). (Ord. 1295, 4/20/1981, §1104; as amended by Ord. 1549, 5/18/1989, §2)

Part 12

Office of Zoning Administration

§1201. Office of Zoning Administration.

1. Creation of Office. The Office of Zoning Administrator of the City of Warren, Pennsylvania, is hereby created and the official in charge thereof shall be known as the Zoning Administrator.

2. Appointment. The Zoning Administrator shall be designated by the City Manager.

3. Official Records. An official record shall be kept of all business and activities of the Office of Zoning Administrator specified by provisions of this Chapter, and all such records shall be open to public inspection at all appropriate times.

4. Compensation of Zoning Administrator. The compensation of the Zoning Administrator shall be as determined by the City Council.

(Ord. 1295, 4/20/1981, \$1200; as amended by Ord. 1549, 5/18/1992, \$1)

§1202. Duties and Powers of the Zoning Administrator.

1. The Zoning Administrator shall interpret and enforce all the regulations and provisions of this Chapter and shall have such duties and powers as are conferred on him by this Chapter as are reasonably implied for that purpose. The Zoning Administrator may, in writing, appoint one (1) or more Zoning Officers to whom he may delegate any of his duties and powers.

2. The Zoning Administrator shall have the authority to enter, at any reasonable hour, any structure and/or land in the City of Warren to enforce the provisions of this Chapter. A letter of his authority shall be provided by the City Manager.

3. Registration of Nonconforming Uses and Structures.

A. All nonconforming uses of land and nonconforming structures shall be registered by the Zoning Administrator. Such registration shall record in writing and by location on a City map the extent of nonconformity with this Chapter and the date of nonconformity. If the date on which the use or structure became nonconforming is unknown, then the effective date of this Chapter rendering said use nonconforming shall be entered on the written record.

B. Nonconforming uses of land and nonconforming structures are those that:

- (1) Exist at the time this Chapter is adopted; or,
- (2) Are created by subsequent amendment of this Chapter.

ZONING

(Ord. 1295, 4/20/1981, §1201; as amended by Ord. 1549, 5/18/1992, §1)

§1203. Notice of Violation. If the Zoning Administrator finds that any provision of this Chapter is being violated, he shall notify, in writing, the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order:

A. The discontinuance of the illegal use of land, buildings or structures.

B. The removal of illegal buildings or structures or additions, alterations or structural changes thereto.

C. The discontinuance of any illegal work being done.

D. Shall take any other action authorized by this Chapter to insure compliance with, or to prevent violation of its provisions.

(Ord. 1295, 4/20/1981, §1202; as amended by Ord. 1549, 5/18/1992, §1)

§1204. Prosecution of Violation. If the notice of violation is not complied with promptly, the Zoning Administrator shall request the City Solicitor to institute, in the name of the City, the appropriate proceeding at law or in equity to restrain, to correct or to abate such violation or to require the removal of, or termination of, the unlawful use and/or occupancy of the building, structure and/or land in violation of the regulations or provisions of this Chapter or of any order or direction made pursuant hereto.
(Ord. 1295, 4/20/1981, §1203; as amended by Ord. 1549, 5/18/1992, §1)

§1205. Enforcement Remedies.

1. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the City, pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the City as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the City 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 Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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.

2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending final adjudication

of the violation and judgment.

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

4. District justices shall have initial jurisdiction over proceedings brought under this Section.

(Ord. 1295, 4/20/1981, §1204; as amended by Ord. 1549, 5/18/1992, §1; and by Ord. 1622, 12/8/1997)

§1206. Abatement of Violation. The imposition of the penalties prescribed herein shall not preclude the City Solicitor from instituting appropriate action or proceedings to:

- A. Prevent unlawful construction.
- B. Restrain, correct or abate a violation.
- C. Prevent the illegal use, or occupancy, of any building, structure and/or land.
- D. Prevent any illegal act, conduct, trade, industry, residence, use or occupancy of any building, other structure and/or land.

(Ord. 1295, 4/20/1981, §1205; as amended by Ord. 1549, 5/18/1992, §1)

§1207. Stop Work Order.

1. Notice to Owner. Upon notice from the Zoning Administrator that work on, or use, or occupancy of any building, other structure and/or land is proceeding contrary to the regulations or provisions of this Chapter, such work, use or occupancy shall be stopped immediately. The stop work order shall be by written notice to the owner of the property involved, or to the owner's agent or to the person doing the work and shall state the violations of the regulations and the conditions under which the work, use or occupancy may be resumed.

2. Condition of Discontinued Work.

A. Any person, firm or corporation who has been served with a stop work order, or who discontinues or abandons work, shall not leave any building, structure and/or land in such condition as to be a hazard or menace to the public safety, health, morals or general welfare.

B. The Zoning Administrator shall have the power to require that such building, structure and/or land shall be put in such conditions as he directs, and the work necessary to do so shall be at the full expense of the person, firm or corporation who has been served with a stop work order.

ZONING

(Ord. 1295, 4/20/1981, §1206; as amended by Ord. 1549, 5/18/1992, §1)

Part 13

Zoning Hearing Board

§1301. Creation and Function.

1. A Zoning Hearing Board shall be created for the purpose of reviewing applications for variances or special exceptions to this Chapter and deciding whether there is a legitimate reason for granting relief or exception to a specific provision(s) of this Chapter when requested.

2. The Zoning Hearing Board shall be created as prescribed by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, and shall have all authority, perform all duties and exercise all powers vested in it by the provisions of the aforementioned Act.

3. Special Exceptions. Where this Chapter has set forth expressed standards and criteria for special exceptions, the Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Chapter, as it may deem necessary to implement the purposes of the enabling Act and this Chapter.

4. Standards and Criteria. In considering any special exceptions, the Zoning Hearing Board shall not grant such special exception unless:

A. The property is suitable for the use desired.

B. The proposed use will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood.

C. Adequate public facilities, such as streets, water and sewers, are available.

D. The proposed use will not adversely affect public services and facilities, such as water, sewers, police and fire protection.

[Ord. 1329]

5. Jurisdiction. The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters.

A. Substantive challenges to the validity of any land use ordinance, except those brought before the City Council pursuant to §§609.1 and 916(a)(2) of the Pennsylvania Municipalities Planning Code (hereinafter "MPC," 53 P.S. §§10609.1, 10916.1).

B. Challenges to the validity of a land use ordinance raising procedural or alleged defects in the process of enactment or adoption, which challenges shall be raised by an appeal taken within twenty (20) days after the effective date of said ordinance.

ZONING

C. Appeals from the determination of the Zoning Administrator including, but not limited to, the granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.

D. Appeals from the determination of any officer or agency charged with the administration of any transfer of development rights or performance density provisions of this Chapter.

E. Appeals from the Zoning Administrator's determination under §916.2 of the MPC, 53 P.S. §10916.2.

F. Appeals from the determination of the Zoning Administrator or City 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 relate to development not involving applications under Article V or VII of the MPC, 53 P.S. §10501 et. seq.

(Ord. 1295, 4/20/1981, §1300; as amended by Ord. 1329, 3/22/1982; and by Ord. 1626, 5/11/1998, §1)

§1302. Hearings. The Zoning Hearing Board shall conduct hearings and make decisions in accordance with §908 of the MPC, 53 P.S. §10908. The City Council shall establish, by resolution, fees with respect to hearings before the Zoning Hearing Board. (Ord. 1295, 4/20/1981, §1301; as amended by Ord. 1626, 5/11/1998, §2)

§1303. Termination and Modification of Permit.

1. Termination of Permits. If, after a permit has been authorized by the Board, such permit is not applied for and not lifted within a period of six (6) months from the date of authorization, then such authorization shall be null and void, and no permit shall be issued thereunder.

2. Modification of a Permit. Any permit so issued shall not be modified except by action of the Board.

(Ord. 1295, 4/20/1981, §1302)

Part 14

Amendment, Supplement or Change

§1401. Procedure for Amendments. Whenever deemed desirable and to meet the public needs, and in conformity with good zoning practice, the zoning regulations, restrictions, and boundaries may, from time to time, be amended, supplemented, changed, modified or repealed by the City Council in accordance with provisions of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, and with the following general procedures: [Ord. 1491]

A. Any amendment, supplement, change, modification or repeal may be initiated by:

(1) The City Planning Commission. [Ord. 1491]

(2) The City Council. [Ord. 1491]

(3) A notarized petition to the City Council by the owner of the property involved or by one (1) having an interest therein.

B. Amendments shall be submitted to the City Council at a regular or special meeting of the Council. [Ord. 1491]

C. Before voting on the enactment of an amendment, the Council shall hold a public hearing on the proposed amendment, pursuant to public notice as defined in §107 "Public Notice" of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

D. Review by the City of Warren Planning Commission and the Warren County Planning Commission. All amendments shall be submitted to the City of Warren Planning Commission and the Warren County Planning Commission for review and recommendation prior to the public hearing as prescribed in §609, "Enactment of Zoning Ordinance Amendments" and §609.1, "Procedure Upon Curative Amendments," of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

(Ord. 1295, 4/20/1981, §1400; as amended by Ord. 1491, 12/12/1988, §2)

§1402. Amendment Filing Fee. The filing fee for a zoning amendment shall be in the amount as established by resolution of City Council and shall be submitted with the application. (Ord. 1295, 4/20/1981, §1401; as added by Ord. 1556, 12/3/1992, and as amended by Ord. 1622, 12/8/1997)

Part 15

Appeals

§1501. Appeals to Zoning Board. Appeals may be filed with the Zoning Hearing Board in writing by the landowner affected, any officer or agency of the City, or any person aggrieved in the following circumstances: Appeals raising the substantive validity of this Chapter (except those to be brought before the City Council pursuant to the Pennsylvania Municipalities Code), procedural questions or alleged defects in the process of enactment or adoption of this Chapter; or from the determination of the Zoning Administrator including, but not limited to, the granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot; from the determination of any officer or agency charged with the performance density provisions of this Chapter; from the determination of the Zoning Administrator or City Engineer in the administration of this Chapter or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving subdivision and land development or planned residential development. Requests for a variance and for special exception may be filed with the Board by any landowner or any tenant with the permission of such landowner. (Ord. 1295, 4/20/1981, §1500; as amended by Ord. 1491, 12/12/1988, §2; and by Ord. 1626, 5/11/1998, §3)

§1502. Time Limitations.

1. No person shall be allowed to file any proceeding with the Zoning Hearing Board later than twenty (20) days after a zoning application has been approved by the City if such proceeding is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice, knowledge or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest. The failure of anyone other than the landowner to appeal from an adverse decision on a tentative plan or from an adverse decision by the Zoning Administrator on a challenge to the validity of this Chapter or an appeal from a final approval except in the case where the final submission substantially deviates from the approved tentative approval.

2. All appeals from determinations adverse to the landowner shall be filed by the landowner or the tenant with the permission of the landowner within twenty (20) days after notice of the determination is issued.

(Ord. 1295, 4/20/1981, §1502; as added by Ord. 1626, 5/11/1998, §4)

§1503. Stay of Proceedings.

1. Upon the filing of any appeal proceeding before the Zoning Hearing Board and during its pendency before the Board, all land development pursuant to this Chapter, order or approval of the Zoning Administrator or of any

ZONING

agency or body, and all official action thereunder shall be stayed unless the Zoning Administrator or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals, on petition, after notice to the Zoning Administrator or other appropriate agency or body. When a zoning application has been duly approved and proceedings designed to reverse or limit the approval are filed with the Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such persons to post bond as a condition to continuing the proceedings before the Board.

2. After the petition is presented, the court shall hold a hearing to determine if the filing of the appeal is frivolous. At the hearing, evidence may be presented on the merits of the case. It shall be the burden of the applicant for a bond to prove the appeal is frivolous. After consideration of all evidence presented, if the court determines that the appeal is frivolous, it shall grant the petition for a bond. The rights to petition the court to order the appellants to post bond may be waived by the appellee, but such waiver may be revoked by him if an appeal is taken from a final decision of the court.

3. The question whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court. An order denying a petition for bond shall be interlocutory. An order directing the responding party to post a bond shall be interlocutory.

4. If an appeal is taken by a respondent to the petition for a bond from an order of the court dismissing a zoning appeal for refusal to post a bond and the appellate court sustains the order of the court below to post a bond, the respondent to the petition for a bond, upon motion of the petitioner and after hearing in the court having jurisdiction of zoning appeals, shall be liable for all reasonable costs, expenses and attorney fees incurred by the petitioner.

(Ord. 1295, 4/20/1981, §1503; as added by Ord. 1626, 5/11/1998, §4)

§1504. Appeals and Applications to City Council. The City Council, shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

A. All applications for approval of planned residential development under Article VII of the MPC pursuant to the provisions of §702 of the MPC, 53 P.S. §10702.

B. All applications pursuant to §508 of the MPC, 53 P.S. §10508, for approval of subdivisions or land developments under Article V of the MPC, 53 P.S. §10501 et seq.

C. Applications for conditional use when provided for under the express provisions of this Chapter.

D. Applications for curative amendment to this Chapter or pursuant to §§609.1 and 916.1(a) of the MPC, 53 P.S. §§10609.1, 10916.1(a).

E. All petitions for amendments to land use ordinances, pursuant to the procedures set forth in §609 of the MPC, 53 P.S. §10609.

F. Appeal from the determination of the Zoning Administrator 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 insofar as the same relate to applications for land development under Article V and VII of the MPC, 53 P.S. §§10501 et seq., 10701 et seq. Where such determination relates only to development not involving an Article V or VII application, the appeal from such determination of the Zoning Administrator or the City Engineer shall be to the Zoning Hearing Board pursuant to this Section. Where the applicable land use ordinance vests jurisdiction for final administration of subdivision and land development applications in the Planning Commission all appeals from determinations under this subsection shall be to the Planning Commission and all appeals from the decision of the Planning Commission shall be to court.

(Ord. 1295, 4/20/1981, §1504; as added by Ord. 1626, 5/11/1998, §4)

§1505. Appeals to Court. All appeals from all decisions rendered by the Zoning Hearing Board or City Council shall be taken to the Court of Common Pleas as set forth in Article X-A of the MPC, 53 P.S. §101001-A et seq. (Ord. 1295, 4/20/1981, §1505; as added by Ord. 1626, 5/11/1998, §4)

Part 16

Definitions

§1601. Definitions. For the purposes of this Chapter, certain terms, phrases and words shall have the meanings given herein. Words used in the present tense include the future; the singular includes the plural; the word "used" shall be construed as though followed by the words "or intended or designed to be used"; the words "building," "structure," and "land" or "premises" shall be construed as though followed by the words "or any portion thereof," and the word "structure" includes the word "building." The word "shall" is always mandatory and not merely directory.

ABANDONED MOTOR VEHICLES - shall be prima facie abandoned when the physical possession or control of which has been voluntarily or intentionally relinquished or disclaimed by its owner without reference to any particular person or purpose and without the intention of returning to reclaim or appropriate such vehicle.

AIRPORT - any landing area, runway or other facility designated or used or intended to be used, either publicly or by any person or persons, for the landing and taking off of aircraft, including all necessary taxi-ways, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces within the airport boundaries.

ALLEY - the space or area between the rear or side lot lines of lots which has a minor right-of-way less than twenty (20) feet in width which is dedicated for the public use of vehicles and pedestrians and which affords secondary access to an abutting lot.

ALTERATION - as applied to a building or structure, is a change or rearrangement in the structural parts of or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, or moving from one location or position to another.

ALTERATION, STRUCTURAL - a change, other than incidental repairs, which would prolong the life of the supporting members of a building, such as bearing walls, columns, beams or girders.

AUTOMOTIVE REPAIR GARAGE - a building used for mechanical and/or body repair, storage, rental, servicing or supplying of gasoline or oil to automobiles, trucks or similar motor vehicles. [Ord. 1480]

AUTOMOTIVE SERVICE ESTABLISHMENT - any premises used for supplying gasoline, oil, minor accessories or services for motor vehicles at retail direct to the motorist consumer, including car washing and the making of minor repairs, but not including major repairs, such as spray painting; body, fender, clutch, transmission, differential, axle, spring and frame repairs; major overhauling of engines requiring removal therefrom of cylinder head or crankcase pans, repairs on radiators requiring removal thereof, or complete recapping or retreading of tires.

AUTOMOTIVE WRECKING - the dismantling or wrecking of used motor

ZONING

vehicles, trucks, trailers or farm equipment, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

BASEMENT - a portion of a building partly underground and having one-half (1/2) or more than one-half (1/2) of its floor-to-ceiling height below the average grade of adjoining ground. A basement is not included in computing the number of stories for the purpose of maximum height regulations.

BLOCK - the length of a street between two (2) street intersections. A block shall be considered to have a maximum length of one thousand six hundred (1,600) feet.

BOARD - the Zoning Hearing Board of the City of Warren, Warren County, Pennsylvania. [Ord. 1491]

BOARDING HOME - a facility providing living space for four (4) or more unrelated persons which generally provides central cooking and dining facilities and is operated for profit.

BREEZEWAY - any portion of a lot roofed over by a structure joining a principal dwelling to any other structure.

BUILDING - an enclosed structure built, erected and framed of component structural parts, designed for the housing, shelter, enclosure and protection of persons, animals or property of any kind.

BUILDING, ACCESSORY - a detached, subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building.

BUILDING, ATTACHED - a building where both side walls or all except the end structure are party walls.

BUILDING, SEMI-DETACHED - a building which has one (1) party wall in common with an adjacent building.

BUILDING, DETACHED - a building which has no party wall.

BUILDING, PRINCIPAL - a building in which is conducted the principal use of the lot on which it is situated.

CARPORT - a roofed structure having two (2) or more open sides and extending from the side or rear wall of a principal or accessory building, used primarily as a shelter for automotive vehicles or recreation equipment. The open sides may be screened or enclosed, but at least fifty (50) percent of such wall area must remain open. For purposes of interpretation of this Chapter, a carport shall be treated the same as a garage.

CELLAR - that portion of a building wholly or partly below ground level and having more than one-half (1/2) of its floor-to-ceiling height

below the average grade of the existing ground level. See "basement."

CERTIFICATE OF USE AND OCCUPANCY - a statement, based on an inspection and signed by the Zoning Administrator, indicating that a building, structure and/or land conforms with the provisions prescribed in this Chapter and may lawfully be occupied or used for a specific use or uses. [Ord. 1549]

CLINIC - a group practice in which two (2) or more professional people work cooperatively. Examples include physicians, veterinarians, lawyers, accountants, etc. [Ord. 1358]

CLUB, MEMBERSHIP - a building to house the activities of a club or social organization, not including one conducted for profit and which is not an adjunct to, or operated for, or in connection with a public tavern, cafe or other place of business.

COMMISSION - The Warren City Planning Commission. [Ord. 1491]

COMPREHENSIVE PLAN - the comprehensive, long-range plan for the desirable use of land in Warren, the purpose of such plan being, among other things, to serve as a guide for the zoning and progressive rezoning of land to meet changing community needs, in the subdivision and use of undeveloped land and in the acquisition of land for such public purposes as streets, parks, schools and other public buildings.

CONVALESCENT HOME - a dwelling converted into quarters, or a building constructed with quarters, for the care of sick, aged or infirm persons.

COUNCIL - the Council of the City of Warren. [Ord. 1491]

CRAFT SHOP - a commercial establishment where craft supplies or craft items not made on the premises are offered for retail sale or where classes are regularly scheduled. [Ord. 1358]

CURB LINE - the line establishing the width of a cartway in a right-of-way.

DAY NURSERY SCHOOL - a school for the education of children under six (6) years of age, not including therewith rooming, boarding or lodging accommodations.

DORMITORY - a building, or part thereof, operated by an institution and containing a room or rooms forming one (1) or more habitable units which are intended for living and sleeping purposes but not for cooking or eating purposes by the residents of the institution.

DRIVE-IN BUSINESS - a place of business where persons remain in their vehicles while served. [Ord. 1358]

DRIVEWAY - a private roadway providing access for vehicles from a public way to parking space, garage, dwelling or other structure. [Ord. 1569]

ZONING

DRIVEWAY, SERVICE - an open space located on a private lot built for access to a private garage or to any structure located on the lot.

DWELLING (DWELLING BUILDING) - a building arranged and used for residential occupancy containing a dwelling unit or units, including a one-family, two-family, row and multi-family dwelling, but excluding a boarding house, convalescent home, hospital, institutional home, lodging house, hotel, motel, rooming house, tourist court or a tourist home.

DWELLING UNIT - living space physically arranged so as to create the complete independent housekeeping facilities for, and exclusive use of, one (1) family, and with direct access to the outside or to a public hall. [Ord. 1576]

DWELLING, MULTI-FAMILY - a building having two (2) or more dwelling units and designed to be used or occupied as a residence by two (2) or more families living independently of each other.

ENLARGEMENT - a construction activity which increases the size of a building or other structure.

ESSENTIAL SERVICE - the erection, construction, alteration or maintenance by public utilities or municipal departments or municipal authorities of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, including buildings reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or municipal authorities for the public health, safety or general welfare.

FAMILY - a single individual doing his or her own cooking and living on the lot as a separate housekeeping unit, or a collective body of no more than ten (10) persons doing their own cooking and living together upon the premises as a separate housekeeping unit.

FLOOR AREA (GROSS FLOOR AREA) - in computing minimum floor area for dwelling units, floor area shall mean the sum of the gross horizontal areas of several floors of a building devoted solely to residential use, measured between interior wall faces and exclusive of entrance ways, porches, breezeways and roofed terraces, whether enclosed or not, and excluding cellars, basements and garages. Minimum floor area for single-family detached or semi-detached dwellings is eight hundred (800) square feet per unit. Minimum floor area for multi-family, semi-detached or attached dwellings is five hundred fifty (550) square feet per dwelling unit.

FLOOR AREA RATIO (FAR) - the total allowable floor area for a given lot expressed as a ratio between the total floor area and the area of the lot. To obtain the FAR, divide the floor area of the building by the lot area.

GARAGE, AUTOMOTIVE - see "automotive service establishments."

GARAGE, PRIVATE - a structure or any portion thereof accessory to a dwelling used for the housing of not more than three (3) private motor vehicles. This shall not include a garage offering commercial automotive services to the public or a garage where any provision is made for repairing or servicing of vehicles for profit.

GARAGE, PUBLIC - a structure or any portion thereof used for the housing of motor vehicles not the property of the owner of the garage.

GRADE - the mean curb level or, when the curb level has not been established or all the walls of the building are more than fifteen (15) feet from street lot lines, grade means the mean elevation of the ground adjoining the principal structure on all sides.

GROUP ELDERLY HOUSING WITH COMMON DINING FACILITIES - a building or group of buildings of exterior residential character where the occupancy of the building is restricted to persons fifty-five (55) years of age and older (except for supervisory personnel) and where the residents reside in individual rooms but with shared cooking and dining facilities. The residents must be capable of semi-independent living and must not require nursing or convalescent care. Placement, administration and management must be by a Pennsylvania nonprofit corporation recognized as a charitable organization by the Internal Revenue Service for charitable deduction purposes. [Ord. 1564]

GROUP HOME - a facility providing living space on a long-term basis for four (4) or more unrelated persons. The facility generally provides central cooking and dining facilities and may provide other forms of supervised living activities or guidance. The facility may be operated for profit or by a nonprofit group or organization to serve a targeted group of persons. [Ord. 1391]

HARDSHIP - an unusual situation or condition that relates to a particular property and which denies that property owner full utilization of his property if the strict application of this Chapter is followed. A hardship exists only when it is not self-created or when it is not economic in nature. In other words, a true hardship exists only when the literal interpretation of the requirements of this Chapter would place an individual in an unusual circumstance and, in doing so, would deny him the right to use his property for any permitted use or create an unnecessary burden on him.

HEDGE - a fence or boundary formed by a dense row of shrubs or low trees. [Ord. 1358]

HEIGHT OF BUILDING - the vertical distance from the grade to the top of the highest roof beams of a flat roof, or to the mean level of the highest gable or slope of a hip roof. When a building faces on more than one (1) street, the height shall be measured from the average of the grades at the center of each street front.

HEIGHT OF STORY - the vertical distance from top to top of two (2)

ZONING

successive tiers of beams or finished floor surfaces; and, for the topmost story, from the top of the floor finish to the top of the ceiling joists, or, where there is no ceiling, to the top of the roof rafters.

HEIGHT OF WALL - the vertical distance from the foundation wall or other immediate support of such wall to the top of the wall.

HIGHWAY - a road or highway of the State highway system.

HOME OCCUPATION - any use customarily conducted entirely within a dwelling and carried on by occupants thereof, which use is clearly incidental and subordinate to the use of the dwelling for dwelling purposes and which does not change the residential character thereof. See §406.

HOSPITAL - a private or public institution and related or affiliated entities, devoted to providing facilities, services, programs and activities for the treatment, care and custodial support of those persons who are physically or mentally sick, injured, disabled or infirm; to providing programs and activities for the training of persons, activities and studies in the medical and health care fields; and to promoting improved health status and the prevention of illness and injuries among the general public.

HOSPITAL, VETERINARY - a structure designed or converted for the care of and/or treatment of sick and wounded domestic animals.

HOTEL - a building or connected buildings which provide lodging and usually meals, entertainment and various personal services on a short-term basis to any member of the public. [Or. 1358]

IMPERVIOUS SURFACE - a surface that has been covered with a layer of material which prevents absorption of stormwater. Such material must be of adequate depth to withstand expected traffic loadings. Recommended examples include bituminous concrete and Portland cement concrete. [Ord. 1569]

INDUSTRY, LIGHT - industrial development which is free from offensive noise, vibration, smoke, odors, glares, hazards of fire or other objectionable effects. [Ord. 1358]

JUNK - any worn, cast off or discarded articles or materials which are ready for destruction or which have been collected or stored for sale, resale, salvage or conversion to some other use. The term junk shall include abandoned and/or nonoperating vehicles as defined below:

A. ABANDONED VEHICLE - shall be prima facie abandoned when the physical possession or control of which has been voluntarily or intentionally relinquished or disclaimed by its owner without reference to any particular person or purpose and without the intention of returning to reclaim or appropriate such vehicle.

B. NONOPERATING VEHICLE - shall be prima facie nonoperating

when it does not display thereon a current Pennsylvania registration plate and inspection sticker, or if such current registration plate and inspection sticker are displayed thereon, does not presently meet the requirements of the Pennsylvania Motor Vehicle Code concerning the condition of vehicles and the necessary equipment to be attached to vehicles in order to pass current State inspection standards.

JUNKYARD - the use of any lot, whether inside or outside a building, for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.

LAND - the solid portion of the earth's surface which is capable of being used or occupied.

LINE, LOT - a line forming the front, rear or side of a lot as described in the recorded title. Any lot line which abuts a street or other public way shall be measured from the right-of-way.

LINE, BUILDING SETBACK - a building line which determines the minimum allowable distance between a building or structure and lot line.

FRONT LOT LINE - the front lot line shall be the street right-of-way line.

SIDE LOT LINE - a line extending from the front lot line street (right-of-way) to the rear property line of a lot.

LINE, REAR LOT - a lot line which defines the rear of a lot or property and is generally opposite the front lot line. In the case of corner lots, the owner shall have the privilege of selecting any lot line, other than one (1) of the front lot lines, to be the rear lot line; provided, such choice, in the opinion of the Zoning Administrator, shall not be injurious to the existing or the desirable future development of adjacent lots. Also, the rear lot line of any irregular or triangular lot shall be a line entirely within the lot and at least ten (10) feet in length. [Ord. 1549]

LOADING/SPACE - an off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary stopping of commercial vehicles while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access to a public right-of-way and which is not less than twelve (12) feet in width, fifty (50) feet in length and fourteen (14) feet in height.

LOT - an area of land which is described in a single deed or by reference to a recorded plat by metes and bounds and used or occupied or capable of being occupied by a building(s), structure(s) and/or use(s), including such required open spaces. The lot shall not include

ZONING

any portion of the street right-of-way.

LOT AREA - the area of land (a horizontal plane) measured at grade and bounded by the front, side and rear lot lines.

LOT AREA, MAXIMUM PERCENTAGE OF - the maximum percentage of the lot area that is permitted to be covered by the principal and accessory structures. The covered area, or area built upon, is measured at grade level and includes the permissible yard and court encroachments and street projections as herein provided.

LOT, CORNER - a lot fronting on two (2) intersecting streets, with the angle of intersection being less than one hundred thirty-five (135) degrees.

LOT DEPTH - the mean horizontal distance measured from the front lot line to the rear lot line.

LOT FRONTAGE - the horizontal distance measured along the front lot line between the side lot lines.

LOT, NONCONFORMING - a lot lawfully existing at the effective date of this Chapter, or by subsequent amendment thereto, which does not completely conform with the area regulations and other provisions prescribed for the zoning district in which it is located.

LOT OF RECORD - an area of land which constitutes a separate lot as duly recorded or registered in the Office of the Recorder of Deeds, Warren County, Pennsylvania.

LOT, THROUGH - an interior lot whose front and rear lot lines abut streets, or a corner lot with two (2) opposite lot lines abutting a street.

LOT WIDTH - the mean horizontal distance between the side lot lines.

MANUFACTURING, LIGHT - manufacturing that involves processing, packing or bottling; excludes uses or processes which produce or emit dust, smoke, refuse matter, toxic or noxious odors, gases and fumes, noise or vibrations.

MINI-STORAGE BUILDING - storage facilities consisting of one (1) or more larger buildings divided into small, separate units for the storage of personal property. [Ord. 1522]

MOBILEHOME -

A. A transportable, self-contained single-family dwelling designed to be transported on its own wheels or on a flatbed or other trailer or detachable wheels; and which may be temporarily or permanently affixed to real estate; used for nontransient residential purposes; constructed with the same, or similar, electrical, plumbing and sanitary facilities as immobile housing;

and, upon arrival at the site where the mobilehome is to be situated for occupancy as a residence, is complete and ready for occupancy except for minor and incidental unpacking operations, location on foundation supports, connections to utilities and the like.

B. Prefabricated units designed to be assembled or joined together upon arrival at the site and requiring extensive finishing operations, prior to occupancy (excluding location on foundation and connection to utilities) shall be considered a prefabricated home rather than a mobilehome.

MOBILEHOME PARK - a parcel of land under single ownership which has been specifically planned and improved for the long-term placement (over thirty (30) days) of mobilehomes for nontransient use in a safe and desirable manner.

MOBILEHOME LOT - a parcel of land within a mobilehome park for the placement of a single mobilehome and the exclusive use of its occupants.

MORTUARY - a building where dead bodies are prepared for and kept prior to burial or cremation and where memorial services for the deceased may be held. The display and/or sale of funeral equipment is permitted as an incidental use.

MOTEL - any group of attached or detached buildings (not including a trailer) located on a single lot containing individual sleeping or housekeeping units, designed for or used by transients, including an auto court, motel, cabin and/or motor lodge.

NURSING HOME - a building designed and licensed for the full-time care of human beings and which includes housing or lodging, meals and nursing. This would include convalescent homes, retirement homes and medical extended care facilities (not to include group homes as defined in §409, hereof). [Ord. 1500]

OFFICE - a place which is used to conduct a broad range of professions or businesses where the functions of consulting, record keeping, clerical work and sales (provided that saleable, tangible goods are not displayed or stored on the premises) are performed.

OFFICE, RESIDENTIAL - a building used for dwelling and certain office purposes. The area devoted to office use shall not exceed fifty (50) percent of the gross floor area of the building nor necessitate making external alterations which are not customary to a residential building. Office uses permitted shall be limited to the practice of a profession by a physician, surgeon, dentist, lawyer or person providing similar services or the conducting of a business in which the primary functions of consulting, record keeping, clerical work and sales (provided that saleable, tangible goods are not displayed or stored on the premises) are performed.

OPEN SPACE - an area of land unoccupied by a building and/or other structure.

ZONING

OWNER - the duly authorized agent, attorney, purchaser, devisee, fiduciary or any person having vested or contingent interest in the lot, building or structure in question.

PARK - an area of land maintained generally in an open manner for the use of the public and which may contain active or passive recreation facilities.

PARKING AREA - an open space on a lot used as an accessory use for the parking of automotive vehicles.

PARKING SPACE - an off-street space having an area of not less than one hundred eighty (180) square feet, whether outside or inside a structure, to be used exclusively as a parking stall for one (1) motor vehicle.

PERMIT - a license, issued by the Zoning Administrator, which permits the applicant to proceed with the work specified in the permit application as approved by the Zoning Administrator. [Ord. 1549]

PERSON - an individual, association, co-partner or corporation.

PLANNED RESIDENTIAL DEVELOPMENT - a unique concept of residential development consisting of a large-scale project constructed by a single owner or group of owners acting jointly and involving a related group of uses. The development is planned as an entity and therefore susceptible to development and regulation as one (1) complex unit, rather than as a mere aggregation of individual buildings located on separate, unrelated lots. Such developments usually include a more compact arrangement of individual and/or multi-family dwelling units, grouped in and around common open spaces or green areas. Also, they may include such uses as neighborhood commercial and personal service uses, public and semi-public uses and recreational facilities (noncommercial), provided they are functionally integrated into the development and that the character of the development conforms to the purpose and intent of this Chapter. In general, such development projects shall include the necessary covenants or other legal provisions and financial programs as will assure conformity to and achievement of the proposed development plan.

PLAT - a map, plan or chart of a section or subdivision of the City of Warren indicating the location and boundaries of individual lots. [Ord. 1491]

PLOT - a parcel of land consisting of one (1) or more portions thereof which is described by reference to a recorded plat or by metes and bounds.

PORCH - a roofed-over structure projecting from the front, side or rear wall of a building. A porch is considered a part of the principal building and is not permitted to extend into any required yards.

PUBLIC RECREATION FACILITIES - facilities that provide for recreational uses such as swimming, bowling, tennis, racquetball,

handball, health facilities, etc., that require paid membership or charge fees for their use. Bowling alleys, racquet clubs and similar establishments.

PUBLIC/SEMI-PUBLIC USES - uses of a nature serving the general or a specific public. Such uses would include City buildings, libraries, schools, churches, parks, hospitals and nursing homes. [Ord. 1500]

RECREATION EQUIPMENT - major recreational equipment, as defined for purposes of these regulations, includes travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, boats and boat trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

A. TRAVEL TRAILER - a vehicular, portable structure built on a chassis designed to be used as a temporary dwelling for travel, recreational and vacation purposes permanently identified as a travel trailer by the manufacturer of the trailer.

B. PICKUP COACH - a structure designed primarily to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation purposes.

C. MOTORIZED HOME - a portable dwelling designed and constructed as an integral part of a self-propelled vehicle. They can be either converted trucks or busses or custom-built units.

D. CAMPING TRAILER - consists of a fold-out tent mounted compactly on a low trailer.

E. BOAT - a vessel designed to travel on water.

F. BOAT TRAILER - a trailer designed to haul a boat, as defined above.

SERVICE ESTABLISHMENTS - businesses engaged in providing services on a retail or wholesale basis such as, but not limited to, tax preparation offices, printing and duplicating services, brokerages, professional offices, etc.

SHIPPING TERMINALS - a lot maintained by a motor freight company which is the origin and/or destination point of short and long-distance hauling and which is used for the purpose of storing, transferring, loading and unloading of merchandise and truck parking and storage facilities.

SIGN - a principal or accessory structure which is arranged, intended, designed or used as an advertisement, announcement or direction; and which includes a sign, screen, billboard, poster, panel and advertising, business and identification device of any kind, including supports and frames.

SIGN, ADVERTISING - a sign which directs attention to a business,

ZONING

commodity, service or entertainment conducted, sold or offered only at a location other than the premises where the sign is displayed.

SIGN, BUSINESS - a sign which directs attention to a business, profession or industry conducted on, or to products sold, manufactured, or assembled on, the same premises as which the sign is located.

SIGN, FREESTANDING - a sign attached to the ground and supported by uprights or braces placed on or in the ground.

SIGN, HEIGHT - the vertical distance from the ground, sidewalk or street immediately below the sign to the top edge of the sign.

SIGN, IDENTIFICATION - a sign used to display and identify only the name of the individual, business, profession, organization or institution occupying the premises upon which it is displayed.

SIGN, PROJECTING - a sign which projects from, and is supported by, a wall of a building.

SIGN, SIZE - the area inside the framework supporting the sign. When individual letters are attached to a building to create a sign, the area of the sign shall be the perimeter edge of all the letters. The size of the sign shall not include the area of the frame and supports.

SIGN, WALL - a sign which is painted on a building or attached directly to a building wall and which extends from the face of the wall not more than twelve (12) inches.

SPECIAL EXCEPTION - a provision which permits, under specified terms and conditions, particular uses to locate in a zoning district without detriment to the routine and orderly development as provided for that zoning district. The provision is granted by the Zoning Hearing Board.

STORY - see "height of story."

STREET - a roadway or public way which is dedicated or deeded to public use by legal mapping by the uses or by another lawful procedure.

STRUCTURE - a combination of materials forming a construction for occupancy and/or use including, among others, a building, stadium, gospel tent, circus tent, reviewing stand, platform, staging, observation tower, radio tower, water tank, trestle, pier, wharf, open shed, coal bin, shelter, fence, wall or a sign.

STRUCTURE, ACCESSORY - an attached, semi-detached or detached structure whose use is customarily incidental and subordinate to the principal structure or use and is located on the same lot as the principal structure or use.

STRUCTURE, NONCONFORMING - a legal structure existing at the effective date of adoption or subsequent amendment of this Chapter which does not completely conform to the height regulations, area regulations

and other provisions prescribed for the zoning district in which it is located.

STRUCTURE, PRINCIPAL - a structure housing the principal use.

TERRACE - a natural or artificial embankment which is higher than the curb level.

TERRACE, HEIGHT OF - the difference in elevation between the curb level and the top of the terrace at the center of the wall of the principal structure.

TURNAROUND - an off-street space permitting the turning around of a vehicle; not intended to be used for parking. [Ord. 1569]

USE, ACCESSORY - a use customarily incidental and subordinate to the principal use of a building, structure and/or land, except parking and/or loading facilities as herein provided.

USE, NONCONFORMING - a legal use of a building, structure and/or land existing at the effective date of adoption or subsequent amendment of this Chapter, which does not completely conform with the use regulations and other provisions prescribed for the zoning district in which it is located.

USE, PRINCIPAL - the main or primary purpose for which a building, structure and/or land is designed, arranged or intended; or for which it may be used, occupied or maintained under this Chapter. All other structures or uses on the same lot and incidental or supplemental thereto and permitted under this Chapter shall be considered accessory uses.

VARIANCE - relief granted by the Zoning Hearing Board upon appeal in specific cases, from the terms of this Chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Chapter will result in unnecessary hardship and so that the spirit of these regulations will be observed and substantial justice is done.

WRITTEN NOTICE - shall be considered to have been served if delivered in person to the individual, person, or to the parties intended, or if delivered or sent by certified mail, to the last address known to the party giving notice.

YARD - an open, unoccupied space, other than a court, on the same lot with a building, unobstructed artificially from the ground to the sky, except as otherwise provided herein.

YARD, FRONT - a yard across the full width of the lot, extending from any point of a principal building or structure to the front lot line (street right-of-way line).

YARD, MINIMUM DIMENSION - the minimum permitted horizontal distance between a lot line and the nearest point of a main wall of a principal

ZONING

building or structure exclusive of permissible yard encroachments and occupancy and street projections as provided by this Chapter. The measurement of the minimum dimension shall be made at grade and perpendicular to the lot line and building or structure.

YARD, REAR - a yard across the full width of the lot, extending from any point of a wall of a principal building or structure to the rear lot line of the lot.

YARD, SIDE - a yard between the principal building or structure and the adjacent side lot line of the lot, extending from the front yard to the rear yard.

ZONING - the legal and administrative process of dividing the community into districts or zones and regulating within such districts the use of land and the use, height and area of buildings for the purpose of conserving and promoting the health, safety, morals, convenience and general welfare of the people of the community. Zoning is the instrument for giving effect to that part of the Comprehensive Land Use Plan which is concerned with the private uses of, and the private developments on, privately owned land, as distinguished from that part which is concerned with public uses and facilities.

ZONING ADMINISTRATOR - the agent or official designated by the City of Warren and charged by law with the administration and enforcement of this Chapter. [Ord. 1549]

ZONING HEARING BOARD - a group of individuals, created officially by the adoption of this Chapter and appointed by the governing body, whose purpose and function is to review applications for variances or exceptions and to decide whether there is legitimate reason for granting the applicant the relief which he desires or the exception which he has requested.

ZONING MAP - Warren City Zoning Map. [Ord. 1491]

ZONING ORDINANCE - Warren City Zoning Ordinance. [Ord. 1491]

(Ord. 1295, 4/20/1981, Art. 18; as amended by Ord. 1358, 7/11/1983, §25; by Ord. 1391, 8/13/1984, §§2, 3; by Ord. 1480, 7/11/1988, §3; by Ord. 1491, 12/12/1988, §2; by Ord. 1500, 5/8/1989, §4; by Ord. 1522, 2/11/1991, §3; by Ord. 1549, 5/18/1989, §2; by Ord. 1564, 5/10/1993, §2; by Ord. 1569, 10/11/1993, §7; and by Ord. 1576, 2/14/1994, §3)

B. Zoning Map: Reclassification of Districts

<u>Ord./Res.</u>	<u>Date</u>	<u>Description</u>
Ord. 1339	7/12/1982	Changing the classification of a certain area on Pennsylvania Avenue, West from R-3, Residential High Density to C-1, Central Commercial and by changing the classification of an area on East Street from R-3, Residential High Density to R-2, Residential Medium Density.
Ord. 1345	10/11/1982	Changing the classification of a certain area in the Ninth Ward from its present P, Preservation to R-2, Residential Medium.
Ord. 1347	12/13/1947	Changing a certain area bounded by Second Avenue and Market Street from R-3, Residential High Density to C-1, Central Commercial.
Ord. 1415	6/17/1985	Changing the classification of a certain area known as 5 Landgon Drive from M-1, Manufacturing and Industrial District to C-1 Central Commercial District.
Ord. 1436	7/14/1986	Changing the classification of an area known as the western portion of the former airport property from M-1, Manufacturing and Industrial to P, Preservation.
Ord. 1450	7/3/1987	Changing the classification of a certain area known as 104 Market Street from R-3, Residential High Density to C-1 Central Commercial.
Ord. 1451	3/9/1987	Changing the classification of a certain area known as 3 Carver Street from R-3 Residential High Density to C-2, General Commercial.
Ord. 1456	4/13/1987	Changing the classification of a certain area known as 337 Hickory Street from R-2, Residential Medium Density District to C-1, Central Commercial District

ZONING

<u>Ord./Res.</u>	<u>Date</u>	<u>Description</u>
Ord. 1478	4/25/1988	Changing the classification of a certain area on Struthers Street from M-1, Manufacturing and Industrial to C-2, General Commercial.
Ord. 1503	8/6/1989	Changing the classification of a certain area known as 1606 - 1606½ Pennsylvania Avenue from R-3, Residential High Density to C-2, General Commercial.
Ord. 1508	2/12/1990	Changing the classification of a certain area bounded by Pennsylvania Avenue East from R-3, Residential High Density to C-2, General Commercial.
Ord. 1516	10/8/1990	Changing the classification of a certain area bounded by Water and East Streets from R-3, Residential High Density to C-1, General Commercial.
Ord. 1528	5/13/1991	Changing the classification of a certain area known as tax parcel numbers WN574-9482, 94571, 94561, 94623, 9541 from its present manufacturing district to C-2, General Commercial.
Ord. 1565	5/10/1993	Changing the classification of a certain area known as tax parcel number WN-575 from R-3, Residential High Density to C-1, Central Commercial.
Ord. 1575	2/14/1994	Changing the classification of a certain specified area from its present R-3, High Density Residential District classification to C-2, General Commercial District.
Ord. 1592	4/10/1995	Changing the classification of a certain specified area from its present R-3, High Density Residential District classification to C-2, General Commercial District.

<u>Ord./Res.</u>	<u>Date</u>	<u>Description</u>
Ord. 1593	4/10/1995	Changing the classification of a certain area known as tax parcel number WN-575, parcel 4528, from its present R-2, Medium Density Residential District to M, Industrial District.
Ord. 1608	11/11/1996	Changing the classification of a certain area known as tax parcel number WN-574, parcels 9187, 9442, 9174, 9198, 94337 and 94369, from its present M-Industrial District to C-2 General Commercial District.
Ord. 1612	4/14/1997	Changing the classification of certain areas known as tax map number WN-574, parcel 884 and tax map number WN-577, parcel 13384, from its present M-Industrial District to C-2 General Commercial District.
Ord. 1618	8/11/1997	Changing the classification of certain areas known as tax map number WN-575, parcel 6673, from its present R-3 High Density Residential District to C-1 Central Commercial District.
Ord. 1619	8/11/1997	Changing the classification of certain areas known as tax map number WN-576, parcels 5480 and 4699, from its present R-2 Medium Density Residential District to R-3 High Density Residential District.
Ord. 1630	12/14/1998	Changing the classification of a certain area known as tax map number WN-579, parcel 7664, from its present R-3 High Density Residential District to C-1 Central Commercial District.
Ord. 1631	12/14/1998	Changing the classification of a certain area known as tax map number WN-579, parcel 7669, from its present R-3 High Density Residential District to C-1 Central Commercial District.
Ord. 1637	3/8/1999	Changing the classification of a certain area known as tax map number

ZONING

<u>Ord./Res.</u>	<u>Date</u>	<u>Description</u>
		WN-587, parcel 13489, from its present R-3 Residential High Density District to C-2 Central Commercial District.
Ord. 1638	5/10/1999	Changing the classification of a certain area, known as tax map number WN-575, parcel 393, from its present R-1 Residential Low Density District to R-3 Residential High Density District.
Ord. 1645	11/18/1999	Changing the classification of a certain area, known as tax map numbers WN 575-3656 and WN 576-1475, from its present R-3 Residential High Density District to R-1 Residential Low Density District.
Ord. 1659	7/9/2001	Changing the classification of a certain area known as tax map no. WN-576, parcel 17759, from R-1 Residential Low Density District to R-3 Residential High Density District.
Ord. 1672	5/13/2002	Changing the classification of a certain area known as tax map no. WN-578-119, from P Preservation District to R-3 Residential High Density District.

ORDINANCE
NO. 1612

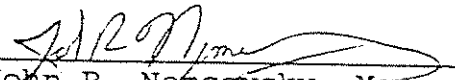
AN ORDINANCE AMENDING THE ZONING DISTRICT
MAP, ORDINANCE 1294, OF THE CITY OF WARREN BY
CHANGING THE CLASSIFICATION OF A CERTAIN AREA
FROM ITS PRESENT M-INDUSTRIAL DISTRICT ZONING
CLASSIFICATION TO C-2 GENERAL COMMERCIAL
DISTRICT ZONING CLASSIFICATION

The City of Warren hereby ordains:

SECTION 1. The Zoning District Map of the City of Warren, said map adopted by Ordinance No. 1294, is hereby amended so that the following properties described as 158,981.50 sq ft of Tax Map No. WN-574, Parcel 884 and the entire 4,321.60 sq ft of property described as Tax Map WN-577, Parcel 13384 are hereby changed from their present M-Industrial District to the C-2 General Commercial District classification.

ADOPTED this 14th day of April 1997.

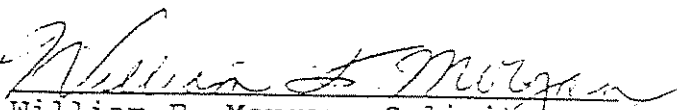
CITY OF WARREN


John R. Nemcovsky, Mayor

ATTEST:


A. Kenneth Dupont, Clerk

APPROVED AS TO FORM:


William F. Morgan, Solicitor

ORDINANCE

NO. 1618

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP, ORDINANCE 1294, OF THE CITY OF WARREN BY CHANGING THE CLASSIFICATION OF A CERTAIN AREA FROM ITS PRESENT R-3, HIGH DENSITY RESIDENTIAL DISTRICT ZONING CLASSIFICATION TO C-1 CENTRAL COMMERCIAL DISTRICT ZONING CLASSIFICATION

The City of Warren hereby ordains:

SECTION 1.

The Zoning District Map of the City of Warren, said map adopted by Ordinance No. 1294, is hereby amended so that the southerly 85.63 feet (4,988 sq. ft.) of Tax Map No. WN-575-6672, as described on Exhibit A as attached hereto, is hereby changed from its present R-3 High Density Residential to C-1 Central Commercial classification.

ADOPTED this 11th day of August 1997.

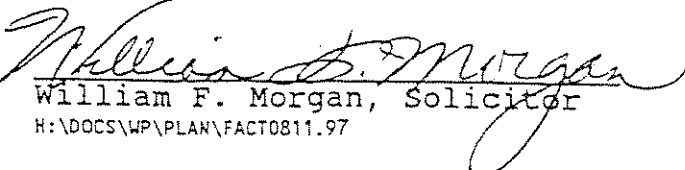
CITY OF WARREN


John R. Nemcovsky, Mayor

ATTEST:


A. Kenneth Dupont, Clerk

ATTEST:


William F. Morgan, Solicitor
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ORDINANCE

NO. 1619

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP, ORDINANCE 1294, OF THE CITY OF WARREN BY CHANGING THE CLASSIFICATION OF A CERTAIN AREA FROM ITS PRESENT R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT ZONING CLASSIFICATION TO R-3 HIGH DENSITY RESIDENTIAL DISTRICT ZONING CLASSIFICATION

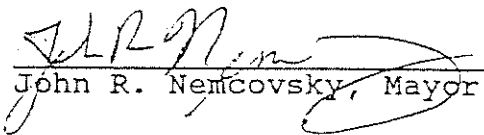
The City of Warren hereby ordains:

SECTION 1.

The Zoning District Map of the City of Warren, said map adopted by Ordinance No. 1294, is hereby amended so that the following described area, known as Tax Map No. WN-576; Parcels 5480 and 4699, are hereby changed from the present R-2 Medium Density Residential to R-3 High Density Residential District classification.

ADOPTED this 11th day of August 1997.

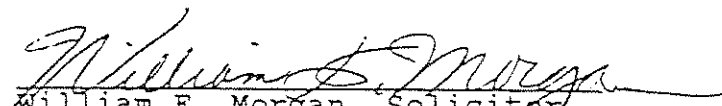
CITY OF WARREN


John R. Nemcovsky, Mayor

ATTEST:


A. Kenneth Dupont, Clerk

ATTEST:


William F. Morgan, Solicitor
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ORDINANCE

NO. 1630

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP,
ORDINANCE 1294, OF THE CITY OF WARREN BY CHANGING
THE CLASSIFICATION OF A CERTAIN AREA FROM ITS
PRESENT R-3 HIGH DENSITY RESIDENTIAL DISTRICT
ZONING CLASSIFICATION TO C-1 CENTRAL COMMERCIAL
DISTRICT ZONING CLASSIFICATION

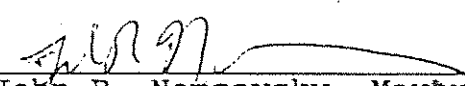
The City of Warren hereby ordains:

SECTION 1.

The Zoning District Map of the City of Warren, said map adopted by Ordinance No. 1294, is hereby amended so that the following described area, known as Tax Map No. WN-579; Parcel 7664, is hereby changed from its present R-3 High Density Residential District to C-1 Central Commercial classification.

ADOPTED this 14th day of December, 1998.

CITY OF WARREN




John R. Nemcovsky, Mayor

ATTEST:



A. Kenneth Dupont, Clerk

ATTEST:



William F. Morgan, Solicitor

ORDINANCE

NO. 1631

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP,
ORDINANCE 1294, OF THE CITY OF WARREN BY CHANGING
THE CLASSIFICATION OF A CERTAIN AREA FROM ITS
PRESENT R-3 HIGH DENSITY RESIDENTIAL DISTRICT
ZONING CLASSIFICATION TO C-1 CENTRAL COMMERCIAL
DISTRICT ZONING CLASSIFICATION

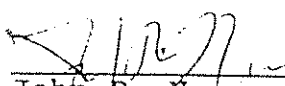
The City of Warren hereby ordains:

SECTION 1.


The Zoning District Map of the City of Warren, said map adopted by Ordinance No. 1294, is hereby amended so that the following described area, known as Tax Map No. WN-579; Parcel 7669, is hereby changed from its present R-3 High Density Residential District to C-1 Central Commercial classification.

ADOPTED this 14th day of December, 1998.


CITY OF WARREN


John R. Nemcovsky, Mayor

ATTEST:


A. Kenneth Dupont, Clerk

ATTEST:


William F. Morgan, Solicitor

ORDINANCE
NO. 1637


AN ORDINANCE AMENDING THE ZONING DISTRICT MAP,
ORDINANCE 1294, OF THE CITY OF WARREN BY CHANGING
THE CLASSIFICATION OF A CERTAIN AREA FROM ITS
PRESENT R-3 RESIDENTIAL HIGH DENSITY DISTRICT
ZONING CLASSIFICATION TO C-2 CENTRAL COMMERCIAL
DISTRICT ZONING CLASSIFICATION

The City of Warren hereby ordains:

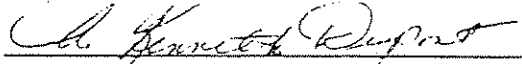
SECTION 1.

The Zoning District Map of the City of Warren, said map adopted by Ordinance No. 1294, is hereby amended so that the following described area, known as Tax Map No. WN-587, Parcel 13489, is hereby changed from its present R-3 Residential High Density District to C-2 General Commercial classification.

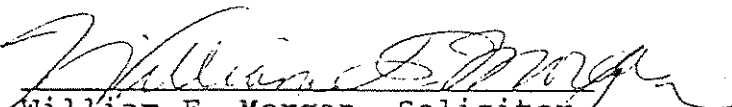
ADOPTED this 8th day of March, 1999.


John R. Nemcovsky, Mayor

ATTEST:


A. Kenneth Dupont, Clerk

APPROVED AS TO FORM:


William F. Morgan, Solicitor

ORDINANCE
NO. 1638


AN ORDINANCE AMENDING THE ZONING DISTRICT MAP,
ORDINANCE 1294, OF THE CITY OF WARREN BY CHANGING
THE CLASSIFICATION OF A CERTAIN AREA FROM ITS
PRESENT R-1 RESIDENTIAL LOW DENSITY DISTRICT
ZONING CLASSIFICATION TO R-3 RESIDENTIAL HIGH
DENSITY DISTRICT ZONING CLASSIFICATION

The City of Warren hereby ordains:

SECTION 1.

The Zoning District Map of the City of Warren, said map adopted by Ordinance No. 1294, is hereby amended so that the following described area, known as Tax Map No. WN-575, Parcel 393, is hereby changed from its present R-1 Residential Low Density District to R-3 Residential High Density District classification.


ADOPTED this 10th day of May, 1999.


John R. Nemcovsky, Mayor.

ATTEST:


A. Kenneth Dupont, Clerk

APPROVED AS TO FORM:


William F. Morgan, Solicitor

ORDINANCE
NO. 1645

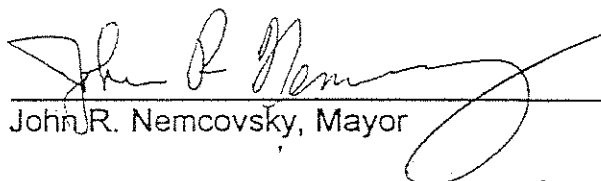
AN ORDINANCE AMENDING CHAPTER 27, PART 2,
SECTION 202 (ORDINANCE NO. 1294 AND 1295 AS AMENDED
{ZONING DISTRICT MAP AND ZONING ORDINANCE})
BY CHANGING THE CLASSIFICATION OF A CERTAIN AREA FROM ITS PRESENT
R-3 RESIDENTIAL HIGH DENSITY DISTRICT ZONING CLASSIFICATION
TO R-1 RESIDENTIAL LOW DENSITY DISTRICT ZONING CLASSIFICATION.

The City of Warren hereby ordains:

SECTION 1.

The Zoning District Map of the City of Warren, said map adopted by Ordinance No. 1294 and Ordinance No. 1295, is hereby amended so that the described area shown on Exhibit A attached and known as Tax Map No. WN 575-3656 and WN 576-1475 is hereby changed from its present R-3 Residential High Density District to R-1 Residential Low Density District.

ADOPTED this 8th day of November, 1999.


John R. Nemcovsky, Mayor

ATTEST:


A. Kenneth Dupont, Clerk

APPROVED AS TO FORM:


William F. Morgan, Solicitor

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ORDINANCE
NO. 1659

AN ORDINANCE AMENDING CHAPTER 27. B.
(ZONING, Zoning Map – Reclassification Of Districts)
OF THE CODE OF ORDINANCES
OF THE CITY OF WARREN

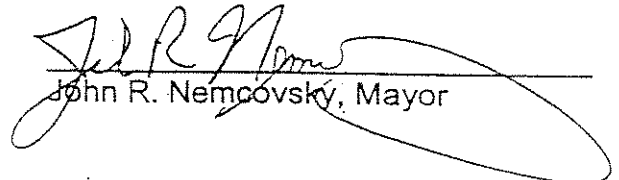
The City Of Warren hereby ordains:


SECTION 1.

The Zoning District Map of the City of Warren, said map adopted by Ordinance No. 1294, is amended so that the following described area known as Tax Map No. WN-576, Parcel 17759, is hereby changed from its present R-1 Residential Low Density District to R-3 Residential High Density classification.

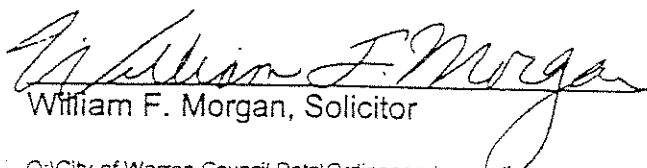
ADOPTED this 9th day of July 2001.

ATTEST:


John R. Nemcovsky, Mayor


A. Kenneth Dupont, Clerk

APPROVED AS TO FORM:


William F. Morgan, Solicitor

ACCEPTED STREETS
LESS THAN 20 FOOT WIDE RIGHT-OF-WAY
AS OF SEPTEMBER, 2001

			<u>WIDTH</u>
1.	Custer Street	Palm to Cayuga	16 feet
2.	Harmon Street	Onondaga to Oneida	16 feet
3.	Harmon Street	Oneida to United	16 feet
4.	Lee Street	Tuscarora to Cayuga	16 feet
5.	Palm Avenue	St. Clair to Wayne	16 feet
6.	Palm Avenue	Wayne to Custer	16 feet
7.	Rankin Street	Poplar to Wren Way	16 feet
8.	Rankin Street	Hickory to 87.5 ft Westerly	16 feet
9.	Seneca Avenue	St. Clair to Wayne	16 feet
10.	Seneca Avenue	Wayne to Biddle	16 feet
11.	Tremont Street	Seneca to Onondaga	16 feet
12.	Tremont Street	Onondaga to Oneida	16 feet
13.	Unnamed Alley	Center to Division	15 feet
14.	United Avenue	Biddle to Southerly End	16 feet
15.	Watson Place	Second to Third	16 feet
16.	Wren Way	Rankin to Fifth	17 feet

effective 6-2-02

ORDINANCE
NO. 1672

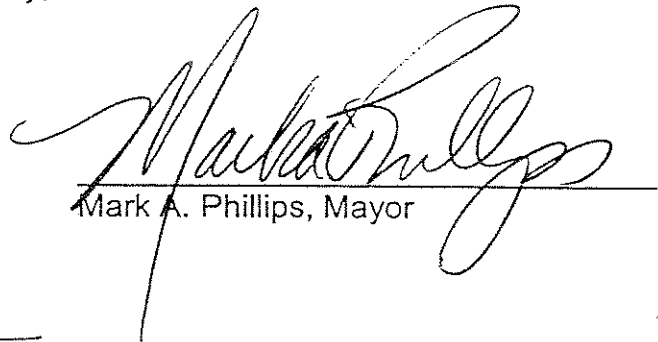
AN ORDINANCE AMENDING CHAPTER 27 (ZONING),
PART 2 (ZONING DISTRICTS; MAPS),
SECTION 202 (BOUNDARIES OF ZONING DISTRICTS)
OF THE CODE OF ORDINANCES OF THE CITY OF WARREN
TO CHANGE THE CLASSIFICATION OF A CERTAIN AREA
FROM ITS PRESENT P-PRESERVATION ZONING CLASSIFICATION
TO R-3 RESIDENTIAL HIGH DENSITY DISTRICT ZONING CLASSIFICATION

The City of Warren hereby ordains:

SECTION 1.

The Zoning District Map of the City of Warren, said map adopted by Ordinance No. 1294 and Ordinance No. 1295, is hereby amended so that the described area known as Tax Map No. WN 578-119 is hereby changed from its present P-Preservation District to R-3 Residential High Density District.

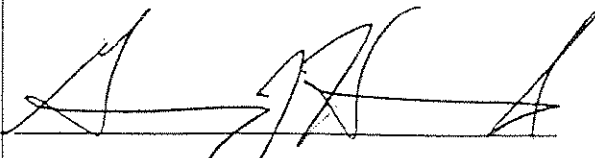
ADOPTED this 13th day of May, 2002.



Mark A. Phillips, Mayor


A. Kenneth Dupont, City Clerk

APPROVED AS TO FORM:


Gregory J. Hammond, Solicitor

Effective 7-12-2003

ORDINANCE
NO. 1690


AN ORDINANCE AMENDING CHAPTER 27 (ZONING),
PART 2 (ZONING DISTRICTS; MAPS),
SECTION 202 (BOUNDARIES OF ZONING DISTRICTS)
OF THE CODE OF ORDINANCES OF THE CITY OF WARREN
TO CHANGE THE CLASSIFICATION OF A CERTAIN AREA
FROM ITS PRESENT
R-2, RESIDENTIAL MEDIUM DENSITY ZONING CLASSIFICATION
TO C-2, GENERAL COMMERCIAL DISTRICT ZONING CLASSIFICATION

The City of Warren hereby ordains:

SECTION 1.

The Zoning District Map of the City of Warren, said map adopted by Ordinance No. 1294 and Ordinance No. 1295, is hereby amended so that the described area known as Tax Map No. WN 823-7921, part of WN 823-7823, WN 823-7569, and part of WN 8-334 are changed from their present classification of R-2, Residential Medium Density District, to C-2, General Commercial District.

ADOPTED this 14th day of July, 2003.


Mark A. Phillips, Mayor

A. Kenneth Dupont, City Clerk

APPROVED AS TO FORM:

Gregory J. Hammond, Solicitor

done

ORDINANCE
NO. 1691


AN ORDINANCE AMENDING CHAPTER 27 (ZONING),
PART 2 (ZONING DISTRICTS; MAPS),
SECTION 202 (BOUNDARIES OF ZONING DISTRICTS)
OF THE CODE OF ORDINANCES OF THE CITY OF WARREN
TO CHANGE THE CLASSIFICATION OF A CERTAIN AREA
FROM ITS PRESENT
R-3, RESIDENTIAL HIGH DENSITY ZONING CLASSIFICATION
TO C-1, CENTRAL COMMERCIAL DISTRICT ZONING CLASSIFICATION


The City of Warren hereby ordains:

SECTION 1.

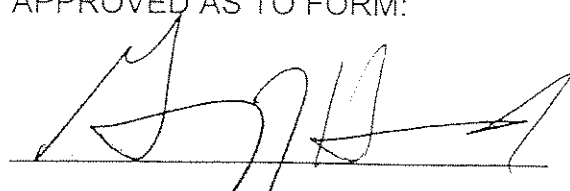
The Zoning District Map of the City of Warren, said map adopted by Ordinance No. 1294 and Ordinance No. 1295, is hereby amended so that the described area known as a part of Tax Map No. WN 576-445 is changed from the present classification of R-3, Residential High Density District, to C-1, Central Commercial District.

ADOPTED this 8th day of September, 2003.


Mark A. Phillips, Mayor


A. Kenneth Dupont, City Clerk

APPROVED AS TO FORM:


Gregory J. Hammond, Solicitor