# New Homestead Neighborhood Armorhill Ave. & Revenue St., Homestead, PA 15120

# City of Pittsburgh R1-D Zoning Code

# 903.02.A R1D, Single-Unit Detached Residential.

903.02.A.1 Use Regulations

# (a) Primary Uses

Primary uses shall be allowed in the R1D Subdistrict in accordance with the Use Table of Sec. 911.02.

# (b) Accessory Uses

Accessory uses shall be allowed in the R1D Subdistrict in accordance with the Accessory Use regulations of Chapter 912.

# 911.02. - Use Table.

Use Classification The Pittsburgh Urban Zoning Code P=Permitted By Right A=Administrator Exception S=Special Exception C=Conditional Use						Ва	se Z	<b>Z</b> on	ing	Dis	tric	ts*						Standard  See Section 911.04.x
	F	Res	ide	nti	ial	М	ixe	d-L	Jse				Sp	oec	ial	С	Т	
* As Base Zoning District Regulations, all uses may be subject to additional regulations imposed by applicable Overlay Zoning Districts.	R 1 D	R 1 A	R 2	R 3	R M	N D O	L N C	N D I	U N C	НС	G	U	P O	Н	E M I	G T	D R	
Residential Uses								<u> </u>										
Single-Unit Detached Residential means the use of a zoning lot for one detached housing unit.	Р	Р	Р	Р	Р	Р	Р	Р	Р				Р	A	Р			A.69
Single-Unit Attached Residential means the use of a zoning lot for one dwelling unit that is attached to one or more dwelling units by a party wall or separate abutting wall and that is located on its own separate lot.  (Ord. 32/November 23, 2005)		P	P	P	P	Р	Р	Р	Р					S			Р	A.69

Two-Unit Residential means the use of a zoning lot for two dwelling units that are contained within a single building.  (Ord. 32/November 23, 2005)			Р	Р	Р	P	Р	Р	Р					Р	Р	
Three-Unit Residential means the use of a zoning lot for three dwelling units that are contained within a single building.  (Ord. 32/November 23, 2005)				Р	Р	Р	Р	Р	Р					Р	Р	
Multi-Unit Residential means the use of a zoning lot for four or more dwelling units that are contained within a single building.					Р	Р	Р	Р	Р		S		Α	Р	Р	A.85
Assisted Living means a facility for the accommodation of convalescents or chronically ill persons, in which such nursing care and medical services are prescribed or are performed under the general direction of persons licensed to provide such care or services in accordance with Commonwealth laws.			1						1			,				
Assisted Living Class A means an Assisted Living use with less than 9 patient beds.			S	S	S	А	A	А	Р	Р	Р		Α	Р	Р	A.66
Assisted Living Class B means an Assisted Living use with 9 to 17 patient beds.					S	S	S	S	P	Р	Р		S	Р	Р	A.66
Assisted Living Class C means an Assisted Living use with 18 or more patient beds.					С	S	S	S	S		S		S	Р	Р	A.66
Community Home is a group of more than eight unrelated disabled persons living together as a single housekeeping unit with shared common facilities. If required, staff persons may reside on the premises. A Community Home may not be a Multi-Suite Residential use or an Assisted Living use as defined in Section 911.02. For the purposes of this definition, "disabled" means "handicapped" as defined according to the Fair Housing Act Amendments of 1988, 42 U.S.C.S. 3602(h), and any amendments thereto. This use does not include Custodial Care Facilities. This use includes halfway houses where persons are aided in readjusting to society following a period of	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	A.84

hospitalization or institutionalized treatment for a medical, psychiatric, developmental, emotional, or other disability or handicap. This does not include halfway houses for people leaving a correctional facility.																
Dormitory means the use of a zoning lot for occupancy by groups of people who are not defined as a family and who are registered students at a college, university or other institution of higher learning, on a weekly basis or longer, and is managed by the institution at which the students are registered.  (Ord. 32/November 23, 2005)  (Ord. 24/August 21, 2000/A.U-23)													S	S		A.23
Fraternity/Sorority means the use of a zoning lot for occupancy by groups of people who are not defined as a family and who are registered students at a college, university or other institution of higher learning, and who are members of a fraternal or other organization which take sits membership from the student population of the institution at which the students are registered, on a weekly basis or longer.  (Ord. 32/November 23, 2005)													S			A.23
Housing for the Elderly means a building, or portion thereof, with dwelling units and shared facilities for residents, designed specifically for occupancy predominantly of persons or heads of households who are sixty-two or more years of age.			I	l			<u> </u>		l			 				
Housing for the Elderly (Limited) means a Housing for the Elderly use with less than 30 units.	S	S	S	S	S	А	А	А	А	А	A		Α	Α	Α	A.35
Housing for the Elderly (General) means a Housing for the Elderly use with 30 or more units.				S	S	Α	S	S	S	S	S		Α			A.35
Multi-Suite Residential means a building or portion thereof, containing rooms rented as sleeping or living quarters, without private kitchens and with or without private bathrooms.  Lodging or meals or both are provided for								1				 				

compensation on a weekly or monthly basis.  Multi-Suite Residential uses shall not include  Dormitory and Fraternity/Sorority.																	
Multi-Suite Residential (Limited) means a Multi- Suite Residential use with less than 8 sleeping rooms. (Ord. 32/November 23, 2005)					С		A	Р	Р			Р		S	Р	Р	A.41
Multi-Suite Residential (General) means a Multi- Suite Residential use with 8 or more sleeping rooms. (Ord. 32/November 23, 2005)							S	A	A			Α		S	Р	Р	A.41
Personal Care Residence is a building where food, shelter and personal assistance or supervision are provided for at least one full day for three or more adults who are not relatives of the operator and who may require assistance or supervision in the matters as dressing, bathing, diet, or medication prescribed for self administration but do not require hospitalization or care in a Nursing Home.		,	,	,	1		,	,	,	,			. 1				
Personal Care Residence (Large) is a personal care residence that is limited to no more than nineteen (19) persons including clients, operator (any person responsible for the day-to-day operation and supervision of the home) and family of the operator. An operator may also be the householder. Clients shall be limited to no more than seventeen (17) Persons.			S	S	S	S	S	S	S	S	S	S		A	S	S	A.95A
Personal Care Residence (Small) is a personal care residence that is limited to no more than ten (10) persons and no fewer than three (3) persons including clients, operator (any person responsible for the day-to-day operation and supervision of the home) and family of the operator. An operator may also be the householder. Clients shall be limited to no more than eight (8) persons.	A	А	А	A	А	A	A	А	A	A		Α	Α	Α	Α	Α	A.95B
Non-Residential Uses																	
Adult Entertainment means Adult Bookstore, Adult Cabaret, Adult Mini-Theater, Adult Theater,											S	С			С		A.1

Massage Establishment, Model Studio, or Sexual Encounter or Meditation Center. See Chapter 926 for definitions.  (Ord. 28/November 17, 2000/A. U-25)																		
Agriculture (General) means the growing of crops and raising of livestock and domestic small farm animals for domestic and commercial uses. The minimum lot size required is two (2) acres.	Р	Р	Р	Р	Р			Р		Р	Р	Р	Р	Р				A.2(a)
Agriculture (Limited) With Beekeeping means the growing of crops and raising honey bees for domestic and commercial uses.	Р	Р	Р	Р	Р	Р		Р		Р	Р	Р	Р	Р				A.2(b)
Agriculture (Limited) means the growing of crops for commercial use. No minimum lot size is required.	Р	Р	Р	Р	Р	Р	Р	Р		Р	Р	Р	Р	Р				A.2(c)
Amusement Arcade means any establishment displaying seven or more amusement devices including but not limited to pool tables, foosball tables, air hockey, "pong" games, mechanical rides for children, electronic games, and shooting gallery types games. See Chapter 926 for additional definitions.									S	S		S				А	А	A.3
Animal Care (Limited) means a use providing small animal (household pets) boarding or veterinary services with no outside runs, not including lab animals.						Р	Р	Р	Р	Р		Р			А	A	A	A.4
Animal Care (General) means a use providing animal care, veterinary services or boarding.										Р	Р	Р						
Art or Music Studio means an art studio, music studio or photographer's studio.						Р	Р	Р	Р	Р		Р			Р	Р	Р	
Public Assembly means open, partially enclosed or fully enclosed structure used or intended to be used primarily for spectator sports, entertainment events, expositions and other public gatherings.  Typical uses include convention and exhibit halls, sports arena and amphitheaters.															•			
Public Assembly (Limited) means a Public								S	S	S		S	С		S	Р	Р	A.5

Assembly use with a capacity of less than 500 persons.  (Ord. 32/November 23, 2005)																	
Public Assembly (General) means a Public Assembly use with a capacity of 500 or more persons.  (Ord. 32/November 23, 2005)										С		С	С	S	Р	Р	A.6
Bank or Financial Institution means an establishment engaged in deposit banking. Typical uses include commercial banks, savings institutions and credit unions.																	
Bank or Financial Institution (Limited) means a Bank or Financial Institution use with a gross floor area or less than 3,500 square feet.							Р	Р	Р	Р		Р		Α	Р	Р	A.96
Bank or Financial Institution (General) means a Bank or Financial Institution use with a gross floor area of 3,500 square feet or more.  (Ord. 32/November 23, 2005)							Р	Р	Р	Р		Р		Α	Р	Р	A.96
Basic Industry means an establishment engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials.											Р	S					
Bed and Breakfast means an occupied dwelling unit in which rooms are let on an overnight basis as the temporary abiding place of persons who have residences elsewhere.					ı												
Bed and Breakfast (Limited) means a Bed and Breakfast use containing one to three guest rooms.	S	S	S	S	S	Р	Р	Р	Р	Р		Р		Α	Р	Р	A.7; A.8
Bed and Breakfast (General) means a Bed and Breakfast use containing four to ten guest rooms.			С	С	С	Р	Р	Р	Р	Р		Р		S	Р	Р	A.7; A.9
Car Wash means an establishment primarily engaged in cleaning or detailing motor vehicles, whether self-service, automatic or by hand.								А	А	Р	Р	А					A.10
Cemetery means land used or intended to be used													Α				A.11

for the burial of the dead and dedicated to cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries, when operated in conjunction with and within the boundary of such cemetery.																	
Check Cashing means an establishment engaged in some or all of a variety of financial services including cashing of checks, warrants, drafts, money orders or other commercial paper securing the same purpose; deferred deposit of personal checks whereby the check casher refrains from depositing a personal check written by a customer until a specific date; money transfers, payday advances; issuance of money orders; distribution of governmental checks and food stamps; payment of utility bills; issuance of bus passes and tokens; sale of phone cards and similar uses. This use shall not include a state or federally chartered bank, savings association, credit union, industrial loan association, or rental-purchase company and shall not include a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cashes checks or issues money orders for a minimum flat fee not exceeding two dollars (\$2.00) as a service to its customers incidental to the main use of the establishment.								S		S	S	S					A.93
Child Care means an establishment that provides care, protection and supervision for children on a regular basis away from their primary residence for less than 24 hours per day. The term does not include the following: public or private elementary or secondary schools or facilities operated in conjunction with an employment use, shopping center or other principal activity, where children are cared for while parents or custodians are occupied on the premises or in the immediate vicinity.																	
Child Care (Limited) means a Child Care center that provides care, protection and supervision for 4 to 6 children at any one time, including those under the supervision or custody of the child care provider and those under the supervision or	S	S	P	Р	Р	Р	P	Р	Р	Р	А	А		Р	Р	Р	A.12

custody of employees. The term includes but is not limited to "Family Child Day Care Home" as defined by Title 55 of the Pennsylvania Code.																
Child Care (General) means a Child Care center that provides care, protection and supervision for 7 or more children at any one time, including those under the supervision or custody of the child care provider and those under the supervision or custody of employees. The term includes but is not limited to "Family Child Day Care Home" as defined by Title 55 of the Pennsylvania Code.				P	P	P	P	P	P	A	А		A	P	P	A.12
Club: Social, Fraternal, Athletic, Business or Professional (Ord. 28/Nov. 17, 2000/A. U-25)	1 1					1	I	ı								
Club (Limited) means a club that does not provide, sell or allow the consumption of intoxicating beverages on the premises and is not more than 2400 square feet in net floor area.  (Ord. 28/Nov. 17, 2000/A. U-25)							Р	Р	Р	Р	Р			Р	Р	
Club (General) other than the limited type described above. (Ord. 28/Nov. 17, 2000/A. U-25)						S	S	S	Р	Р	Р			Р	Р	A.88
College or University Campus means a college, community college, or other post secondary educational complex, or any elements thereof not in an EMI District, which shall include one (1) or more of the following uses: teaching and research facilities; educational classroom space; public assembly; child care facilities, student center; food service facilities; laundry services; library; administrative offices; parking lots and structures; and recreation facilities.				С		С		С	С		С					A.90
Communication Tower means a structure on which radio frequency transmitting and/or receiving antennae are located or which serves as such an antenna itself, including accessory buildings and equipment. Radio frequency is that portion of the electromagnetic spectrum that		. 1	•			-	-	-		-						

contains AM, FM, two-way radio, cellular telephone, television and microwave transmissions.																		
Communication Tower, Class A means a Communication Tower that is not more than 100 feet in height.	S	S	S	S	S	S	S	А	S	S	А	А	S	S	S	S	S	A.13
Communication Tower, Class B means a Communication Tower which is between 101 and 200 feet in height.	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	A.13
Communication Tower, Class C means a Communication Tower which is more than 200 feet in height.	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	A.13
Community Center means a facility used for social or recreational programs generally open to the public and intended to accommodate and serve significant segments of the community.		<u> </u>	<u> </u>	<u> </u>	ı			<u> </u>	<u> </u>			I			I			
Community Center (Limited) means a Community Center which primarily serves the community in which it exists, and with a gross floor area of less than 5,000 square feet and for which fewer than 10 off-street parking spaces are provided.	С	S	S	S	S	A	Р	Р	Р	Р		А	Р		А	Р	Р	A.14
Community Center (General) means a Community Center with a gross floor area of 5,000 square feet or more, or one for which 10 or more off-street parking spaces are provided.						S	P	P	P	P		A	S		A	P	P	A.14
Construction Contractor means an establishment primarily engaged in construction, building maintenance and building repair activities, including heating and electrical businesses, building maintenance and building movers.		ı	ı	ı	ı			ı	ı			I			I			
Construction Contractor (Limited) means a Construction Contractor with a gross floor area of less than 3,500 square feet.							A	A	А	Р	Р	Р						A.15
Construction Contractor (General) means a Construction Contractor with a gross floor area of 3,500 square feet or more.										Р	Р	Р						

Controlled Substance Dispensation Facility means a public or private facility that sells, dispenses, distributes or otherwise provides any controlled substance, as defined in the Controlled Substances Act, 21 U.S.C. § 802 et seq., as the same may be amended from time to time, including, but not limited to, methadone, to any person known or believed by such facility or to any employee, agent or individual otherwise connected to such facility, to be physically or psychologically dependent on the use of controlled substances, for the detoxification treatment or maintenance treatment of such dependency, unless said controlled substance is sold, dispensed, distributed or otherwise provided for the cure or treatment of an illness, malady or disease other than controlled substance dependency.						С	С	С	С	С	С	С	С	С	С	С	С	A.98
Correctional Facility is a publicly or privately operated facility housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.																		
Correctional Facility (Limited) means a Correctional Facility with less than 50 beds.								С	С	С	С	С				С	С	A.16
Correctional Facility (General) means a Correctional Facility with 50 or more beds.											С					С		A.17
Cultural Service means a museum or similar use engaged in the collection, display or preservation of objects of community or cultural interest in one or more of the arts or science.									ı									
Cultural Service (Limited) means a Cultural Service with a gross floor area of less than 5,000 square feet.	S	S	S	S	S	А	Р	Р	Р	Р	Р	Р	А		А	Р	Р	A.18
Cultural Service (General) means a Cultural Service with a gross floor area of 5,000 square feet or more.  (Ord. 32/November 23, 2005)							S	S	Р	Р	Р	Р	А		А	Р	Р	A.19
Custodial Care Facility is facility providing custodial care and treatment in a protective			С	С	С	С	С	С	С	С		С			С	С	С	A.94

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environment for persons residing or attending by court placement, post-correctional facilities, juvenile detention facilities, temporary detention facilities, and halfway houses. This includes halfway houses and similar facilities for people on probation or parole and halfway houses for people leaving a correctional facility or placed there as a form of alternative sentencing.																		
Educational Classroom Space means classroom space associated with a college, community college, university, or other institution of higher learning.		ı	1	1	1				ı	ı	ı	ı			I		I	
Educational Classroom Space (Limited) means an Educational Classroom Space use with a gross floor area of less than 20,000 square feet.							S	S	S	Р		Р			А	Р	Р	A.20
Educational Classroom Space (General) means an Educational Classroom Space use with a gross floor area of 20,000 square feet or more.									S	Р		Р			А	Р	Р	A.21
Excavation/Grading/Fill, Major means any operation, other than in connection with the construction of a foundation for a structure, involving:  1.  Strip of other mining of coal or other minerals, excavating of sand or rock and the crushing of rock, sanitary and other fills, recovery of metal or other natural resources and similar operations; or  2.  A volume of earth movement exceeding 16,000 cubic yards; or  3.  A change in ground elevation exceeding 25 feet.	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	A.22
Firearms Business Establishment means any business establishment, duly licensed by the appropriate agencies of the United States of America and the Commonwealth of Pennsylvania, that engages in the sale of firearms ("firearms" as defined by Section 607.01 of the City Code), either by wholesale or retail, mail order or any other								S	S	S	S	S				S		A.92

manner.																		
Forestry Activities: The management, cultivation, maintenance, and harvesting of timber from a site of one-quarter acre (10,890 square feet; approximately 104.35 feet by one hundred 104.35 feet) or more, or a linear extent in any direction exceeding 200 feet. Does not include the production or processing of lumber or similar activities whether grown on site or off site. (Ord. 39/December 30, 2005)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	A.22A
Freight Terminal means a facility designed for the moving and storage of goods, including railroad and trucking terminals and railroad repair shops.										S	Р	S						A.24
Funeral Home means an establishment engaged in undertaking services such as preparing the human deceased for burial, and arranging and managing funerals, including mortuaries and crematoria.							S	S	S	А	Р	Р			S			A.25
Gaming Enterprise means an establishment where the playing of those games of chance or mixed chance and skill allowed under the Commonwealth of Pennsylvania law are conducted. A Gaming Enterprise use shall not include a facility where resort accommodations are offered to transient guests in conjunction with the operation of games of chance or a facility where live horse or dog race meetings are conducted with pari-mutual wagering.  (Ord. 42/December 30, 2005)																P	Р	
Golf Course means an are of land laid out for private or public golf recreation services and support facilities excluding driving ranges.													А					A.26
Grocery Store means a retail store, the primary function of which is the sale of staple good and other basic life necessities.		1	1	1	1		1	<u>I</u>	<u>I</u>	<u>I</u>	I	<u> </u>		1	l			
Grocery Store (Limited) means a Grocery Store use with a gross floor area of less than 3,000 square feet.							A	A	A	Р	Р	Р			А	Р	Р	A.82

Grocery Store (General) means a Grocery Store use with a gross floor area of 3,000 square feet or more.				S	S	А	Р	А	А		S	Р	Р	A.83
Hazardous Operations means activities principally involved in activities and processes that present hazards to human life and health. Typical uses include arsenals, atomic reactors, explosives and fireworks manufacture, hazardous waste disposal and storage, medical waste disposal and storage.  And radioactive waste handling facilities.								С						A.27
Helicopter Landing Area means a dust controlled area of land, structural surface or water used or intended to be used for the landing, taking off or surface maneuvering of helicopter, autogyro or other vertical take off craft with engines operating.	•		•		1	1	1		1					
Helipad means Helicopter Landing Area including one or more appurtenant aircraft parking spaces.					С		С	С	С		С	С	С	A.28; A.29
Heliport means a Helicopter Landing Area including any combination of the following:  1. refueling facilities; 2. maintenance or repair facilities; 3. terminal building or enclosed waiting area; 4. aircraft or aircraft parts sales area; 5. emergency service facilities; 6. aircraft parking								С			С			A.28; A.29
Helistop means a Helicopter Landing Area limited to arrivals or departures only, with no parking or storage of aircraft. Aircraft with rotors in motion may remain a period not to exceed ten minutes; aircraft with rotors not in motion may remain a period not to exceed one hour.					S		S	S	S		С	S	S	A.28; A.31; A.32
Hospital means an institution that:			С	С		С	С		С		Α	Р	Р	A.89

1. Offers services beyond those required for room, board, personal services and general nursing care; and 2. Offers facilities and beds for use beyond 24 hours by individuals requiring diagnosis, treatment, or care for illness, injury, deformity, infirmity, abnormality, disease, or pregnancy; and 3. Regularly makes available clinical laboratory services, diagnostic x-ray services, and treatment facilities for surgery or obstetrical treatment of similar extent. Hospitals may include offices for medical and dental personnel, central facilities such as pharmacies, medical laboratories and other related uses.														
Hotel/Motel means an establishment used, maintained or advertised as a place where sleeping accommodations are supplied for short-term rent to tenants, in which rooms are furnished for accommodation of such guests and which exclude individual kitchen facilities.						<u> </u>	<u> </u>							
Hotel/Motel (Limited) means a Hotel/Motel use with less then 40 guest rooms.				Α	Α	A	Р		Р		Α	Р	Р	A.33
Hotel/Motel (General) means a Hotel/Motel use with 40 or more guest rooms.  (Ord. 32/November 23, 2005)				S	S	S	Р		Р		Α	Р	Р	A.34
Incinerator, Solid Waste means a facility, alone or in conjunction with a landfill or other facility, used or intended to be used for burning solid waste or trash.								С						A.36
Laboratory/Research Services means an establishment engaged in conducting basic, applied, industrial or scientific research, other than medical testing, including production of prototype products when limited to the minimum scale necessary for full investigation of the merits of a product, but excluding production of products						ı	1							

used primarily or customarily for sale or for use in non-prototype production operations. The term also includes medical laboratories where prosthetic devices or medical testing takes place exclusively on the written work order of a licensed member of the dental or medical profession.																	
Laboratory/Research Services (Limited) means a Laboratory/Research Services use with a gross floor area of less than 10,000 square feet.							Р	Р	Р	Р	Р	Р		Α	Р	Р	A.37
Laboratory/Research Services (General) means a Laboratory/Research Services use with a gross floor area of 10,000 square feet or more.								А	А	Р	Р	Р		А	Р	Р	A.37
Laundry Services means an establishment that is primarily engaged in dry cleaning and laundry services, including pressing, repair, and dry cleaning, other than personal services directly to a consumer.							S	S	S	Р	Р	А		S			A.67
Library means a facility housing a collection of books, magazines or other material which is loaned to the general public without charge.																	
Library (Limited) means a Library with a gross floor area of less than 5,000 square feet.  (Ord. 32/November 23, 2005)	S	S	S	S	S	A	Р	Р	Р	Р		Р		Α	Р	Р	A.38
Library (General) means a Library with a gross floor area of 5,000 square feet or more.							Р	Р	Р	Р		Р		Α	Р	Р	A.38
Manufacturing and Assembly means an establishment engaged in the manufacture or products or parts, predominantly using previously prepared material, including processing, fabrication, assembly, treatments, and packaging of such products, and incidental storage, sales and distribution of such products.		d					1										
Manufacturing and Assembly (Limited) means a Manufacturing and Assembly use with a gross floor area of less than 20,000 square feet.								А	S	Р	P	Р			Α	Α	A.39
Manufacturing and Assembly (General) means a								S		S	Р	А			Α	Α	A.39;

Manufacturing and Assembly use with a gross floor area of 20,000 square feet or more.																	A.40
Medical Office/Clinic means an establishment providing therapeutic, preventative, corrective, healing and health-building treatment services on an out-patient basis by physicians, dentists and other practitioners. Typical uses include medical and dental offices and clinics and out-patient medical laboratories.	1	,				1											
Medical Office/Clinic (Limited) means a Medical Office/Clinic use with a gross floor area of less than 5,000 square feet.					A	Р	Р	Р	Р	Р	Р			А	Р	Р	A.81
Medical Office/Clinic (General) means a Medical Office/Clinic use with a gross floor area of 5,000 square feet or more.					S	А	А	Р	Р	Р	Р			А	Р	Р	A.81
Nursery, Retail means the use of a zoning lot for the retail sale of plants and planting materials.			ı	1		I	ı	1		1	1			I			
Nursery, Retail (Limited) means a Retail Nursery with less than 10 parking spaces and with a lot area of less than half an acre.					A	А	Р	Р	Р	Р	Р	А					A.80
Nursery, Retail (General) means a Retail Nursery with 10 or more parking spaces or with a lot area of half an acre or more.							А	Р	P	A	Р						
Office means an establishment providing executive, management, administrative or professional services, but not involving medical or dental services or the sale of merchandise, except as incidental to a permitted use. Typical uses include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, government, design, engineering, accounting and similar offices.			ı	I		I	I	I	1	I	I		1				
Office (Limited) means an Office with a gross floor area of less than 10,000 square feet.					A	Р	Р	Р	Р	Р	Р			А	Р	Р	A.42
Office (General) means an Office with a gross floor					S	S	А	Р	Р	А	Р			Α	Р	Р	A.43

area of 10,000 square fee or more.															
Outdoor Retail Sales and Service [Non-Accessory Use] means the sale of goods and services, including food items, situated outdoors on property other than public rights-of-way, wherein the sale of goods and services is separate and distinct from the commercial activities being conducted in the existing establishment or property located on the zoning lot or is not consistent with the use specified on the certificate of occupancy for the zoning lot or is being conducted pursuant to a different business identification number from the existing establishment or property.					S									S	A.91
Parking, Commercial means an area used or intended to be used for the off-street parking of operable motor vehicles on a temporary basis, other than as accessory parking to a principal use, and excluding parking structures.			ı			I									
Parking, Commercial (Limited) means a Commercial Parking area with less than 25 spaces. (Ord. 32/November 23, 2005)					S	A	А	Р	А	Р		S			A.44
Parking, Commercial (General) means a Commercial Parking area with 25 or more spaces.  (Ord. 42/December 30, 2005)  (Ord. 32/November 23, 2005)						S	S	A	Р	Р		S		S	A.45
Parking Structure means a structure used or intended to be used for off-street parking of operable motor vehicles on a temporary basis, other than as accessory parking to a principal use.  (Ord. 28/Nov. 17, 2000/A.U-25)	ı		ı			I	ı	ı							
Parking Structure (Limited) means a Parking Structure with less than 50 spaces. (Ord. 32/November 23, 2005) (Ord. 28/Nov. 17, 2000/A.U-25) (Ord. 19/July 8, 1999/A. U-9)				S	S	S	А	A	A	Α		S	A	Α	A.87
Parking Structure (General) means a Parking Structure with 50 or more spaces.				S	S	S	S	S	А	S		S	Α	Α	A.87

(Ord. 32/November 23, 2005) (Ord. 28/Nov. 17, 2000/A.U-25) (Ord. 19/July 8, 1999/A.U-9)																		
Parks and Recreation means park, playground or other facility or open space area providing active or passive recreational opportunities for the general public.					1													
Parks and Recreation (Limited) means a Parks and recreation use that does not have spectator seating, concession, lighted playing courts or fields or more than 19 parking spaces.	S	A	A	A	А	Р	Р	Р	Р	Р	А	Р	Р	A	Р	Р	Р	A.46
Parks and Recreation (General) means a Parks and recreation use with spectator seating, concession, lighted playing courts or fields or 20 or more parking spaces.										Р	А	Р	Р		Α	Р	Р	A.46
Pawn Shop means an establishment engaged in retail sales of new or secondhand merchandise and offering loans secured by personal property.  (Ord. 42/December 30, 2005)										S	S	S						A.97
Recreation and Entertainment, Indoor means an establishment offering recreation and entertainment to the general public within an enclosed building. Typical uses include movie theaters, bowling alleys, skating rinks, fitness centers, dance studios, court sports and swimming pools.		ı	I	I	I		ı	ı	I	I				1 1				
Recreation and Entertainment, Indoor (Limited) means an Indoor Recreation and Entertainment use for which fewer than 20 parking spaces are provided.							Р	Р	Р	Р		Р	А		Α	Р	Р	A.48
Recreation and Entertainment, Indoor (General) means an Indoor Recreation and Entertainment use for which 20 or more parking spaces are provided.  (Ord. 32/November 23, 2005)							S	S	А	P		Р	А		S	Р	Р	A.47
Recreation and Entertainment, Outdoor means an establishment offering recreation, entertainment																		

or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open. Typical uses include archery range, golf driving ranges and miniature golf course and other types of recreation and entertainment not otherwise defined.																	
Recreation and Entertainment, Outdoor (Limited) means an Outdoor Recreation and Entertainment use for which fewer than 25 parking spaces are provided.							S	S	S	Р		Р	Α	Α	Р	Р	A.49
Recreation and Entertainment, Outdoor (General) means an Outdoor Recreation and Entertainment use for which 25 or more parking spaces are provided.  (Ord. 32/November 23, 2005) (Ord. 19/July 8, 1999/A.U-9)								Α		Р	S	Р	Α	S	Р	Р	A.50
Recycling Collection Station means freestanding containers not occupying an area of greater than 800 square feet (exclusive of area designed for vehicular access), which are designed to receive and store pre-sorted recyclable materials not intended for disposal and which are made available to the general public.							A	Α	A	P	P	P	А	Α	P	P	A.51
Recycling Processing Center means a building or land in excess of 800 square feet devoted to the receipt, separation, storage, bailing, conversion and/or processing of recycle materials.  (Ord. 19/July 8, 1999/A.U-9)										S	Р	S					A.52
Religious Assembly means an establishment operated by a religious organization for religious worship, religious training and related religious services.																	
Religious Assembly (Limited) means a Religious Assembly use for which fewer than 20 parking spaces are required. (Ord. 20/July 8, 1999/A.U-10)	S	S	S	S	S	А	Р	Р	Р	Р	S	Р		Α	Р	Р	A.53
Religious Assembly (General) means a Religious Assembly use for which 20 or more parking spaces	S	S	S	S	S	S	А	Р	Р	Р	S	Р		S	Р	Р	A.53

are required. (Ord. 20/July 8, 1999/A.U-10)																
Restaurant, Fast-Food means an establishment where the principal business is the sale of food and non-alcoholic beverage in a ready-to-consume state and where the design or principal method of operation is that of a quick-service restaurant where orders are generally not taken at the customers' tables, where food is generally wrapped in disposable wrapping or containers, and where food and beverage may be served directly to the customer in an automobile.																
Restaurant, Fast-Food (Limited) means a Fast-Food Restaurant that does not have a separate curb-cut on a public right-of-way for automobile drive-through service.					Α	А	А	Р	А	Α	С		Α	Р	Р	A.54
Restaurant, Fast-Food (General) means a Fast-Food Restaurant that has a separate curb-cut on a public right-of-way for automobile drive-through service.							S	Р	А	Α						A.55
Restaurant means an establishment other than "Fast-Food Restaurant" where the principal business is the sale of food in a ready to consume state, where there is no service to a customer in an automobile, and where the design or principal methods of operation consist of one (1) or more of the following:  1. A sit-down restaurant where customers are normally provided with an individual menu, are generally served food in non-disposable containers by a restaurant employee at the same table or counter at which the food and beverage items are consumed or  2. A cafeteria or cafeteria-type operation where food and beverage generally are served in non-disposable containers and are consumed within the restaurant;  But not including Social Club.		d	1									. 1				
Restaurant (Limited) means a Restaurant with a gross floor area of less than 2,400 square feet and					Р	Р	Р	Р	Α	Р	С		Α	Р	Р	A.56

that does not have live entertainment or dancing.																		
Restaurant (General) means a Restaurant with a gross floor area of 2,400 square feet or more or one that has live entertainment or dancing.  (Ord. 32/November 23, 2005)							S	S	S	Р		Р	С		S	Р	Р	A.57
Retail Sales and Services means an establishment engaged in the sale or rental of goods and services, excluding those uses defined more specifically in the Use Table.																		
Retail Sales and Services (Limited) means a Retail Sales and Services use with a gross floor area of less than 10,000 square feet.							Р	Р	Р	Р	А	Р			Р	Р	Р	A.58
Retail Sales and Services (General) means a Retail Sales and Services use with a gross floor area of 10,000 square feet or more.							А	А	А	Р	А	Р			Α	Р	Р	A.59
Retail Sales and Services, Residential Convenience means a Retail Sales and Services use contained wholly within the ground-floor of a multi-unit residential building.  (Ord. 19/July 8, 1999/A.U-9)					А			Р				Р			Α			A.60
Safety Service means a facility designed or used for the conduct of public safety and emergency services, including fire and police protection services and emergency medical and ambulance services.	S	S	S	S	S	S	A	А	Α	Р	Р	Р	S		S	Р	Р	A.61
Salvage Yard means a lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of waste paper, rags, scrap metal or discard material; or for the collecting, dismantling, storage and salvaging of machinery or vehicles that are not in operating condition; or for the sale of parts thereof. Typical uses include automobile salvage yards and junk yards.											А							A.62
School, Elementary or Secondary means the use of a site for instructional purposes on an elementary or secondary level, with a curriculum that complies with state regulations.		1	I	I	I		1	I	I	ı				<u> </u>				

School, Elementary or Secondary (Limited) means an Elementary or Secondary School with a maximum enrollment of less than 75 students.	S	S	S	S	S	S	S	S	А	A		S			Α	Р	Р	A.63
School, Elementary or Secondary (General) means an Elementary or Secondary School with a maximum enrollment of 75 students or more.	С	С	С	С	С	С	С	S	А	А		S			С	Р	Р	A.64
Service Station means an establishment primarily engaged in the retail sale of gasoline or other motor fuels, that may include accessory activities such as the sale of lubricants, automotive accessories or supplies; the lubrication or washing of motor vehicles; and the minor adjustment or repair of motor vehicles.							S	S	S	P	P	Α				А	Α	A.65
Sidewalk Cafe means an establishment serving food and/or beverage on public sidewalk space.							A	A	А	А		Α	Α		Α	Α	Α	A.68
Transit Facility means a facility used or intended to be used as an area for loading, unloading, and interchange transit passengers. Typical uses include bus terminals, rail stations, and passenger related mass transit facilities.	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	A.70
Utility (Limited) means services and facilities of agencies that are under public franchise or ownership to provide services that are essential to support development and that involve only minor structures, such as but not limited to poles and lines.	Α	А	А	A	А	A	A	A	A	P	Р	Р	А		S	Р	Р	A.71
Utility (General) means generating plants; electrical switching facilities and primary substations; water and wastewater treatment plants; water tanks; and similar facilities that are under public franchise or ownership to provide the general public with electricity, gas, heat, steam, communication, water, sewage collection, rail lines or other similar service. The term "utility" shall not be construed to include corporate or general offices; gas or oil processing; manufacturing facilities; or other uses defined in this section.							С	С	С	С	P	С	Α		C	С	С	A.72

Vehicle/Equipment Repair (Limited) means a use providing automobile and other equipment repair or maintenance services within completely enclosed buildings, but not including General Vehicle/Equipment Repair services. Typical uses include businesses engaged in the following activities:				S	S	S	P	P	P		С	A	A	A.73
1. electronic tune-ups;														
2. brake repairs (including drum turning);														
3. air conditioning repairs;														
4. transmission and engine repairs;														
5. tire repairs;														
6. front end alignments;														
7. battery recharging;														
8. oil changes and lubrication; and														
9. State Inspection stations.														
Vehicle/Equipment Repair (General) means:					S	S	P	P	Α					A.74
Any vehicle/equipment service not conducted within a completely enclosed building;														
2. Any establishment engaged in body work or painting of vehicles or equipment; or														

3. Any establishment involved in the repair of heavy equipment, including any vehicle with more than two axles.															
Typical uses include paint and body shops, truck repair facilities and heavy machinery repair shops.															
Vehicle/Equipment Sales means an establishment engaged in the retail or wholesale sale or rental, from the premises, of motorized vehicles or equipment, along with incidental service or maintenance. Typical uses include new and used automobile and truck sales, automobile rentals, boat sales, motorcycle sales, construction equipment rental yards, moving trailer rental, farm equipment sale sand rental, and machinery sales, service and rental.															
Vehicle/Equipment Sales (Limited) means a Vehicle/Equipment Sales use with a gross floor area of less than 10,000 square feet and a site of less than one acre. (Ord. 29/Nov. 22, 2000/A. U-26) (Ord. 32/2009)					S	А	А	Р	Р	А					A.75
Vehicle/Equipment Sales (General) means a Vehicle/Equipment Sales use with a gross floor area of 10,000 square feet or more or a site of one acre or more.						S	S	A	Р	А					A.76
Vocational School means an establishment offering regularly scheduled instruction in professional, technical, commercial or trade skills, such as, but not limited to, business, real estate, building and construction, electronics, computer programming and technology, automotive and aircraft mechanics and technology, and similar types of instruction.		ı	1			1				1					
Vocational School (Limited) means a Vocational School for which fewer than 25 parking spaces are required.					Р	Р	Р	Р	Р	Р		A	Р	Р	A.77
Vocational School (General) means a Vocational					А	S	А	Р	Р	Р		Α	Р	Р	A.77

School for which 25 or more parking spaces are required.											
Warehouse means an establishment that is engaged in the storage of materials, equipment or products that will be distributed to wholesalers or retailers.											,
Warehouse (Limited) means a Warehouse use with fewer than five loading/unloading docks or bays.				A	Р	Р	Р		S		A.78
Warehouse (General) means a Warehouse use with five or more loading/unloading docks or bays.					S	Р	Α				A.78
Warehouse, Residential Storage means an enclosed storage facility of a commercial nature containing independent, fully enclosed bays which are leased to persons exclusively for dead storage of their household goods or personal property.				S	Р	Р	Р				
Welding or Machine Shop means a workshop where machines, machine parts, or other metal products are fabricated. Typical uses include machine shops, welding shops and sheet metal shops.				S	S	Р	Α				A.79
New and Unlisted Uses See Section 911.03						S					See 911.03

# • CHAPTER 912: - ACCESSORY USES AND STRUCTURES

# • 912.01. - Accessory Uses and Structures in General.

Primary uses specified as permitted by-right, Administrator Exceptions, Special Exceptions or Conditional Uses shall be deemed to include accessory uses, activities and structures. An accessory use or structure must:

- A. Be subordinate to and serve the primary use or structure;
- B. Be subordinate in area, extent and purpose to the primary use or structure served;
- C. Contribute to the comfort, convenience or necessity of occupants of the primary use or structure served; and

D. Be located on the same zoning lot and in the same zoning district as the primary use.

Accessory uses and activities shall be subject to the same regulations as apply to primary uses in each district, except as otherwise provided in these regulations.

(Ord. No. 12-2010, § 1, eff. 5-13-10)

# 912.02. - Residential Accessory Uses and Structures.

The following accessory uses, activities and structures shall be permitted by-right in Residential and H Districts:

- (1) Dumpsters;
- (2) Fences, walls and retaining walls, provided that the finished side faces adjacent property;
- (3) Gardens;
- (4) Garages used exclusively for the parking of non-commercial automobiles, or for the temporary keeping of small pleasure boats with trailer mounts therefore, other wheeled vehicles designed to be drawn by passenger automobiles, normal household paraphernalia and the like;
- (5) Carports and off-street parking areas;
- (6) Gates and guard houses;
- (7) Storm shelter and fallout shelters
- (8) Home occupations, subject to § 912.05;
- (9) Playhouses, patios, cabanas, porches, decks, gazebos and incidental household storage buildings;
- (10) Radio and television receiving antennas and support structures, including satellite dishes less than thirty-two (32) inches in diameter;
- (11) Swimming pools and other recreational and play facilities for the use of residents;
- (12) Solar energy systems;
- (13) Extensive Green Roofs as described in § 912.04.1;
- (14) Intensive Green Roofs as described in § 912.04.J; and
- (15) Other necessary and customary uses determined by the Zoning Administrator to be appropriate, incidental and subordinate to the primary use on the lot.
- (Ord. 21-2002, § 8, eff. 6-18-03; Ord. 36-2005, § 1, eff. 12-14-05; Ord. No. 12-2010, § 1, eff. 5-13-10)

## • 912.03. - Nonresidential Accessory Uses and Structures.

The following accessory uses, activities and structures shall be permitted by-right in nonresidential districts:

(1) Dumpsters;

- (2) Dwelling units, other than mobile homes, for security or maintenance personnel;
- (3) Fences, walls and retaining walls, provided that the finished side faces adjacent property and/or public rights-of-way;
- (4) Gates and guard houses;
- (5) Cafeterias, dining halls and similar food services when operated primarily for the convenience of employees, residents, clients, or visitors to the primary use;
- (6) Gift shops, news stands and similar commercial activities operated primarily for the convenience of employees, residents, clients, or visitors to the primary use;
- (7) Parking garages and off-street parking areas;
- (8) Radio and television receiving antennas and support structures, including satellite dishes less than thirty-two (32) inches in diameter;
- (9) Solar energy systems;
- (10) Extensive Green Roofs as described in § 912.04.1;
- (11) Intensive Green Roofs as described in § 912.04.J; and
- (12) Other necessary and customary uses determined by the Zoning Administrator to be appropriate, incidental and subordinate to the primary use on the lot.

(Ord. 32-2002, § 1, eff. 11-12-02; Ord. 36-2005, § 1, eff. 12-14-05; Ord. No. 12-2010, § 1, eff. 5-13-10)

#### 912.04. - Accessory Use and Structure Development and Operational Standards.

The following standards shall apply to all accessory uses and structures unless otherwise specifically provided. For exceptions to these standards, see Chapter 925.

# 912.04.A Front Setback

Accessory structures shall comply with the front setback and front yard standards that apply to primary uses. (See Sec. 925.06)

#### 912.04.B Rear Setback

Accessory structures and uses shall not be required to comply with the rear setback standard that applies to principal uses. Accessory structures and uses shall be set back at least five (5) feet from the rear lot line when the rear lot line is not adjacent to a way. Accessory structures and uses may be set back at least two (2) feet from the rear lot line when the rear lot line is adjacent to a way.

#### 912.04.C Side Setbacks

Accessory structures and uses shall comply with the side setback standards that apply to primary uses, and shall not be permitted in the side yard under the Contextual Setback provisions of Sec. 925.06.C, but shall be permitted in the side yard in accordance with the Administrator Exception provisions of <u>Sec. 925.06.G</u>.

#### 912.04.D Setbacks from Easements

No accessory structure shall be located on any platted or recorded easement, or over any known utility.

# 912.04.E Height

No accessory structure shall exceed fifteen (15) feet or one (1) story in height in a residential zoning district or twenty (20) feet in height in a nonresidential zoning district.

# 912.04.F Building Separation

Unless attached to the primary structure, accessory structures shall be located at least three (3) feet from a primary structure.

# 912.04.G Telecommunications Antennas

All building-mounted telecommunications antennas shall be located and designed as follows:

- 1. Roof mounted antennas shall be located no closer than five (5) feet to the nearest edge of the roof;
- 2. Wall-mounted antennas are prohibited under forty (40) feet from existing grade;
- 3. Wall-mounted antennas forty (40) feet or higher above grade may be approved by and Administrator's Exception (922.08). The Zoning Administrator's review will be limited to requiring that the antenna be compatible with the architecture of the building and its surroundings, the character of the neighborhood, and sensitivity to the skyline;

# 4.—6. [Reserved.]

- 7. The applicant shall demonstrate to the satisfaction of the Administrator that there are valid considerations, including physical constraints or technological feasibility, for the location of additional antennas and/or panels on existing antenna structures. The information submitted by the applicant shall include a map of the area to be served by the proposed antenna and/or panel, the relationship of the proposed antenna and/or panel to other antennas and panels, and any information required by the Zoning Administrator;
- 8. All obsolete or unused antennas shall be removed within sixty (60) days of cessation of use:
- 9. No antenna located in an R1D, R1A, R2-L, RM, GPR, P or H Zoning District shall exceed fifteen (15) feet in height;
- 10. No antenna located in an NDO, LNC, NDI, UNC, HC, OPR, GI, UI, EMI, GT, or DR Zoning District shall exceed twenty (20) feet in height.

# 912.04.H Dumpsters

All dumpsters must have a minimum six-foot screen wall and landscaping must be provided. The Zoning Administrator must approve material for the wall and plantings.

## 912.04.I Extensive Green Roofs

Extensive Green Roofs are lightweight veneer systems of thin layers of drought tolerant self-seeding vegetated roof covers.

(1) Extensive Green Roofs permitted by-right shall not have more than five (5) inches of soil medium.

(2) All Extensive Green Roofs shall have at least a one (1) foot perimeter of vegetation-free zone around the edges of the roof and around all roof penetrations (i.e. skylights, pipes, etc).

#### 912.04.J Intensive Green Roofs

Intensive Green Roofs are heavier than Extensive Green Roofs. For the purposes of this code the term means any Green Roof with soil mediums greater than five (5) inches.

(1) All Intensive Green Roofs shall have at least a one (1) foot perimeter of vegetation free zone around the edges of the roof and around all roof penetrations (i.e. skylights, pipes, etc).

(Ord. 28/November 17, 2000/Amend. U-25; Ord. 38-2003, eff. 12-31-03; Ord. 36-2005, § 1, eff. 12-14-05; Ord. 40-2005, § 1A, eff. 12-30-05; Ord. No. 12-2010, § 1, eff. 5-13-10)

# • 912.05. - Home Occupations.

# 912.05.A Purpose

The home occupation standards of this section are intended to permit the establishment of incidental and accessory home occupation uses while ensuring their compatibility with the character of residential neighborhoods. They are intended to permit residents to engage in home occupations that are compatible with residential uses and to ensure that home occupations do not adversely affect the land use character of residential areas.

#### 912.05.B Standards

# 912.05.B.1 Employees

Only individuals who are residents of the dwelling unit may be engaged in the home occupation.

# 912.05.B.2 Exterior Appearance

There shall be no change in the exterior appearance of the dwelling unit that houses the home occupation, and there shall be no visible evidence of the conduct of a home occupation when viewed from the street right-of-way or from an adjacent lot. This provision shall be interpreted as specifically prohibiting signs (except those required by licensing regulations See <a href="Sec.919.03.L">Sec. 919.03.L</a> for regulations pertaining to signs and Home Occupations), equipment storage, sales displays and vehicles with more than two (2) axles, unless completely shielded from view of adjacent property.

#### 912.05.B.3 Traffic

A home occupation shall not generate more than six (6) one-way vehicle trips (trip-ends) per twenty-four-hour day.

# 912.05.B.4 Building Additions and Entrances

No building addition or building entrance visible from the street shall be permitted for the purpose of accommodating a home occupation.

#### 912.05.B.5 Nuisances

No equipment used in conjunction with a home occupation shall cause odor, vibration, noise, electrical interference or fluctuation in line voltage that is perceptible beyond the lot line of the

lot upon which the home occupation is conducted. Home occupations shall comply with the Operational Performance Standards of Chapter 917.

# 912.05.B.6 Parking

Any parking necessary to accommodate a home occupation shall be provided off-street. No required setback or yard area, other than in a pre-existing parking area, may be used to accommodate a home occupation's off-street parking.

# 912.05.C Prohibited Home Occupations

Home occupations that do not comply with all of the standards of this Code shall be prohibited. The following uses and activities shall specifically be prohibited as home occupations:

- 1. Auto and other vehicle repair;
- 2. Any use that is only allowed in the NDI, GI or UI Districts shall not be allowed as a home occupation;
- 3. Contractor's equipment or vehicle storage yards; and
- 4. Firearms.

## 912.05.D Occupancy Permits

Occupancy permits shall be required prior to the establishment of a home occupation. An occupancy permit for a home occupation use shall be issued only to the resident of the dwelling unit that houses the home occupation. Home occupation occupancy permits shall not be transferable and shall not run with the land; they shall terminate upon sale or transfer of the property to a new owner or tenant.

#### 912.05.E Limitation on Natural Expansion

Permits under this subsection shall not include or imply any right to expand beyond the limits provided by this Code. Applications for a home occupation permit shall include an explicit waiver by the application of any right of "natural expansion" or other right to expand beyond those limits.

# • 912.06. - Outdoor Retail Sales and Service (Accessory Use).

Outdoor retail sales and service means the sale of goods and services, including food items, situated outdoors on property other than public rights-of-way, wherein the sale of goods and services is subordinate and integral to the use specified in the certificate of occupancy and pursuant to the business identification number for the existing establishment or property located on the zoning lot.

(Ord. 23-2001, § 3, eff. 11-30-01)

## 912.06.A Standards

(Accessory Use).

Outdoor retail sales and service (accessory use) shall be subject to the following standards:

(1) When applicable to the proposed type of goods and service being sold the applicant must present a letter of compliance from fire prevention, Allegheny County Health Department and any other appropriate agency or department; and

- (2) Must provide and have available sufficient on-site area to accommodate a standing area for customers purchasing or attempting to purchase goods and service without encroaching on the public right-of-way or adjacent property; and
- (3) Must provide sufficient trash receptacles for wrappers, containers and other disposable products associated with the sale of goods and service.

(Ord. 23-2001, § 3, eff. 11-30-01)

# • 912.07. - Urban Agriculture (Accessory Use). Modified

The Urban Agriculture standards of this Section are intended to permit the growing and off-site selling of legal agricultural products on properties throughout the City of Pittsburgh, and are permitted by right for Urban Agriculture (Accessory Use) With Animals. The property owner need not apply for any type of permit if the sole intent of growing crops is for personal/non-commercial use.

#### 912.07.A Urban Agriculture (Accessory Use) With No Animals

Urban Agriculture (Accessory Use) applications which do not include the housing of chickens, ducks, goats or honeybees shall be subject to the following standards:

- (1) The sale of non-mechanical agricultural and farm products that are grown, used, produced on-site, or are part of an affiliated Community Supported Agriculture program shall be permitted only in non-residential districts, and shall comply with the standards of <u>Section 912.06</u>, Outdoor Retail Sales and Service (Accessory Use);
- (2) All seed, and fertilizer, shall be stored in a secured, rodent-proof container and housed within an enclosed structure;
- (3) All applications shall be subject to the Environmental Overlay District regulations of Chapter 906;
- (4) All applications shall include a detailed plot plan with scaled representation of all proposed structures and uses; and
- (5) Signage shall not be permitted.

#### 912.07.B Urban Agriculture (Accessory Use) With Animals

Urban Agriculture (Accessory Use) applications for the housing of chickens, ducks, goats, and honeybees shall be authorized as permitted by right and shall be subject to the following standards:

- (1) The sale of non-mechanical agricultural and farm products that are grown, used, produced on site, or are part of an affiliated Community Supported Agriculture program shall be permitted only in non-residential districts, and shall comply with the standards of <u>Section</u> 912.06, Outdoor Retail Sales and Service (Accessory Use);
- (2) All applications shall be subject to the Environmental Overlay District regulations of Chapter 906;
- (3) All applications shall include a detailed plot plan with scaled representation of all proposed structures and uses;
- (4) Signage shall not be permitted;

- (5) All seed, fertilizer, and animal feed shall be stored in a secured, rodent-proof container and housed within an enclosed structure;
- (6) All structures related to the housing of chickens or ducks shall be at least six (6) square feet in size and a minimum of two (2) square feet per additional chicken or duck. The structure shall be covered, well ventilated, dry, predator resistant, and properly maintained to prevent accumulations of animal excrement;
- (7) Roosters are not permitted;
- (8) For property with a minimum of two thousand (2,000) square feet in size, the resident is permitted five (5) chickens or ducks. For every additional one thousand (1,000) square feet of property, the resident is permitted one (1) additional chicken or duck, with no other livestock for lots under ten thousand (10,000 square feet).
- (9) For property with a minimum of two thousand (2,000) square feet in size, the resident is permitted to keep two (2) beehives. For every additional two thousand (2,000) square feet of property, the resident is permitted two (2) additional beehives;
- (10) All structures necessary for and related to the housing of honeybees shall be subject to any required setbacks of the underlying zoning district, and shall otherwise be set back at least ten (10) feet from any property line;
- (11) A "flyway barrier" of at least six (6) feet in height shall be provided at all places on the property line that are within twenty (20) feet of the hive(s). The "flyway barrier" shall consist of a solid fence or wall, dense vegetation, or combination thereof. No flyway is required for hives that are located on porches or balconies at least ten (10) feet above grade, except where such porch or balcony is located less than five (5) feet from a property line.
- (12) Roof-mounted beehives shall be located on primary and accessory structures no lower than ten (10) feet from grade and shall not be within the required setback;
- (13) For property between two thousand (2,000) square feet and ten thousand (10,000) square feet in size, the resident is permitted to keep no more and no less than two (2) dehorned, adult, female or neutered male, miniature goats (and offspring less than twelve (12) weeks old) with no other livestock;
- (14) For property with a minimum of ten thousand (10,000) square feet in size, the resident is permitted two (2) dehorned, adult female or neutered male goats. For every additional five thousand (5,000) square feet of property, the owner is permitted one (1) additional dehorned, adult, female or neutered male, goats;
- (15) All animal structures and roaming areas shall be kept sanitary and free from accumulations of animal excrement and objectionable odor;
- (16) Outdoor roaming areas for chickens, ducks or goats shall be sufficiently enclosed and screened from the street and neighboring properties to protect them from vehicular traffic, and other predators, and serve to contain the chickens or ducks on the property, and to minimize external impacts of the outdoor roaming areas;
- (17) The keeping of chickens, ducks or goats shall be permitted only where there is an occupied residence