

T-C Town Center Commercial District

The purpose of the Central Business District is to provide for a variety of commercial uses within certain contiguous areas at the intersection of and along portions of major access corridors within the Borough; to promote a greater concentration and continuity of retail stores, restaurants and commercial services having a primary pedestrian orientation; and to promote the use of buildings within certain areas of the Central Business District for retail sales, personal and finance services, eating establishments and similar uses.

A. Permitted Uses – The following are permitted uses in the T-C District:

1. Pedestrian-oriented commercial retail establishments, including general merchandise stores, food stores, antique shops, craft shops, artisan shops/studios, hardware stores, clothing stores, and similar retail sales excluding Adult Entertainment establishments
2. Commercial services establishments, including insurance offices, photography studios, travel agencies, educational services, and similar service establishments
3. Banks and other financial institutions
4. Church or House of worship
5. Commercial recreation establishments, including health clubs, dance studios, social centers and gymnasiums
6. Hotels and motels
7. Professional offices, including medical, dental, optical, legal, accounting services and similar recognized professions
8. Cultural facilities, including libraries, museums and theatres
9. Eating and drinking establishments
10. Business offices and service establishments
11. Personal service establishments including tailoring, haircutting and hair styling, daycare, shoe repair, dry cleaning, and similar establishments, excluding personal services defined as Adult Entertainment
12. Private Clubs and fraternal organizations
13. Off-street parking as a principal use
14. Post Office and government buildings
15. Multi-family dwellings under 35 feet in height
16. Public uses
17. Mixed use buildings housing two or more permitted uses in this district
18. Accessory Buildings and Uses on the same lot with and incidental to any of the above uses
19. Essential services
20. Forestry

B. Special Exception Uses – The following require Special Exceptions in accordance with Article VI of this Ordinance, and are subject to review and action by the Zoning Hearing Board:

1. Multi-family dwellings exceeding 35 feet in height

2. Accessory Buildings and Uses on the same lot with and incidental to approved Special Exception Uses in this subsection.
 3. Flea Market
- C. Conditional Uses** - The following require Conditional Uses in accordance with Article VI of this Ordinance, and are subject to review and action by Borough Council:
1. Vehicle service stations
 2. Funeral Homes
 3. Accessory Buildings and Uses on the same lot with and incidental to approved Conditional Uses in this subsection.
- D. Area** - The minimum lot area for uses within the T-C District is as follows:
1. None unless otherwise noted in this section. Minimum lot shall be sufficient to comply with all dimensional, parking, loading buffer requirements of this District.
 2. Multi-family dwellings:
 - 1 story: 1,500 sq. ft. per dwelling unit
 - 2-3 stories: 1,000 sq. ft. per dwelling unit
 - 4 stories +: 750 sq. ft. per dwelling unit
- E. Minimum lot width** – None required
- F. Lot Coverage** - All buildings, including accessory buildings, shall not cover sixty percent (60%) of the lot. At least five percent (5%) of the lot area shall be covered with vegetative material.
- G. Setback** – The minimum distance from the right-of-way or property line is as follows:
1. Front Yard - Principal Building: Minimum - None required
Maximum – ten (10) feet
 2. Side Yard
 - Principal Building: Each lot shall have two (2) side yards with both at least five (5) feet
 - Accessory Building: Three (3) feet - for accessory buildings having an area of 100 sq. ft. or less
 - Decks: The side setbacks formed by the existing principal building
 3. Rear Yard
 - Principal Building: Twenty (20) feet.
 - Accessory Building: Three (3) feet - for accessory buildings having an area of 100 sq. ft. or less
Ten (10) feet – for accessory buildings having an area of greater than 100 sq. ft.
 - Decks: Three (3) feet

- H. **Height** – The maximum height of buildings within the T-C District is thirty-five (35) feet.
- I. **Off-Street Parking** – Permitted uses in the T-C District operating in a principal building or portion thereof with a gross floor area under 2,000 square feet are exempt from off-street parking requirements due to the supply of on-street spaces. Permitted uses in excess of the 2,000 square feet threshold shall supply off-street parking in accordance with Subsection 5.13 for the gross floor area in excess of 2,000 square feet.

4.04 H-C Highway Commercial District

The purpose of the Highway Commercial District is to provide for a wide range of needed highway-oriented commercial uses in locations that are less likely to involve conflicts with existing residences, as well as exercise special care and control on access onto arterial and connector streets to avoid traffic hazards.

- A. **Permitted Uses** – The following are permitted uses in the H-C District:
1. Convenience stores
 2. Shopping Center and Mall
 3. Highway-oriented commercial retail establishments, including department stores, supermarkets, building supply and lumberyards and similar retail sales
 4. Vehicle sales/service establishments, including new/used vehicle dealers, boat sales/service, vehicle service stations, car wash establishments and car rental agencies
 5. Commercial services establishments, including insurance offices, photography studios, travel agencies, educational services, and similar service establishments
 6. Banks and other financial institutions
 7. Church or House of worship
 8. Commercial recreation establishments, including health clubs, dance studios, social centers and gymnasiums
 9. Motels
 10. Cultural facilities, including auditoriums and drive-in theaters
 11. Eating and drinking establishments, including drive-in eating establishments
 12. Business offices and service establishments
 13. Personal service establishments including tailoring, haircutting and hair styling, daycare, shoe repair and dry cleaning
 14. Private Clubs and fraternal organizations
 15. Multi-family dwellings under 35 feet in height
 16. Public uses
 17. Retail nurseries, greenhouses and garden supply establishments
 18. Nursing Homes
 19. Beverage distributors
 20. Professional Offices
 21. Building contractors office and storage facilities
 22. Funeral homes

- d. The owner shall be responsible for continual maintenance of the screening. A note on the application or site plans shall indicate this, and be signed by the applicant.

5.15 SEXUALLY ORIENTED BUSINESSES

Sexually Oriented Businesses may be permitted by Special Exception in the H-C Highway Commercial District, subject to the procedural requirements of Article VI of this Ordinance and the requirements of Tyrone Borough Ordinances 1160 and 1161. Applications for Special Exceptions for a Sexually Oriented Business shall specifically address the following land use standards and criteria for review by the Zoning Hearing Board:

- (1) The building or structure of such use shall be located not less than one thousand (1,000) feet from any existing residential use or district; public or private pre-elementary, elementary or high school; church or house of worship; day care center or nursery school; recreation facility; businesses primarily serving or catering to persons under 18 years of age; and public library or any other religious, institutional, or educational use.
- (2) No such use shall be located within one thousand (1,000) feet of a similar Adult Entertainment use.
- (3) No materials sold within shall be visible from any window, door, or exterior of the building.
- (4) No person under the age of eighteen (18) years of age shall be permitted within an adult commercial store or sold any adult entertainment material.
- (5) Signage shall be limited to one attached sign no larger than twelve (12) square feet. Signage may be lighted by a covered and recessed fixture located at the top or base of the sign.

5.16 SIGN REGULATIONS

- (1) General Requirements: The following regulations shall apply to all Zoning Districts:
 - a. Permits to construct, install and maintain signs shall be obtained from the Zoning Officer, and shall be in accordance with the requirements of the respective Zoning District.
 - b. Signs may be erected and maintained only when in compliance with the provisions of this Ordinance and all other Ordinances and Regulations relating to the erection, alteration, or maintenance of signs.

- c. Signs shall not contain moving mechanical parts or use flashing or intermittent illumination. The source of light shall be steady and stationary.
- d. No sign shall be placed in a position, or have illumination that it will cause any danger or distraction to pedestrians or vehicular traffic.
- e. Floodlighting of any sign shall be arranged so that the source of light is not visible nor glare is detected from any property line or vehicular access, and that only the sign is illuminated.
- f. No sign other than official traffic signs shall be mounted within the right-of-way lines of any street.
- g. Every sign must be constructed of durable material and be kept in good condition. Any sign that is allowed to become dilapidated shall be removed by the owner, or upon failure of the owner to do so, by the Borough at the expense of the owner or lessee.
- h. No sign shall be erected or located as to prevent free ingress to or egress from any window, door, fire escape, sidewalk or driveway.
- i. No sign shall be erected which emits smoke, visible vapors or particles, sound or odor.
- j. No sign shall be erected which uses an artificial light source, or reflecting device, which may be mistaken for a traffic signal.
- k. No sign shall be erected containing information that implies that a property may be used for any purpose not permitted under the provisions of this Ordinance.
- l. The distance from ground level to the highest part of any freestanding sign shall not exceed eight (8) feet in residential districts.
- m. Signs shall not project above the maximum building height permitted in any District in which they are located.
- n. Signs necessary for the identification, operation, and protection of public utilities, may be erected within the street right-of-way when authorized by the Zoning Officer for a special purpose and for a specified time.
- o. All signs erected within the right-of-way of a state highway shall be in accordance with the regulations of Pennsylvania Department of Transportation.

(2) Signs in the R-1 and R-2 Districts are subject to the following requirements:

- a. Official traffic signs.

- b. Identification signs, bulletin or announcement boards for schools, churches, hospitals, or similar institutions, for similar permitted uses, approved Special Exception Uses and approved Conditional Uses, with the exception of home occupations:
 - i. No more than two such signs shall be erected on any frontage to any one property.
 - ii. The sign area on one side of any such sign shall not exceed twenty (20) square feet.
- c. Home occupations may have an identification sign indicating the name, profession, or activity of the occupant of a dwelling, provided:
 - i. The area of any one side of any such sign shall not exceed two (2) square feet.
 - ii. One such sign shall be permitted for each permitted use or dwelling.
 - iii. A sign indicating the permitted home occupation use shall be erected on the property where that use exists.
 - iv. The sign shall not be illuminated or animated.
- d. Real estate signs, including signs advertising the rental or sale of premises, provided that:
 - i. The area on any one side of any such sign shall not exceed six (6) square feet.
 - ii. A sign shall be located on the property to which it refers.
 - iii. Such signs shall be removed within seven (7) days upon the closing of the premises.
 - iv. Not more than one such sign shall be placed on any one street frontage.
- e. Temporary signs of contractors, architects, special events, and the like, provided that:
 - i. Such signs shall be removed within fourteen (14) days upon completion of the work or special event.
 - ii. The area of such signs shall not exceed six (6) feet.
 - iii. Such signs shall be located on the applicable property.
- f. Signs advertising an existing non-conforming use, provided that:
 - i. The area on one side of such sign shall not exceed twenty (20) square feet.
 - ii. The sign shall be erected only on the applicable premises.
 - iii. No more than one such sign shall be erected on any one street frontage.
- g. Signs necessary for the identification and protection of public utility corporation facilities, provided that the area of one side of such sign shall not exceed four (4) square feet.

- h. Signs within a residential subdivision to direct persons to a rental office or sample unit within that subdivision provided that the area on one side of any such sign shall not exceed two (2) square feet.
- i. Trespassing signs and signs indicating the private nature of the premises. The area of any one side of such signs shall not exceed two (2) square feet and the signs shall be placed at intervals of not less than one hundred (100) feet along any street frontage.
- j. Sign denoting the name of a subdivision or development, provided that:
 - i. The area on one side of such sign shall not exceed twenty-four (24) square feet.
 - ii. The sign shall be erected only on the premises on which the subdivision or development is located.
 - iii. No more than one such sign shall be erected on any one street frontage.

(3) Signs in the T-C, H-C and I-M Districts are subject to the following:

- a. Any sign permitted under Section 5.17 (2) of this Article are permitted in these Districts.
- b. Commercial/industrial business signs, provided that:
 - i. The total area on one side of all business signs placed on or facing any one street frontage of any one premises shall not exceed one square foot for every on lineal foot in lot frontage up to a maximum as follows:
 - 50 sq. ft. in the T-C District
 - 100 sq. ft. in the H-C District
 - No limit in the I-M District
 - ii. In the case of a building, or tract of land housing more than one use, one permanent directory or identifying sign for the building or tract may be erected. The sign area on one side shall not exceed that identified in the Table of Maximum Square Footage in this Subsection. In addition, for each use located within that building, or on the same lot, one wall-mounted sign shall be permitted. The area of such sign shall not exceed that identified in the Table of Maximum Square Footage in this Subsection.
 - iii. No more than two (2) separate signs shall face any one street frontage for any one use.
- c. Free-standing signs, provided that:
 - i. No more than one (1) freestanding sign exclusive of all directional signs shall be allowed on any one property.
 - ii. The sign area on one side of a freestanding sign shall conform to the Table of maximum square footage in this Subsection.

- d. Billboards may be allowed as a Special Exception in the I-M District, provided that:
 - i. Billboards shall be located no closer than within one thousand (1,000) feet of another billboard.
 - ii. Billboards shall be a minimum of fifty (50) feet from all side and rear property lines.
 - iii. All billboards shall be set back at least fifty (50) feet from any road right-of-way lines.
 - iv. All billboards shall be set back at least one hundred (100) feet from any existing residential dwelling.
 - v. Billboards shall not obstruct the view of motorists on adjoining roads, or the view of adjoining commercial or industrial uses, which depend upon visibility for identification.
 - vi. Billboards shall not exceed an overall size of three hundred (300) square feet, nor exceed twenty-five (25) feet in height.
- e. Marquee/Awning Signs are allowed in the T-C and H-C Districts, subject to the following
 - i. Such sign may be painted on or attached flat against the surface of the marquee, but may not extend or project beyond the marquee or be attached to the underside thereof.
 - ii. Letters or symbols on such sign shall not exceed sixteen (16) inches in height.
 - iii. The bottom of such sign shall have a minimum clearance of ten (10) feet above the sidewalk.
- f. Projecting Signs are allowed in the T-C and H-C Districts, subject to the following
 - i. No sign(s) shall project beyond four (4) feet from the building or structure to which it is attached.
 - ii. All projecting signs shall allow a minimum nine (9) foot clearance from finish grade.
 - iii. All signs overhanging any public right-of-way (including sidewalks) shall be covered by a liability insurance policy with a company authorized to conduct business in the Commonwealth of Pennsylvania.
- g. Shopping, Office or Commercial Center Signs - Occupants of a Shopping Office or Commercial Center, Mall or Complex are permitted one on-premises identification sign in addition to the common sign identifying the occupants of such a center or complex. Said common sign identifying the occupants of such a center or complex is the Shopping, Office, or Commercial Center Sign.
- h. Wall Signs - No wall sign shall project more than ten (10) inches from the building surface, nor extend beyond the ends of the wall to which it is attached.

- i. Window Signs - The total area of any window sign shall not exceed thirty (30) percent of the total glass area of that window and such sign shall advertise only on-premise use, activity, goods, services or products.

(4) The following Table delineates the maximum of each sign type allowed in the T-C, T-C and I-M Districts:

Type of Sign	Maximum Square Footage Allowed		
	T-C District	H-C District	I-M District
Free-Standing	32	50	200
Marquee/Awning	1 sq. ft. per lineal foot frontage	2 sq. ft. per lineal foot frontage	Not Permitted
Billboard	Not Permitted	Not Permitted	300
Projecting	12	18	18
Shopping Center			
Directory	20	40	40
Individual/Wall	10	20	40
Wall	1 sq. ft. per lineal foot frontage	2 sq. ft. per lineal foot frontage	4 sq. ft. per lineal foot frontage
Window	25 % of Glass Area	25 % of Glass Area	25 % of Glass Area
Total Maximum of All Types	50	100	Unlimited

- (5) Existing signs at the time of the passage of this Ordinance are subject to the following:
 - a. Existing signs may be continued provided that all such signs shall conform to the General Requirements as set forth in Section 5.17 (1) of this Article.
 - b. Any sign existing at the time of the passage of this Ordinance that does not conform with the regulations of the District in which such sign is located shall be considered a nonconforming use and may continue in such use in its present location until replacement or rebuilding becomes necessary and/or ordered by the Borough, at which time a sign permit will be required and the sign brought into conformity with this Ordinance.

5.17 SWIMMING POOLS

Private swimming pools are permitted as accessory uses subject to the following land use requirements, in addition to *Swimming Pool Regulations* of the Borough of Tyrone:

- (1) The pool shall be intended and shall be used solely for the enjoyment of the occupants and their guests of the principal use of the property.
- (2) The pool shall be located in either the rear or side yard of the property.