

ORDINANCE NO. 1162

**AN ORDINANCE OF THE BOROUGH OF WAYNESBORO,
FRANKLIN COUNTY, PENNSYLVANIA, AMENDING THE ZONING
ORDINANCE OF THE BOROUGH OF WAYNESBORO**

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. §10101-11202, (the "MPC") in Section 601 provides that a municipality may enact, amend, and repeal zoning ordinances; and

WHEREAS, Section 609 of the MPC provides a process for zoning ordinance amendments; and

WHEREAS, the Borough, through the Planning Commission, developed new text and the zoning map which was adopted on April 19, 2017 as Ordinance Number 1158 (the "Zoning Ordinance"); and

WHEREAS, during the course of meetings and subsequent to the adoption of the Zoning Ordinance, the Planning Commission has encountered various plans and requests which prompted discussion and recommendation of amendments to the Zoning Ordinance; and

WHEREAS, the Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania, deems the proposed amendments to be in the best interest and the general welfare of the citizens and residents of the Borough of Waynesboro, Franklin County, Pennsylvania.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Mayor and Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania, and it is enacted and ordained as follows:

SECTION I: Article IX, Section 50, Subsection C (General Lot and Yard Requirements) is hereby amended by replacing the contents thereof with the following:

In the case of corner lots which do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and a second front yard of half the depth required generally for front yards in the zone shall be provided on the other frontage. However, the provisions of this section shall not apply so as to reduce the buildable width to less than fifty percent (50%) of any lot less than one hundred (100) feet in width. Corner lots shall observe the same requirements for front yards on both streets as apply to adjoining interior lots facing upon such streets.

SECTION II: Article IX, Section 53, Subsection A (Fences, Walls and Hedges) of the Zoning Ordinance is hereby amended by replacing the contents thereof with the following:

Authorized fences, walls and hedges shall be erected only in side yards, rear yards or other portions of a lot behind the front building setback line, except that an ornamental fence, wall or hedge may be placed in the front yard provided it does not exceed four (4) feet in height and meets the requirements of visibility at intersections set forth in Section 52 above, retaining wall fences may be placed as required by the Borough Subdivision and Land Development Ordinance, and security fences may be located as otherwise permitted or required by this Ordinance.

SECTION III: Article XI, Section 74 (Specific Sign Regulations) of the Zoning Ordinance is hereby amended as follows:

The row entitled "Protruding Signs" shall be amended in the following manner:

1. In the column entitled "Maximum Permitted Number", the language stating "1 per premises" shall be replaced with the following language: "1 per Business as further described in Section 78."

2. In the column entitled "Other Requirements", the language requiring approval by conditional use shall be replaced with "None."

3. In the column entitled "Permit Required", the language requiring Zoning/Borough Council Approval shall be replaced with the following language: "Building".

SECTION IV: Article XI, Section 78, Subsections A and B (Protruding Signs) of the Zoning Ordinance are hereby amended by replacing the contents thereof with the following:

(A) One (1) Protruding Sign may be erected on the Premises for each Business Office or establishment offering personal services such as barber and beauty shops and repair services located within the Premises and having a separate entrance, suite number designation or lease with the owner of the Premises.

(B) *Repealed in its entirety.*

SECTION V: Addendum B, Footnote 5 (Schedule of Area, Yard and Height Requirements) of the Zoning Ordinance is hereby amended by replacing the contents thereof with the following:

Repealed in its entirety.

SECTION VI: Addendum B, Footnote 6 (Schedule of Area, Yard and Height Requirements) of the Zoning Ordinance is hereby amended by including the following additional language after the existing language:

Example: A Multi-Family Dwelling with twenty (20) dwelling units is required to have a minimum lot area of twenty-thousand (20,000) square feet in the General Commercial/Office district.

SECTION VII: Repealer. All provisions of previous Ordinances of the Borough of Waynesboro, which are contrary to this Ordinance are expressly repealed.

SECTION VIII: Savings Clause. In all other respects, the Code of the Borough of Waynesboro shall remain as previously enacted and ordained.

SECTION IX: Severability Clause. If any word, phrase, sentence, part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such work, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable and the remaining provisions of this ordinance and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

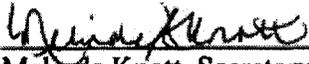
SECTION X: Effective Date. This Ordinance shall take effect immediately.

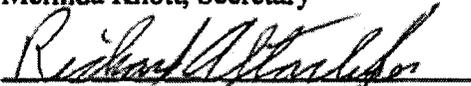
ENACTED, ORDAINED, AND APPROVED this 6th day of December, 2017.

Borough Council of the Borough of
Waynesboro, Franklin County,
Pennsylvania

By: 
C. Harold Mumma, President

ATTEST:


Melinda Knott, Secretary


Mayor of the Borough of Waynesboro