

OFFICIAL  
BOROUGH OF WILKINSBURG  
ORDINANCE NO. 24-001

AN ORDINANCE OF THE BOROUGH OF WILKINSBURG, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE BOROUGH OF WILKINSBURG ZONING ORDINANCE, CODIFIED AS CHAPTER 260 OF THE CODE OF THE BOROUGH OF WILKINSBURG, SPECIFICALLY AMENDING CHAPTER 260-317 – TOD TRANSIT-ORIENTED DEVELOPMENT DISTRICT OVERLAY.

WHEREAS, as authorized by the Pennsylvania Municipalities Planning Code (MPC), the Borough Council of the Borough of Wilkinsburg regulates land use and zoning within the Borough through its comprehensive Zoning Ordinance, presently embodied in Chapter 260 of the Code of the Borough of Wilkinsburg as amended; and

WHEREAS, upon the recommendation of Borough Staff and the Borough Planning Commission, Borough Council seeks to amend its Zoning Ordinance, as follows: That Section 260-317 – TOD Transit-Oriented Development District Overlay, as well as the Official Zoning Map of the Wilkinsburg Borough, shall be amended to remove the TOD - Transit Oriented District Overlay from a certain designated area, including the Central Business District that is west of the railroad tracks; said use to no longer be permitted in this District/area; and

WHEREAS, the Borough has, in accordance with the requirements of the MPC, submitted the proposed amendments to its Planning Commission which had 30 days to review and provide their recommendations regarding the proposed amendment prior to scheduling a duly noticed public meeting; and

WHEREAS, on March 6, 2024 the Borough Council held a duly noticed, advertised, and posted public hearing to take public comment on the proposed zoning ordinance text amendments; and

WHEREAS, Borough Council, having received such public comment as may have been given at the Public Hearing, and having received the recommendations of the Borough and Planning Commissions, finds that enactment of the proposed zoning amendments will be beneficial to the health, safety, and welfare of the Borough and consistent with the PA MPC.

NOW, THEREFORE, be it Ordained and Enacted by Borough Council of the Borough of Wilkinsburg and it is hereby Ordained and Enacted by and with the Authority of the same that the Borough of Wilkinsburg Zoning Ordinance, codified as Chapter 260 of the Code of the Borough of Wilkinsburg shall be amended as follows:

1. That Section 260-317 – TOD Transit-Oriented Development District Overlay shall be amended to remove the TOD - Transit Oriented District Overlay from a certain designated area, including the Central Business District area that is west of the railroad tracks. Said use shall no longer be permitted in this District/area.
2. That the Zoning Map shall be amended to reflect said change.

3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such holding shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared severable.
4. Repealer. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
5. Effective Date. This Ordinance shall become immediately effective upon the date of execution.

Any ordinance or any part of any ordinance conflicting with the provisions of this Ordinance are hereby repealed.

ORDAINED AND ENACTED this 6<sup>th</sup> day of March, 2024.

ATTEST:

BOROUGH OF WILKINSBURG

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Secretary

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President, Borough Council