

**BOROUGH OF CHURCHILL**

**ORDINANCE NO. 749**

**AN ORDINANCE OF THE BOROUGH OF CHURCHILL,  
COUNTY OF ALLEGHENY, COMMONWEALTH OF  
PENNSYLVANIA, AMENDING CHAPTER 304 ("ZONING")  
OF THE CODE OF THE BOROUGH OF CHURCHILL TO  
ESTABLISH CRITERIA FOR USES NOT SPECIFICALLY  
LISTED THEREIN**

**WHEREAS**, Table 201 of Chapter 304 ("Zoning") of the Code of the Borough of Churchill lists uses permitted by right and by conditional use in the Borough; and

**WHEREAS**, the Churchill Borough Zoning Code does not include criteria for approval of uses that are not specifically listed in Table 201 or elsewhere in the Zoning Code; and

**WHEREAS**, the Borough Council of the Borough of Churchill seeks to amend the Zoning Code to make unlisted uses permitted as conditional uses subject to certain general criteria to ensure compliance with state law and to protect the health, safety and welfare of the residents of the Borough; and

**WHEREAS**, the Borough of Churchill has completed the public hearing, public notice and other procedural requirements required for a zoning ordinance text amendment under the Pennsylvania Municipalities Planning Code.

**NOW THEREFORE, BE IT ORDAINED AND ENACTED** by the Borough Council of the Borough of Churchill, Allegheny County, Pennsylvania, as follows:

Section 1.

The following Note shall be added to Table 201 of Chapter 304 ("Zoning") of the Code of the Borough of Churchill:

All uses not listed in the above Table shall be permitted as Conditional Uses where the applicant can establish compliance with the criteria set forth in Section 304-31 of the Code.

Section 2.

The Code of the Borough of Churchill, Chapter 304: Zoning, Article V: Conditional Uses, § 304-28: General, which currently states:

**§ 304-28 General.**

Conditional uses as specified in this Article V may be allowed or denied by Council after recommendations by the Planning Commission in accordance with the following criteria and provisions.

shall be amended to state:

**§ 304-28 General; Uses Not Listed.**

Conditional uses as specified in this Article V may be allowed or denied by Council after recommendations by the Planning Commission in accordance with the following criteria and provisions. Any use not identified or addressed in this Chapter or listed in Table 201 may also be considered by Council after

recommendations from the Planning Commission, subject to the general criteria listed in Section 304-31 of this Article, entitled "Criteria for approval."

Section 3. Effective Date / Repealer

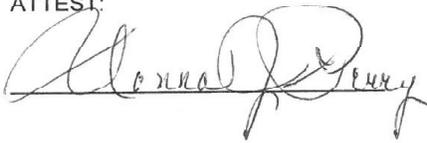
This Ordinance shall become effective immediately upon enactment and shall repeal all prior inconsistent ordinances and resolutions to the extent of such inconsistency.

Section 4. Severability

If a final decision of a court of competent jurisdiction holds any provision of this Ordinance or the application of any provision of this Ordinance to any circumstance to be illegal or unconstitutional, the other provisions of this Ordinance and the application of such provisions to other circumstances shall remain in full force and effect.

ORDAINED AND ENACTED this 3rd day of June, 2019.

ATTEST:

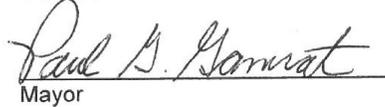


**BOROUGH OF CHURCHILL**

  
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President of Council

EXAMINED AND APPROVED this 3rd day of June, 2019.

**BOROUGH OF CHURCHILL**

  
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Mayor