

# BOROUGH OF BELLEVUE

## COUNTY OF ALLEGHENY COMMONWEALTH OF PENNSYLVANIA

### ORDINANCE NO. 17- 01

# AN ORDINANCE OF THE BOROUGH OF BELLEVUE, A HOME RULE MUNICIPALITY IN THE COUNTY OF ALLEGHENY, IN THE COMMONWEALTH OF PENNSYLVANIA: REGULATING THE OFF- STREET PARKING OF MOTOR VEHICLES AND RECREATIONAL VEHICLES IN RESIDENTIAL AREAS

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Bellevue, in the County of Allegheny and Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same, in accordance with the provisions of the Act of Assembly of the Commonwealth of Pennsylvania, as follows:

#### SECTION 1: Definitions

- A. *Carport* – A structure that does not totally enclose a vehicle.
- B. *Conditional Use* – An application to the Town Council of the Borough of Bellevue for authorization to use an area in accordance with the provisions of this ordinance.
- C. *Curb* – Any wing, asphalt, sandstone, concrete, brick, or grass border forming part of a gutter along the edge of a public street or alley.
- D. *Driveway* – A private road connecting a house, garage, other building or parking space with a street or alley.
- E. *Garage* – A building, structure or any portion therein which one or more motor vehicles are housed, parked or kept: *not including exhibition or showrooms or storage of new cars for sale, or an automobile repair shop.* The structure of the garage must be such that the motor vehicles are totally enclosed, and must have at least one functioning door through which motor vehicles may enter and exit.
- F. *Minor Garage* – A residential garage.

- G. Major Garage** – Any garage not included within the definition of *minor garage* or *residential garage*, including an automobile repair shop.
- H. Off-Street Parking** – The parking or storing of a motor vehicle on private or public areas, but not on streets, roads, highways, or alleys within the Borough of Bellevue.
- I. Parking Capacity** – The number of legal *parking spaces* located on the subject property.
- J. Parking Space** – A space, 10 feet by 20 feet, where a vehicle can be legally parked.
- K. Residential Garage** – A garage containing one or more parking spaces for storage of a power driven or other motor vehicle only in connection with a dwelling thereon.
- L. Side Yard** – A yard between a structure or building and the adjacent side line of the lot extending from the front yard to the rear yard – *Yard, Front Yard* and *Rear Yard* are defined in Article III of the Avalon-Bellevue-Ben Avon Joint Zoning Ordinance, Section 2000-300 of Ordinance 09-07, enacted August 5, 2009, and said definitions are made part of this ordinance by reference thereto.
- M. Stacking** – The parking or storing of vehicles directly behind or in front of another vehicle in such manner that it blocks the ready access and egress of that vehicle.
- N. Unit or Housing Unit** – As applied to existing dwellings which are altered or remodeled and are thereby converted into multiple dwellings, means a partition of a residential structure designated or occupied in whole or in part as the home, residence or sleeping place of one or more persons, more or less permanently, and comprising a space of not less than 500 square feet, and including a bathroom and kitchen facilities. The bathroom facilities shall be enclosed by partitions of a permanent character, extending from the floor to the ceiling, with access thereto through a solid door.
- O. Wheel Stops** – A barrier or restraint of sufficient size and height to prevent motor vehicles from proceeding. They shall be constructed of concrete, asphalt or an approved material. Wheel stops shall be secured to the ground in an acceptable manner.

## **SECTION 2. Minimum requirements for off-street parking**

- A.** The minimum requirements for off-street parking shall, in all zoning districts, be two (2) off-street parking spaces per dwelling unit.  
*Example:* One Family Dwelling (1 unit): Two (2) off-street parking spaces required.  
*Example:* Two Family Dwelling (2 unit): Four (4) off-street parking spaces required.

No driveway, or any part thereof, used or useable for purposes of ingress and egress to or from any property shall be included in computing and providing for the required number of parking spaces herein set forth.

- B. In the operation of multiple-family dwellings (*more than two units*) whether as owned units or rental units, the off-street parking spaces shall first be made available to the residents of the units, and the residents of said units shall park in said off-street parking spaces. The off-street parking space shall become part of the rental or separately owned unit.

### **SECTION 3. Parking in Front Yards Prohibited**

The parking of any power driven or motor vehicle in the front yard area of any residential property in any zoning district shall be, and the same is hereby prohibited. *Front Yard* and *Yard* are defined in Article III of the Avalon-Bellevue-Ben Avon Joint Zoning Ordinance, Section 2000-300 of Ordinance 09-07, enacted August 5, 2009, and said definitions are made part of this ordinance by reference thereto.

### **SECTION 4. Review of Plans**

Prior to the issuance of any building or zoning permit, either for new construction or conversion or remodeling on any residential building lot, the applicant for same must submit with their plans as hereto required, a properly prepared and detailed parking area layout plan with proposed driveways shown and with stall of required size therein, separately and plainly marked and assigned thereon to each separate family housing unit in the dwelling proposed to be erected on such property.

All changes to off-street parking and applications for curb cuts shall require a permit, and shall be reviewed and approved by the Code Enforcement Office and the Zoning Officer.

### **SECTION 5 Parking in Side Yards**

- A. In residential areas, if access to the rear yard is not possible, it shall be permissible to park in the side yard provided there is a minimum of fifteen (15) feet between the side property line and the side building line on the same side of any structure. Such parking cannot be used to satisfy the off-street parking requirements of this ordinance.
- B. The permission to park in the side yard applies only to automobiles and not to trucks, tractors, trailers, commercial vehicles, recreational vehicles, or any other motorized vehicle other than an automobile.

**SECTION 6. Parking of Large Boats, House Trailers, Trucks, and similar equipment prohibited.**

- A. Parking of passenger vehicles and Class 1 vehicles only is permitted on residential properties. No boats in excess of sixteen (16) feet, motor homes, trailers, recreational vehicles, tractors, or commercial vehicles, etc., are permitted to be parked in the open. ~~Parking for all trucks with a capacity in excess of one (1) ton or greater or those which are equipped to travel on more than four (4) tires, or those commonly referred to as dump trucks is prohibited.~~ Conversion vans shall be considered passenger vehicles.
- B. **Stacking of vehicles in driveways of multi-unit residential dwellings is prohibited.**
- C. Stacking of vehicles in driveways of a single family dwelling unit is permitted, but shall not be used or offered to satisfy the off-street parking requirements.

**SECTION 7. Off-Street and Side Yard Parking Requirements for Residential Units in Commercial and Industrial Zoned Areas**

- A. All residential dwellings, whether single family, two family, double house, or multiple dwellings must comply with off-street parking and side yard parking requirements set forth herein even if situated in *Commercial* or *Industrial* Districts.

**SECTION 8. Off-Street Parking Spaces or Facilities – General Requirements for Construction and Maintenance.**

- A. Parking spaces must be arranged so that all vehicles have free and easy access to the driveway and the street. Each parking space shall be located as to provide the user thereof with ready access to and ready egress from the parking space, without entering into any other parking space. *Ready Access* and *Ready Egress* being defined as such access and egress will allow an automobile operator to enter from an abutting driveway or exit onto the abutting driveway by making in each such instance not more than one turn of the operator's automobile.
- B. The area devoted to parking must be a minimum of ten (10) feet by twenty (20) feet to accommodate each vehicle.
- C. Parking spaces must be a minimum of five (5) feet from any habitable structure to allow entry, exit and passage.
- D. For multiple vehicles, the area devoted to parking spaces and driveways shall be no greater than twenty-five (25%) percent of the total lot area.

- E. The minimum width of a driveway must be nine (9) feet, and the maximum width shall not exceed ten (10) feet. A center grass strip is permitted in the center non-driven portion of the driveway, but may not exceed two feet, 6 inches (2'6") in width.
- F. A sidewalk intersected by a driveway shall be constructed of concrete which shall meet minimum specifications for concrete driveways.
- G. Cars may be parked only in spaces properly prepared and classified for that purpose. **Parking on grass is prohibited.** All *Parking Spaces* and *Driveways* must be paved with concrete, asphalt, paving stone or brick, pervious or permeable concrete or other approved hard surface. All other materials are prohibited. *Specifically*, the use of gravel and/or other loose materials for parking spaces and/or driveways is prohibited. All paving must be completed according to specifications annexed with this ordinance.
- H. Carports are prohibited.
- I. When access to the rear of the lot of a residential property is available via a rear alley or street, parking spaces must be located in the *Rear Yard*.
- J. Wheel stops shall be installed at the head of each designated parking space when the possibility exists for a motor vehicle to damage or trespass on adjacent property, whether public or private.

#### **SECTION 9. Curb Cut Requirements and Provisions.**

- A. An application for a curb cut permit for access to a proposed off-street parking space or spaces shall be rejected unless the granting thereof shall result in a net gain of not less than one (1) parking space. *Net Gain* is hereby defined as the number of legal off-street parking spaces created minus the number of public spaces eliminated as the result of curb cuts including the turning radius.
- B. An application for a curb cut permit must be accompanied by a plat plan illustrating the proposed off-street parking spaces.
- C. If rear access to the lot is accessible, via alley, etc., no curb cuts at the front of the property shall be approved.
- D. All curb cuts twelve (12) feet and less shall be reviewed by the Code Enforcement Office and must obtain approval of the Zoning Officer.
- E. Unused or obsolete curb cuts shall be eliminated, and that portion of curb shall become a legal public parking area.

**SECTION 10. Violations and Penalties**

Any person who violates, or permits the violation of any provision of this Ordinance shall, upon conviction in a summary proceeding, be subject to a fine of up to five-hundred (\$500.00) dollars, and costs of the prosecution for each offense, or imprisonment not to exceed thirty (30) days, or both fine and imprisonment.

**SECTION 11. Severability**

If any section, subsection, sentence, or clause of this Ordinance is held, for any reason, to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance.


**SECTION 12. Effective Date**


This Ordinance shall become effective five (5) days from the enactment of this Ordinance. ORDAINED and ENACTED by the Borough Council of the Borough of Bellevue in lawful session duly assembled this February 28, 2017.

**BOROUGH OF BELLEVUE**

**ATTEST:**

**BOROUGH OF BELLEVUE**



  
**Ronald Borczyk**  
Secretary

  
**Lynn Tennant Heffley, President**  
Bellevue Town Council

Examined and approved this 28<sup>th</sup> day of February, 2017.

  
Hon. Paul A. Cusick, Mayor