ZONING ORDINANCE

OF THE

BOROUGH OF WEST CHESTER

CHESTER COUNTY

PENNSYLVANIA

EFFECTIVE DATE

AUGUST 23, 1966

Price: $1.25
ORDINANCE NUMBER 13-66

PREAMBLE

This ordinance is adopted in order to promote and protect the public health, safety, comfort, convenience, prosperity and other aspects of the general welfare. These general goals include, among others, the specific purposes set forth in the statements of intent of the various regulations for the respective districts.

ARTICLE 100 — GENERAL PROVISIONS

Section 101 Titles, General Intent, Establishing of Controls

101.1 Long Title. An ordinance to establish zoning regulations for the use of land and structure, area of lots, bulk of buildings and other structures, the density of population, the provision of off-street parking spaces and similar accessory regulations for the Borough of West Chester, Chester County, Pennsylvania, and for such purposes divide the Borough into districts, and further, to provide for administrative enforcement and amendment thereof, in accordance with the provisions of the "Borough Code", as amended, and to repeal all ordinances in conflict herewith.

101.2 Short Title. This ordinance shall be known and may be cited as the Zoning Ordinance of the Borough of West Chester, Chester County, Pennsylvania.

101.3 General Intent. The zoning regulations and districts set forth in this ordinance are made in accordance with a comprehensive plan study by the Borough of West Chester for the general welfare of the Borough and are intended to achieve among others, the following purposes: to lessen congestion in the street, to secure safety from fire and other danger, to provide adequate light and air, to prevent the overcrowding of the land, avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements, as well as the conservation of the value of land buildings. These were made with reasonable consideration, among other things, of the existing character of the various areas within the Borough of West Chester and their respective suitability of particular uses.

101.4 Establishment of Controls

Minimum and Uniform Regulations. The regulations set by this ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure of land. For New Uses and Structures. In all districts, after the effective date of this ordinance, any new building or other structure or any tract of land shall be constructed, developed and used only in accordance with the regulations specified for each district.
For Existing Uses and Structures. In all districts, after the effective date of this ordinance, any existing building or other structure, or any tract of land which is not in conformity with the regulations for the district in which it is located shall be deemed as non-conforming and subject to the regulations of Article 600.

Types of Control. The following minimum and uniform regulations shall apply in the respective districts:

a. Use regulations, including permitted uses and accessory uses and uses by special exception.
b. Area and bulk regulations, including required front, side and rear yards, maximum permitted height and allowable lot coverage, and floor area ratio requirements in those districts in which they apply.
c. Off-street parking regulations, including minimum required parking spaces.
d. Off-street loading regulations, including minimum required loading berths for the specified uses.
e. Sign regulations, including their sizes, lighting and location.
f. Other applicable supplementary regulations of Article 500.

101.5 Establishment of Districts

Types of Districts. For the purpose of this ordinance the Borough of West Chester is hereby divided into 15 types of districts, designated as follows:

Residential Districts
R-3    Residence District
R-4    Residence District
R-5    Residence District
R-5A   Residence District
R-6    Residence District
R-7    Residence District
R-8    Residence District

Commercial Districts
C-0    Residential Commercial Development District
C-1    Neighborhood Commerce District
C-4    Special Limited Business and Apartment Districts
C-5    General Highway Commerce District
C-7    Central Business District
C-8    Secondary Business District

Industrial Districts
I-1    Limited Industrial District
I-2    General Industrial District

Districts of Annexed Area. Any territory hereafter added to the Borough shall be considered to be zoned R-3, Residence District, until otherwise classified by action of the Borough of West Chester.
Lot Sizes. Any lot as well as the open spaces reserved on it, must equal, or exceed, the minimum sizes prescribed by this ordinance for the district in which the lot is included, unless otherwise specifically stipulated in the Borough Subdivision Ordinance.

101.6 The Zoning Map

Adoption of Zoning Map. The areas within the Borough as assigned to each district and the location of boundaries of the districts established by this ordinance are shown upon the Zoning Map, dated August 23, 1966, which together with all explanatory matter thereon is declared to be a part of this ordinance and shall be kept on file with the Borough Secretary. If, and whenever, changes are made in boundaries or other matters included on the said Zoning Map, such changes in the map shall be made promptly after the amendment has been approved by Borough Council.

District Boundary Lines. The district boundary lines shall be as shown on the Zoning Map. District boundary lines are intended to coincide with lot lines, center lines of streets and alleys, the corporate boundary of the Borough or as dimensioned on the Map. In case of doubt or disagreement concerning the exact location of the boundary line, the determination of the Board of Adjustment as provided in Article 800 shall prevail.

101.7 Separability

Should any section or provisions of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole nor the validity of any other section or provision of the ordinance than the one so declared.

Section 102 Definitions, Interpretations of Regulations

102.1 Language Interpretations

For the purpose of this ordinance certain words shall have the meaning assigned to them, as follows:

Words used in the present tense include the future. The singular number includes the plural and the plural the singular.

The word “shall” is always mandatory.

The word “building” includes “structure” and any part thereof.

The phrase “used for” includes “arranged for”, “designed for”, “intended for”, “maintained for”, or “occupied for”.

The word “person” includes an individual, corporation, partnership, incorporated association or any other similar entity.

The word “includes” or “including” shall not limit the term to the specified example, but is intended to extend its meaning to all other instances of like kind and character.
The following words and phrases shall have the meaning given in this section, as follows:

**Accessory Building.** An “Accessory Building” is: A subordinate and separate building, the use of which is incidental to that of the principal building and is used for an accessory use, and is located on the same lot.

**Accessory Use or Accessory.** An “Accessory Use” is: A use conducted on the same lot as a principal use to which it is related and located either within the same structures or in an accessory structure or as an accessory use of land; except that off-street parking need not be located on the same lot.

A use which is clearly incidental to, and customarily found in connection with a particular principal use.

**Alley.** An “alley” is a minor way, which may or may not be legally dedicated, and is used primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.

**Advertising Sign.** (See Sign, and Billboard)

**Alterations.** Alterations include, but are not limited to the following:

All incidental changes or replacement in the non-structural parts of a building or other structure.

Minor changes or replacements in the structural parts of a building or other structure, limited to the following examples and others of similar character or extent.

Alteration of interior partitions to improve livability in non-conforming residential buildings, provided no additional dwelling units are created thereby.

Alteration of interior partitions in all other types of buildings or other structures.

Making windows or doors in exterior walls.

Strengthening the load bearing capacity in not more than ten percent of the total floor area to permit the accommodation of a specialized unit of machinery or equipment.

**Apartment.** Means any room or suite of two or more rooms which is or are occupied as a home for one or more persons and arranged or equipped for cooking meals.

**Apartment House.** Means a three story building occupied by three or more families living independently of each other.

**Basement.** A basement is an enclosed area partly or completely below grade. It shall be considered a building story if more than 33 1/3% of the perimeter walls are 5 feet or more above grade and if the net area of door or window openings in the exterior walls are at least equal to 10% of the enclosed floor area.
Billboard. A billboard is:
A sign other than one indicating a business conducted on the premises, and
A sign upon which advertising matter of any character is printed, posted, or lettered by any means and is designed for such purposes. A billboard may be either freestanding or attached to a surface of a building of other structure.

Block. A “block” is a tract of land bounded by:
Streets
Public park
Railroad right-of-way, excluding siding and spurs
Corporate boundary lines of the Municipality

Building. “A Building” is any structure which is permanently affixed to the land, and has one of more floors or stories, and is bounded by either lot lines or yards.
A building shall not include such structures as billboards, fences, or structures with interior surfaces not normally accessible to human use, such as gas tanks, grain elevators, coal bunkers or similar structures. A building may accommodate more than one family and have more than one dwelling unit and be used for residential, commercial or manufacturing purposes.

Building, Attached. A building which has two party walls in common.

Building, Detached. A building which has no party walls.

Building, Semi-detached. A building which as only one party wall in common.

Building Setback Line. An established line within a property defining the minimum required distance between any structure to be erected, and an adjacent right-of-way, or street line.

Bulk. “Bulk” is the term used to describe the size of buildings or other structures and their relationship to each other, to open areas such as yards and to lot lines and therefore includes:
— the size, including height and floor area of building or other structure.
— the relation of the number of dwelling units in a residential building to the area of the lot.
— all open areas in yard space relating to buildings and other structures.

Construction Site. The total necessary land required for all buildings or uses within a unified development before a building permit may be issued.

Cellar. An enclosed building space more than 33⅓% below grade which shall be considered as uninhabitable for living purposes.

Center Line of Street. (See Street, Center Line of)

Corner Lot. (See Lot, Corner)
Detached House. A “detached house” is one which has yards on all four sides.

Dwelling. A building or portion of a building used for human habitation by a family.

Single-family — A building designed and occupied exclusively as a residence for one family.

Two-family — A building designed and occupied as a residence for two families, with one family living wholly or partly over the other.

Multiple — A building designed and occupied as a residence for two or more families, with one or more families living wholly or partly over the other.

Enlargement. An “enlargement” is an addition to the floor area of existing building, an increase in size of another structure, or an increase in that portion of a tract of land occupied by an existing use.

Family. A “family” is:
A single person occupying a dwelling unit and maintaining a household, or
Two or more persons related by blood or marriage, occupying a dwelling unit, living together and maintaining a common household, including not more than 4 boarders, roomers or lodgers, or
Not more than four (4) unrelated persons occupying a dwelling unit living together and maintaining a common household.

Floor Area. “Floor Area” is the sum of the gross livable area of the several floors of a building or buildings measured from the face of the exterior walls or from centerlines of walls separating two buildings. In particular, floor area includes, but is not limited to the following:

Basement space, if it meets the requirements of a building story.
Elevator shafts, stairwells and attic space (whether or not a floor has been laid) providing structural headroom or eight feet or more.
Roofed terraces, exterior balconies, breezeways or porches, provided that over 50 percent of the perimeter of these is enclosed.
Any other floor space used for dwelling purposes, no matter where located within building.
Accessory buildings, excluding space used for accessory off-street parking or used for loading berths.
Any other floor space not specifically excluded, excluding space used for air conditioning machinery or cooling towers and similar mechanical equipment serving the building and cellar space.

Floor Area Ratio. “Floor Area Ratio” is the total allowable floor area for a given lot, divided by the area of that lot. (For example, a building containing 15,000 square feet of floor area on a given lot of 10,000 square feet of lot area has a floor area ratio of 1.5).

Front Yard. (See Yard)
Front Yard Line. (See Yard Line)

Garage, Private. A "private garage" is:
Accessory to a principal building, either attached to it or separate, and
Used only for storage purposes.

Gasoline Service Station. A "gasoline service station" is an area of
land, together with any structure thereon, used for:
The retail sale of motor fuel and lubricants and incidental services, such as lubrication and handwashing of motor vehicles, and
The sale, installation or minor repair of tires, batteries, or other automobile accessories.

Height of Building. The "height of building" is the vertical distance measured from the average level of finished grade along all the exterior walls of a building to:
The highest point of the roof, in the case of a flat roof.
The mean height between eaves and ridge, in the case of a pitched roof.
The highest point of any structure which rises wholly or partly above the roof line, and whose area equals or exceeds 20 percent of the ground floor area of the building which supports it.

Height of Sign. The "height of sign" is the vertical distance measured:
from ground level to the highest point on the sign itself and/or its supporting structure;
along the face of the sign or its supporting frame from lowest point to highest.

Home Occupation. A "home occupation" is an accessory use which:
(a) is clearly incidental or secondary to the residential use of the dwelling unit, or
(b) is customarily carried on within a dwelling unit or accessory building by one or more occupants of such dwelling unit.
(c) occupies not more than 25 percent of total floor area of such dwelling unit or 500 square feet, whichever is less.

does not permit the following operations:
(a) selling articles produced elsewhere than on the premises.
(b) having exterior displays of goods visible from the outside.
(c) storing materials or products outside a principal or accessory building or other structure.
(d) making external alterations which are not customary in residential buildings.

Horse Barn. Outbuilding used for the boarding of not more than three (3) horses for non-commercial purposes.

Junk Yard. An area of land, with or without buildings, used for the storage, outside a completely enclosed building, of used and dis-
carded materials, including, but not limited to, waste paper, rags, metal, building materials, house furnishings, machinery, vehicles, or parts thereof with or without the dismantling, processing, salvage, sale or other use or disposition of the same. The deposit or storage on a lot of two or more unlicensed, wrecked or disabled vehicles, or the major parts thereof, shall be deemed to make a "junk yard".

Lot. A "lot" is: A tract or parcel of land held in single and separate ownership.

Lot, Corner. A corner lot is one bounded on at least two sides by streets, whenever the lines of such streets, extended, form an interior angle of 135 degrees or less. The owner or developer of a corner lot may specify which street line shall be the front line; he shall be required so to specify at the time of filing application for a zoning permit.

Lot Coverage. A percentage which when multiplied by the lot area will determine the permitted building area.

Lot Line Front. "Front Lot Line" is the line separating the lot from the street line.

Lot Line, Rear. "Rear Lot Line" is any lot line, except a front lot line, which is parallel to, or within 45 degrees of being parallel to, and does not intersect any street line. In the case of a corner lot, the owner or developer may make a different designation. See definition of "corner lot" for requirements.

Lot Line, Side. "Side Lot Line" is any lot line which is not a front lot line or a rear lot line. In the case of a corner lot, the owner or developer may make a different designation. See definition of "corner lot" for requirements.

Lot Size. The required area of a lot.

Lot Width. The horizontal distance between side lot lines measured at right angles to the lot depth.

Non-Conforming Building. A "non-conforming building" or other structure is any lawful building or other structure which does not conform to one or more of the applicable area and bulk regulations of the district in which it is located either on the effective date of this ordinance or as a result of a subsequent amendment thereto.

Non-Conforming Use. A "non-conforming use" is any lawful use, whether of a building or other structure or of a tract of land which does not conform to the applicable use regulations of the district in which it is located, either on the effective date of this ordinance or as a result of subsequent amendments thereto. However, no existing use shall be deemed non-conforming solely because of any of the following:

- the existence of less than the required off-street parking or loading conditions.
- the existence of less than the required supplementary regulations, but excluding signs.
Open Space. "Open Space" consists of:

- Parks, other recreation space or generally open areas available to the public, either free or by fee, or
- Yards or other open areas in connection with residential buildings occupied by more than two families per lot which are intended for the sole use of the occupants of such buildings and their guests.

Parking Space. A "parking space" consists of:

- Open space with a dustless all-weather surface, or space in a private garage or other structure.
- An area at least 10 x 20 feet in size for the storage of one automobile, accessible from a public way.

Private Garage. (See Garage, Private)

Professional Uses. Restricted to practice of medicine and dentistry.

Public Recreation. Leisure-time activities, including but not limited to, sports and entertainment, that are open to anyone without restriction, except for rules and standards of conduct and use.

Rear Yard. (See Yard)

Rear Yard Line. (See Yard Line)

Semi-Detached House. A "semi-detached house" is:

- Surrounded on three sides by yards.
- Located so that one wall is on or adjoining a side lot line, and abuts the neighboring house.

Setback. (See Building Setback Line)

Side Yard. (See Yard)

Side Yard Line. (See Yard Line)

Sign. A "sign" is any letter, word, model, device or representation intended as an announcement, direction or advertisement. A sign is:

- A structure, either free-standing or attached to another structure.
- A notice painted on an exterior wall of a building or other structure.

Sign, Advertising. An "advertising sign" is one which offers services or goods produced or available somewhere other than on the lot on which the sign is located. The words "advertising sign" include the word "billboard".

Sign, Business. A "business sign" is one which offers services or goods available on the lot on which the sign is located.

Sign, Temporary. A "temporary sign":

- Offers premises for sale, rent, or development, or
- Advertises the services of building trades during construction or alteration of the premises upon which the sign is located.

Story. A "story" is that portion of a building located between the surface of any floor and the next above it; if there is not more than one floor, the space between any floor, and the ceiling next above it shall be considered a story.
Street. A “street” is:
A way intended for general public use to provide means of approach for vehicles and pedestrians.
The word “street” includes the words road, highway, thoroughfare and way.

Street, Center Line of. A “street center line” is the line which is an equal distance from both street lines.

Street Line. A “street line” is:
A right-of-way line.

Structure. A “structure” is anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground.

Use. A “use” is:
Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained or occupied, or
Any activity, occupation, business, or operation carried on, or intended to be carried on in a building or other structure or a tract of land.

Yard. A “yard” is that portion of the lot which is unoccupied and open to the sky and extends from the lot line to the yard line.

Yard, Rear. A “rear yard” is a yard extending the full length of the rear lot line.

Yard, Side. A “side yard” is a yard extending along the side lot line from the required front yard to the required rear yard.

Yard Line. A “yard line” is a line drawn parallel to the corresponding lot line at a distance specified for the required depth of yard in each respective case.

Yard Line, Front. A “front yard line” bounds the front yard and is parallel to the front lot line.

Yard Line, Rear. A “rear yard line” bounds the rear yard and is parallel to the rear lot line.

Yard Line, Side. A “side yard line” bounds the side yard and is parallel to the side lot lines.

Interpretation of Regulations

The interpretation of the regulations of this ordinance is intended to be such that whenever these requirements are at variance with any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, as particularly refer to area and bulk regulations and impose higher standards, the most restrictive requirement shall govern.
Single-Family Detached (no party wall) (one family)

Two-Family Detached (no party wall) (two families)

Single-Family Semi-Detached (one party wall) (two families)

Two-Family Semi-Detached (one party wall) (four families)

Single-Family Attached (two party walls) (three families)

Two-Family Attached (two party walls) (six families)
ARTICLE 200 — RESIDENTIAL DISTRICTS

Statement of Intent.
In addition to the general goals listed in the preamble and General Intent, the districts established in this regulation are intended to achieve the following:

1. To provide sufficient space, appropriately located, for residential development to meet the housing needs of the present and expected future population of the Borough within the range of house types anticipated.

2. To assure light, air and privacy, as far as possible, by controlling the spacing and height of buildings and other structures.

3. To protect residential areas against hazards of fire, offensive noise, vibration, smoke, odors, glare or other objectionable influences.

4. To prevent congestion, as far as possible, by regulating the density of population and the bulk of buildings, and by providing for off-street parking.

5. To protect residential neighborhoods, as far as possible, against heavy traffic or through traffic.

6. To make possible provision of those public and private educational, recreational, health and similar facilities serving the needs of nearby residents, which perform most effectively in a residential environment and do not create objectionable influences.

7. To promote the most desirable use of land and direction of building development in accord with a well considered plan, to promote stable residential development, to protect the character of any district and its peculiar suitability for uses to conserve the value of land and buildings, and to protect the Borough tax revenues.

Section 203 R-3 Residence District

Specific Intent
In addition to the general goals listed in the preamble and the Statement of Intent, it is the purpose of this section to encourage residential development in those areas near major highways, commercial areas and/or centers of employment. Such areas are suitable for medium density residential development provided that off-site water and sewer services are provided. However, restrictions are provided to maintain suitable areas of open space between residences to create a suburban atmosphere adequate for family needs.

203.1 Use Regulations

Permitted Uses: In any R-3 District, land, buildings, or premises shall be used for only one or more of the following:

Accessory Uses: Only the following accessory uses shall be permitted:

1. Customary residential accessory uses.
2. Swimming pool provided that it is located in the rear yard or side yard of the dwelling to which it is accessory, 10 feet from any lot line; not between the front building line and house; and enclosed with a four (4) feet high continuous barrier.

Uses by Special Exception: The following uses shall be permitted as a special exception when authorized by the Board of Adjustment subject to Article 800 of this ordinance.

1. Church, philanthropic or religious institutions excluding hospitals, sanitariums, penal or corrective institutions.
2. Schools, including college or university.
3. Public recreation.
4. Professional uses, if owner occupied.

203.2 Area and Bulk Regulations. The following regulations shall be observed:

- Lot Size: 12,000 sq. ft. minimum
- Lot Width at Building Line: 100 foot minimum
- Lot Width at Street Line: 60 foot minimum
- Lot Coverage: 30 per cent maximum
- Building Setback: 25 feet minimum
- Side Yards: 10 feet minimum for each with 25 feet total for both yards
- Rear Yard: 20 feet minimum
- Building Height: 3 stories maximum

203.3 Design Standards

The following shall be applicable in all R-3 districts:

Parking. As required by Section 511 of this Ordinance.

Section 204 R-4 Residence District

Specific Intent

In addition to the general goals listed in the preamble and the Statement of Intent, it is the purpose of this section to encourage residential development in those areas adjacent to major highways, commercial areas and/or centers of employment. Such areas are suitable for high density residential development including multi-family occupancy provided. However, restrictions are provided to maintain suitable areas of open space between residences to create suburban atmosphere adequate for family needs.
204.1 Use Regulations

Permitted Uses. In any R-4 district, land, buildings or premises shall be used (if off-site sewer and water facilities are provided) for only one or more of the following:


Accessory Uses. Only the following accessory uses shall be permitted:

1. Customary residential accessory uses.
2. Swimming pool provided that it is located in the rear yard or side yard of the dwelling to which it is accessory; 10 feet from any lot line; not between the front building line and house; and additionally, must be enclosed with a four (4) foot high continuous barrier.
3. Home occupations.

Uses by Special Exceptions. The following uses shall be permitted as a special exception when authorized by the Board of Adjustment subject to Article 800 of this ordinance:

1. Apartments
2. Funeral Homes
3. Church, philanthropic or religious use, excluding hospitals, sanitaria, penal or corrective institutions.
4. Professional uses
5. Nursing Homes
6. School

204.2 Area and Bulk Regulations. The following regulations shall be observed:

Single-Family Detached Dwelling

Lot Size ........................................ 12,000 sq. ft. minimum
Lot Width at Building Line .................. 100 feet minimum
Lot Coverage .................................... 30% maximum
Building Setback ................................ 25 feet minimum
Side Yards ...................................... 25 ft. aggregate, 10 ft. min.
Rear Yard ........................................ 20 ft. minimum
Building Height ................................ 3 stories maximum

Apartments

Lot Size ........................................ 40,000 sq. ft. minimum
Lot Width at Bldg. Line ..................... 150 feet minimum
Lot Coverage .................................. 30% maximum for principal buildings.
40% total maximum, including all accessory buildings and tenant garages.
Building Setback .......................... 35 ft. minimum
Side Yards .................................. 25 ft. minimum for each
Rear Yard ..................................... 25 ft. minimum
Building Height .............................. 3 stories maximum
Length of Building ..................... not to exceed four (4) times width
Dwelling Unit Density .......... 1,600 sq. ft. of lot area per dwelling unit
Paved Area .................................... 40% maximum
Open Area ..................................... 40% minimum

204.4 Standards

All uses permitted under this section shall be subject to the following design standards.

Parking. As required by Section 511 of this ordinance.

Section 205 R-5 Medium Density Residential

Specific Intent

It is the purpose of this district to maintain those residential areas already constructed in detached buildings on smaller lots. Such areas contain suitable areas of open space to provide a suburban character which is generally adequate for family needs. These areas represent existing residential communities where it is desirable to protect the existing character of the neighborhood.

205.1 Use Regulations

Permitted Uses. In any R-5 district land, buildings, or premises shall be used (if off-site sewer and water facilities are provided) for only one of the following:

Accessory Uses. Only the following accessory uses shall be permitted.
1. Customary residential accessory uses.
2. Swimming pool provided that it is located in the rear yard or side yard of the dwelling to which it is accessory; 10 feet from any lot line; not between the front building line and house; and additionally, must be enclosed with a four (4) foot high continuous barrier.
3. Home occupations.

Uses by Special Exception. The following uses shall be permitted as a special exception when authorized by the Board of Adjustment subject to Article 800 of this ordinance.
1. Church, philanthropic or religious use, excluding hospitals, sanitariums, penal or corrective institutions.
2. Schools
205.2 **Area and Bulk Regulations.** The following regulations shall be observed.

- **Lot Size** 6,000 sq. ft. minimum
- **Lot Width at Building Line** 50 ft. minimum
- **Lot Width at Street Line** 30 ft. minimum
- **Lot Coverage** 35% maximum
- **Building Setback** 25 ft. minimum
- **Side Yards** 8 ft. minimum for one with 20 ft. total for both yards
- **Rear Yard** 20 ft. minimum
- **Building Height** 3 stories maximum

205.3 **Design Standards** The following shall be applicable in all R-5 districts.

*Parking.* As required by Section 511 of this ordinance.

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**Section 205A**

**R-5A Residence District**

**Specific Intent**

In addition to the general goals listed in the preamble and the Statement of Intent, it is the purpose of this section to permit the construction of private dormitories for use of college students in residential areas provided that off-site water and sewer services are provided. Adequate regulations have been adopted to insure the coexistence of college dormitories in a residential area of medium density.

205A.1 **Regulations**

*Permitted Uses.* In any R-5A district, land, building or premises shall be used (if off-site sewer and water facilities are provided) for only one or more of the following:

1. Single-family detached house
2. College dormitory (subject to 205A-2)
3. Apartments

*Accessory Uses.* Only the following accessory uses shall be permitted:

1. Customary residential accessory uses
2. Swimming pool provided that it is located in the rear yard or side yard of the dwelling to which it is accessory; 10 feet from any lot line; not between the front building line and house; and additionally, must be enclosed with a four (4) foot high continuous barrier.
3. Home occupations.
Uses by Special Exception. The following uses shall be permitted as a special exception when authorized by the Board of Adjustment subject to Article 800 of this ordinance.

1. Church, philanthropic or religious institutions excluding hospital, sanitariums, penal or corrective institutions
2. Schools, including college or university
3. Public recreation
4. Professional uses

205A.2 College Dormitory Procedure

Any owner of a tract of land within this Zoning District desiring to construct a college dormitory shall submit the following material to the Planning Commission prior to any site preparation.

Initial Application shall consist of a written request supplemented by the following:

1. A legal description and map of the property to be included;
2. A sketch plan showing the overall development scheme;
3. A statement indicating the number of proposed residence units and occupancy capacity; the room size of each type of unit, the total building floor area per occupancy and the open yard space area per occupant.

The initial application accompanied by the exhibits required above shall be received by the Zoning Officer in addition to the requirements of Section 702.1 of this Ordinance. The Planning Commission shall review the initial application within forty-five (45) days and determine whether it complies with the requirements of this ordinance. This decision shall be presented to Borough Council as the recommendation of the Planning Commission. Within forty-five (45) days of its next monthly meeting, the Borough Council shall either approve or reject the initial application after reviewing it at a public meeting.

Final Plan shall be required after the approval of the initial application. It shall consist of the following:

1. Architectural plans, elevations, sections, site layouts and complete landscape plan for all buildings and artist’s rendering.
2. A statement showing the approximate dates for the start of construction and completion of all improvements to be undertaken.

The Final Plan shall be received by the Planning Commission who shall review it and determine whether it complies with the requirements of this ordinance within forty-five (45) days of its receipt. This decision shall be presented to Borough Council as the recommendation of the Planning Commission. Within forty-five (45) days after its next monthly meeting Borough Council shall either approve or reject the final plan. After reviewing it at a public
meeting, the rejection of the Final Plan shall not affect the approval of the initial application; however, no zoning permit shall be issued until the final plan is approved.

205A.3 Area and Bulk Regulations. The following regulations shall be observed:

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<th>College Dormitory</th>
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<td><strong>Lot Size</strong></td>
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</tr>
<tr>
<td>per construction site</td>
<td>6,000 sq. ft.</td>
<td>15,000 sq. ft.</td>
</tr>
<tr>
<td>per dwelling unit/dormitory student</td>
<td>6,000 sq. ft.</td>
<td>500 sq. ft.</td>
</tr>
<tr>
<td><strong>Minimum Lot Width</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>at building line</td>
<td>50 ft.</td>
<td>150 ft.</td>
</tr>
<tr>
<td>at Street line</td>
<td>30 ft.</td>
<td>150 ft.</td>
</tr>
<tr>
<td><strong>Maximum Lot Coverage</strong></td>
<td>35%</td>
<td>60%</td>
</tr>
<tr>
<td><strong>Minimum Building Setback</strong></td>
<td>25 ft.</td>
<td>35 ft.</td>
</tr>
<tr>
<td><strong>Minimum Side Yards</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>20 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>One</td>
<td>8 ft.</td>
<td>25 ft.</td>
</tr>
<tr>
<td><strong>Minimum Rear Yard</strong></td>
<td>25 ft.</td>
<td>25 ft.</td>
</tr>
<tr>
<td><strong>Maximum Building Height</strong></td>
<td>3 stories</td>
<td>3 stories</td>
</tr>
<tr>
<td><strong>Maximum Paved Area</strong></td>
<td></td>
<td>50%</td>
</tr>
<tr>
<td><strong>Minimum Open Area</strong></td>
<td></td>
<td>30%</td>
</tr>
</tbody>
</table>

205A.4 Design Standards

The following shall be applicable for all dormitories:

*Storage.* As required by Section 505.1 of this Ordinance.

*Parking.* As required by Section 511 of this Ordinance.

Section 206 R-6 High Density Residential

*Specific Intent*

It is the purpose of this district to maintain those residential areas already constructed in semi-detached buildings and detached buildings on smaller lots. Such areas provide a limited amount of open space for family needs. These areas represent existing residential communities where it is necessary to protect the existing character of the neighborhood.

206.1 Use Regulations.

*Permitted Uses.* In an R-6 district land, buildings, or premises shall be used (if off-site sewer and water facilities are provided) for only one of the following:

1. Single-family detached house
2. Single-family semi-detached house
3. Two-family detached house
4. Two-family attached house
5. Apartment
Accessory Uses.

1. Customary residential accessory uses.
2. Swimming pool provided that it is located in the rear yard or side yard of the dwelling to which it is accessory; 10 feet from any lot line and house; and additionally, must be enclosed with a four (4) foot high continuous barrier.
3. Home occupations.

Uses by Special Exception. The following uses shall be permitted as a special exception when authorized by the Board of Adjustment subject to Article 800 of this ordinance.

1. Apartments over three stories high
2. Church, philanthropic or religious use, hospitals, sanitariums; excluding penal institutions.
3. Professional uses
4. Schools

206.2 Area and Bulk Regulations. The following regulations shall be observed.

<table>
<thead>
<tr>
<th></th>
<th>Single Family Detached House</th>
<th>Semi-Detached Single Family House</th>
<th>Two Family Detached House</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>per construction site</td>
<td>5,000 sq. ft.</td>
<td>8,000 sq. ft.</td>
<td>10,000 sq. ft.</td>
</tr>
<tr>
<td>per dwelling unit</td>
<td>5,000 sq. ft.</td>
<td>4,000 sq. ft.</td>
<td>5,000 sq. ft.</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>at Building Line</td>
<td>50 ft.</td>
<td>30 ft.</td>
<td>60 ft.</td>
</tr>
<tr>
<td>at Street Line</td>
<td>30 ft.</td>
<td>25 ft.</td>
<td>40 ft.</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td></td>
<td>45%</td>
<td>40%</td>
</tr>
<tr>
<td>Minimum Building</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Setback</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Minimum Side Yards</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>15 ft.</td>
<td>20 ft.</td>
<td>25 ft.</td>
</tr>
<tr>
<td>One</td>
<td>5 ft.</td>
<td></td>
<td>10 ft.</td>
</tr>
<tr>
<td>Minimum Rear Yard</td>
<td>20 ft.</td>
<td></td>
<td>20 ft.</td>
</tr>
<tr>
<td>Maximum Building</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Height</td>
<td>3 stories</td>
<td></td>
<td>3 stories</td>
</tr>
</tbody>
</table>

Minimum Lot Size

per construction site 14,000 sq. ft.
per dwelling unit 1,400 sq. ft.
Minimum Lot Width 150 ft.
Maximum Lot Coverage 60%
Minimum Building Setback 25 ft.
Minimum Side Yards 15 ft. one side — Total 25 ft.
Minimum Rear Yards 20 ft.
Maximum Building Height 3 stories
Maximum Paved Area 50%
Minimum Open Area 30%
206.3 Design Standards
    Storage — as required by Section 505.1
    Parking — as required by section 511

Section 207 R-7 High Density Residential

Specific Intent
It is the purpose of this district to provide residential areas suitable for the construction of attached buildings with modern building techniques which will provide sufficient community open space for family usage. These areas will provide adequate housing for middle income families where public water and sewer facilities are available in urban areas where adequate public transportation is available.

207.1 Use Regulations

Permitted Uses. In any R-7 district land, buildings, or premises shall be used by right if off-site sewer and water facilities are provided for only one of the following:
1. Single-family detached house
2. Single-family semi-detached house
3. Single-family attached house
4. Two-family detached house
5. Two-family semi-detached house
6. Two-family attached house
7. Churches
8. Philanthropic or Religious use
9. Hospital
10. Sanitation
11. Schools
12. Professional Uses
13. Apartment
14. Off Campus Dormitory

Accessory Uses. Only the following accessory uses shall be permitted:
1. Customary residential accessory uses.
2. Swimming pool provided that it is located in the rear yard or side yard of the dwelling to which it is accessory; 10 feet from any lot line; not between the front building line and house; and additionally, must be enclosed with a four (4) foot high continuous barrier.

Uses by Special Exception. The following uses shall be permitted as a special exception when authorized by the Board of Adjustment subject to Article 800 of this ordinance.
1. Apartments over three stories.
2. Motel
3. Hotel
## 207.2 Area and Bulk Regulations

The following regulations shall be observed.

### R-7 RESIDENCE DISTRICT

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minimum Lot Size</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>per construction site</td>
<td>3,200 sq. ft.</td>
<td>6,000 sq. ft.</td>
<td>2,500 sq. ft.</td>
</tr>
<tr>
<td>per dwelling unit</td>
<td>3,200 sq. ft.</td>
<td>3,000 sq. ft.</td>
<td>2,500 sq. ft.</td>
</tr>
<tr>
<td><strong>Minimum Lot Width</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>at building setback</td>
<td>30 ft.</td>
<td>30 ft.</td>
<td>20 ft.</td>
</tr>
<tr>
<td>at street line</td>
<td>30 ft.</td>
<td>25 ft.</td>
<td>20 ft.</td>
</tr>
<tr>
<td><strong>Maximum Lot Coverage</strong></td>
<td>45%</td>
<td>45%</td>
<td>50%</td>
</tr>
<tr>
<td>Minimum Building setback</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>15 ft.</td>
</tr>
<tr>
<td><strong>Minimum Side Yards</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>20 ft. (end units)</td>
</tr>
<tr>
<td>One</td>
<td>4 ft.</td>
<td>10 ft.</td>
<td></td>
</tr>
<tr>
<td><strong>Minimum Rear Yard</strong></td>
<td>15 ft.</td>
<td>20 ft.</td>
<td>25 ft.</td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>3 Story</td>
<td>3 Story</td>
<td>3 Story</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Two Family Detached House</th>
<th>Two Family Semi-Detached</th>
<th>Two Family Attached</th>
<th>Apartments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minimum Lot Size</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>per construction site</td>
<td>6,000 sq. ft.</td>
<td>8,000 sq. ft.</td>
<td>4,000 sq. ft.</td>
<td>8,000 sq. ft.</td>
</tr>
<tr>
<td>per dwelling unit</td>
<td>3,000 sq. ft.</td>
<td>2,000 sq. ft.</td>
<td>2,000 sq. ft.</td>
<td>1,000 sq. ft.</td>
</tr>
<tr>
<td><strong>Minimum Lot Width</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>at building setback</td>
<td>40 ft.</td>
<td>35 ft.</td>
<td>35 ft.</td>
<td>80 ft.</td>
</tr>
<tr>
<td>at street line</td>
<td>30 ft.</td>
<td>30 ft.</td>
<td>30 ft.</td>
<td></td>
</tr>
<tr>
<td><strong>Maximum Lot Coverage</strong></td>
<td>45%</td>
<td>50%</td>
<td>60%</td>
<td>50%</td>
</tr>
<tr>
<td>Minimum Building Setback</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>25 ft.</td>
</tr>
<tr>
<td><strong>Minimum Side Yards</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>20 ft.</td>
<td>6 ft.</td>
<td>5 ft. (end units)</td>
<td>8 ft. One</td>
</tr>
<tr>
<td>One</td>
<td>8 ft.</td>
<td></td>
<td>20 ft. Total</td>
<td></td>
</tr>
<tr>
<td><strong>Minimum Rear Yard</strong></td>
<td>25 ft.</td>
<td>20 ft.</td>
<td></td>
<td>25 ft.</td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>25 ft.</td>
<td></td>
<td></td>
<td>3-story</td>
</tr>
<tr>
<td>Minimum Paved Area</td>
<td></td>
<td></td>
<td></td>
<td>55%</td>
</tr>
<tr>
<td>Minimum Open Area</td>
<td></td>
<td></td>
<td></td>
<td>15%</td>
</tr>
</tbody>
</table>
Design Standards

All uses permitted under this section shall be subject to the following design standards.

Parking. As required by Section 511 of this ordinance.

Section 208 R-8 High Density Residential

Specific Intent

It is the purpose of this district to maintain those residential areas in which attached buildings are located. Such areas provide necessary housing for lower income families, older residents and young married couples. These areas represent existing residential communities in urban areas where it is necessary to protect the existing character of the neighborhood.

Use Regulations.

Permitted Uses. In any R-8 district, land, buildings or premises shall be used by right if off-site sewer and water facilities are provided for only one of the following:
1. Single-family attached house
2. Two-family detached house
3. Two-family semi-detached house
4. Two-family attached house
5. Apartment
6. Churches, philanthropic or religious uses, excluding penal or corrective institutions.

Accessory Uses. Only the following accessory uses shall be permitted:
1. Customary residential accessory uses.
2. Swimming pool provided that it is located in the rear yard or side yard of the dwelling to which it is accessory; 10 feet from any lot line; not between the front building line and house; and additionally, must be enclosed with a four (4) foot high continuous barrier.
3. Home occupations.

Uses by Special Exceptions. The following uses shall be permitted as a special exception when authorized by the Board of Adjustment subject to Article 800 of this ordinance.
1. Apartments over three stories.
R-8 RESIDENCE DISTRICT

208.2 Area and Bulk Regulations. The following regulations shall be observed:

<table>
<thead>
<tr>
<th></th>
<th>Single Family</th>
<th>Apartment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td></td>
<td></td>
</tr>
<tr>
<td>per construction site</td>
<td>1,600 sq. ft.</td>
<td>4,800 sq. ft.</td>
</tr>
<tr>
<td>per dwelling unit</td>
<td>1,600 sq. ft.</td>
<td>800 sq. ft.</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>20 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>55%</td>
<td>60%</td>
</tr>
<tr>
<td>Minimum Building Setback</td>
<td>10 ft.</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Minimum Side Yards</td>
<td></td>
<td></td>
</tr>
<tr>
<td>total</td>
<td>20 ft.</td>
<td>16 ft.</td>
</tr>
<tr>
<td>one</td>
<td>(end units)</td>
<td>8 ft.</td>
</tr>
<tr>
<td>Minimum Rear Yard</td>
<td>25 ft.</td>
<td>25 ft.</td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>3 stories</td>
<td>3 stories</td>
</tr>
<tr>
<td>Maximum Paved Area</td>
<td></td>
<td>60%</td>
</tr>
<tr>
<td>Minimum Open Area</td>
<td></td>
<td>5%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Two Family</th>
<th>Two Family</th>
<th>Two Family</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached House</td>
<td></td>
<td>Semi-Detached</td>
<td>Attached</td>
</tr>
<tr>
<td>Minimum Lot Size</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>per construction site</td>
<td>5,000 sq. ft.</td>
<td>6,000 sq. ft.</td>
<td></td>
</tr>
<tr>
<td>per dwelling unit</td>
<td>2,500 sq. ft.</td>
<td>1,500 sq. ft.</td>
<td>1,500 sq. ft.</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>50%</td>
<td>55%</td>
<td>70%</td>
</tr>
<tr>
<td>Minimum Building Setback</td>
<td>15 ft.</td>
<td>15 ft.</td>
<td>15 ft.</td>
</tr>
<tr>
<td>Minimum Side Yards</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>15 ft.</td>
<td>12 ft.</td>
<td>20 ft.</td>
</tr>
<tr>
<td>One</td>
<td>5 ft.</td>
<td>(end units)</td>
<td></td>
</tr>
<tr>
<td>Minimum Rear Yard</td>
<td>25 ft.</td>
<td>25 ft.</td>
<td>25 ft.</td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>3 stories</td>
<td>3 stories</td>
<td>3 stories</td>
</tr>
<tr>
<td>Maximum Paved Area</td>
<td></td>
<td></td>
<td>55%</td>
</tr>
<tr>
<td>Minimum Open Area</td>
<td></td>
<td></td>
<td>10%</td>
</tr>
</tbody>
</table>

208.3 Design Standards

All uses permitted under this section shall be subject to the following design standards:

*Parking.* As required by Section 511 of this ordinance.
ARTICLE 300 — COMMERCIAL DISTRICTS

Statement of Intent

In addition to the general goals listed in the preamble and General Intent, the districts established in this regulation are intended to achieve the following:

1. To provide sufficient space in appropriate locations for the types of commercial and service establishments anticipated.
2. To protect commercial development against intrusive uses which are incompatible with it and against objectionable influences such as noise or glare and from hazards of fire.
3. To provide appropriate space for the requirements of present day merchandising, including the provisions of off-street parking spaces, safe circulation of pedestrian and motor traffic in the zone district and in nearby areas.
4. To promote the most desirable use of land and pattern of building development in accord with a well-considered plan, to promote stable commercial development, to strengthen the economic base of the municipality, to protect the character of the commercial area and nearby districts, to conserve the value of land and buildings, and to promote municipal tax revenues.

Procedures

In order to assure a fair and comprehensive review of applications under these sections, the following shall be observed:

Initial Application. Shall consist of a written request supplemented by the following:

1. A sketch plan showing the overall development scheme.
2. List of kind of establishments to be located on the site, and their approximate floor areas.

The initial application accompanying the necessary exhibits shall be received by the zoning officer in addition to the requirements of Section 702 of this ordinance. The planning commission shall review the initial application and determine whether it complies with the requirements of this ordinance within forty-five (45) days after the Planning Commission meeting. Any decision may upon the election of the applicant be appealed to the Borough Council.

Preliminary Plan. Shall be required for applications in district C-4 of this ordinance upon the acceptance of the initial application.

It shall consist of the following:

1. Preliminary Plan showing location of structures and other improvements, site layout and landscaping plans including zoning, parking facilities, all adjacent streets and alleys with traffic flow pattern, sidewalks and existing trees to remain and to be removed.
2. List of firms which are likely to be located in the Center, their floor area, and estimated number of employees.
3. Preliminary architectural plans showing all plan levels, elevations and two typical sections and loading areas.

The Preliminary Plan shall be received by the Planning Commission who shall review it and make necessary recommendations within forty-five (45) days of its receipt.

Final Plan. Shall be required in all instances where a Preliminary Plan must first be approved.

It shall consist of the following:
1. Final Plan showing all improvements to be made including architectural plans, elevations, sections, site layout and complete landscape plan showing parking and landscaping exactly to scale, zoning, setback, all adjacent streets and alleys, sidewalks, curbs, gutters, completely dimensioned parking layouts with all parking spaces shown.
2. A statement showing distinctly all improvements to be undertaken during the first phase of construction which are to be completed within one year from the issuance of a building permit, as well as those being built at a later specified date.
3. Engineering drawing showing water run-off control, sewage treatment and all other utilities installations.
4. Any changes from the Preliminary Plan as tentatively approved shall be clearly and legibly shown on the Final Plan.

The Final Plan shall be received by the Planning Commission who shall review it and determine whether it complies with the requirements of this ordinance within forty-five (45) days of its receipt. Any decision may upon the election of the applicant be appealed to the Borough Council.

When it has been determined by the Planning Commission that plans under these sections are in conformity with the requirements of this ordinance, then they shall instruct the zoning officer to issue a zoning permit provided that other requirements imposed by Section 702 of this ordinance are in compliance.

Section 300 C-O Residential-Commercial Development District

Specific Intent

In addition to the general goals listed in the preamble and Statement of Intent, it is the purpose of this section to maintain existing sections in which commercial and industrial uses are located. Continued use of these facilities is permitted with a minimum of controls; however, restrictions on new buildings are imposed to insure that future development and redevelopment is according to an overall plan.
300.1 Use Regulations

Permitted Uses. In any C-O district, land, buildings, or premises shall be used by right for only one or more of the following:

1. Any use permitted by any residential district.
2. Any use permitted by any commercial district.
3. Any use permitted by the I-1 industrial district.

Accessory Uses. Only the customary uses associated with commercial and residential districts shall be permitted.

300.2 Area and Bulk Regulations. The following regulations shall be observed:

Existing Construction or Reconstruction
1. Residential properties shall be governed by the R-8 residential district.
2. Commercial properties shall be governed by the C-8 commercial district.
3. Industrial properties shall be governed by the I-1 industrial district.

New Construction
The construction of any new building except a single-family dwelling shall be permitted according to the Redevelopment Controls, Section 512 of this ordinance.

Section 301 C-1 Neighborhood Commerce District

Specific Intent
In addition to the general goals listed in the preamble and Statement of Intent, it is the purpose of this section to provide commercial and other permitted facilities to serve primarily the needs of the local residents.

301.1 Use Regulations.

Permitted Uses. In any C-1 district, land, buildings, or premises shall be used for one or more of the following:

1. Convenience goods store
2. Eating establishments with inside service and seating only.
3. Office
4. Clinic, doctor, dentist office
5. Public or semi-public service establishment
6. One single-family residence in rear of or apartments on the second floor over a commercial establishment.
Uses by Special Exception. The following uses shall require a special exception issued by the Zoning Board of Adjustment in accordance with Article 800 of this Ordinance.
1. Church
2. Funeral parlor or undertaker's establishment

301.2 Area and Bulk Regulations. The following regulations shall be observed:

**Lot Size**
- per construction site: 20,000 sq. ft.
- per unit of use: 2,400 sq. ft.

**Paved Surface Area**
- 40% maximum

**Lot Width**
- 100 feet

**Lot Coverage**
- 60% maximum

**Rear Yard**
- 25 ft.

**Maximum Building Height**
- 3 stories not exceeding 50 ft.

**Maximum Floor Area Ratio**
- .5

**Minimum Open Area**
- 15%

301.3 Design Standards

The following shall be applicable in all C-1 districts:

*Storage.* As required by Section 505.1 of this ordinance.

*Parking.* As required by Section 510.1 of this ordinance.

301.4 Performance Standards. The following requirements shall be observed in all C-1 Zoning Districts:

No retail store sales area shall exceed 3,000 square feet unless a special exception is issued by the Zoning Board of Adjustment in accordance with Article 800 of this ordinance.

No goods shall be displayed in an open area.

No odors shall be perceptible in any adjacent residential zoning district.

No glare shall be produced which is perceptible in any adjacent residential zoning district.

No manufacturing shall be permitted except for goods sold on the premises.

No noise emanating from a use shall continually exceed ordinary conversation at the lot line of any adjacent residential zoning district.

No operations shall be permitted which constitute a danger to the community.

No residential use on the first floor shall be permitted.

No warehousing, testing, or processing shall be permitted.
C-4 Special Limited Business District

Special Intent
In addition to the general goals listed in the preamble and the Statement of Intent, it is the purpose of this section to provide appropriate space for those commercial uses requiring highway access without heavy traffic usage. Such facilities customarily require large tracts of land. Persons using these facilities will ordinarily remain at longer time intervals than in other commercial classifications. For this reason they represent self-contained facilities.

304.1 Prerequisites for Review
Only those parcels of land which comply with the following regulations shall be considered as possible sites:
1. The parcel or parcels shall be in a single and full ownership or proof of option shall be furnished at the time of application.
2. The overall land area of the parcel or parcels shall be at least 40,000 sq. ft.
3. The property shall front on a major street as shown on the comprehensive plan of the Borough and as otherwise specified in the plan.

304.2 Use Regulations
A building may be erected, altered or used, and a lot may be used or occupied for any of the following purposes and no other:

Permitted Uses. In any C-4 district, land, buildings, or premises shall be used for only one or more of the following:
1. Financial institutions
2. Offices of whatsoever kind
3. Laboratory or research facilities
4. Wholesale sales, storage or distribution
5. Church
6. School
7. Convalescent or nursing homes
8. Hospitals
9. Club or lodge
10. Two-family attached house or apartments

Uses by Special Exception. The following uses shall require a special exception issued by the Zoning Board of Adjustment, subject to Article 800 of this ordinance and all other requirements of this ordinance.
1. Eating establishments with inside service and seating only.
2. Motel
304.3 Area and Bulk Regulations

On any C-4 Special Limited Business District the following regulations shall be observed:

Building Length ________ Residential buildings shall not exceed a maximum of 175 feet.
Distance between building faces ________ 50 ft. minimum
Lot Size ___________ per construction — 40,000 sq. ft.
per unit of use — 1,800 sq. ft.
Paved Surface Area ________ may not exceed 50% of total lot
Lot Coverage ___________ 25% maximum
Lot Width ___________ 200 ft. at building line
Maximum Floor Area Ratio ___________ .3
Building Setback ___________ 50 ft.
Side Yard ____________________ 25 ft. each side
Rear Yard ____________________ 50 ft.
Building Height ___________ 3 stories
Open Area ___________ 35% minimum

304.5 Design Standards

The following shall be applicable in all C-4 districts.
Storage. As required by Section 505.2 of this ordinance.
Parking. As required by Section 510.1 of this ordinance.

304.6 Performance Standards. The following requirements shall be observed in all C-4 Zoning Districts:

No goods shall be displayed in an open area.
No odors shall be perceptible in any adjacent residential zoning district.
No glare shall be produced which is perceptible in any adjacent residential Zoning District.
No manufacturing shall be permitted.
No parking shall be permitted between the building and street line.
No noise emanation from a use shall continually exceed ordinary conversation at the lot line of any adjacent residential zoning district.
No operations shall be permitted which constitute a danger to the community.
No warehousing, testing or processing shall be permitted.

Section 305 C-5 General Highway Commerce District

Specific Intent

In addition to the general goals listed in the preamble and the Statement of Intent, it is the purpose of this section to provide

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appropriate space for those commercial uses requiring highway access with little pedestrian usage. Such commercial facilities are extensions of existing more heavily concentrated commercial zones. Most land adjoining this area was developed in earlier years. The roads in this area are heavily traveled; however, much of this traffic is local. Each commercial facility is relatively independent of other commercial areas. Access to an arterial highway, relatively large land areas for each use and space for adjacent off-street parking are primary criteria for each facility.

305.1 Permitted Uses. In any C-5 Commercial District, land, buildings or premises shall be used for only one or more of the following:
1. General Offices and/or Financial Institutions
2. Government Offices serving the public, including post offices
3. Retail Stores of less than 3000 sq. ft.
4. Eating and Drinking Establishment
5. Personal Service Shops
6. Public Places of Amusement
7. Vehicular Sales and/or Service
8. Club and/or Lodge
9. Wholesale sales, storage or distribution

Uses by Special Exception. The following specific uses may be permitted as a special exception when authorized by the Board of Adjustment, subject to Article 800 of this ordinance.
1. Gasoline service station
2. Monument sales.
3. Car wash
4. All other retail stores exceeding 3,000 sq. ft.
5. Apartments (Area and Bulk Regulations shall comply with Sec. 208-2)

305.2 Area and Bulk Regulations. In any C-5 Zoning District the following regulations shall be observed.

Lot Size
per construction site ______________________ 15,000 sq. ft.
per unit use ______________________________ 5,000 sq. ft.

Minimum Lot Width
100 feet for inside lot; 125 feet for corner lot for all uses except
200 feet for gasoline service stations, used car lots, supermarkets,
car wash.

Lot Coverage
50% maximum for inside lot. 40% maximum for corner lot
for all uses except 30% maximum for gasoline station.

Building Setback __________________________ 40 feet
Setback Line for gasoline pumps, any outdoor display or parking facilities. 30 feet minimum from street right-of-way line.

Side Yards None
Rear Yard 20 feet minimum
Floor Area Ratio .5 maximum
Paved Surface Area 50% maximum
Open Area 20%

305.3 Design Standards
The following shall be applicable in all C-5 districts.

Storage. As required by Section 505.1 of this ordinance.
Parking. As required by Section 510.1 of this ordinance.

305.4 Performance Standards.
The following requirements shall be observed in all C-5 districts.
No manufacturing shall be permitted except for goods sold on the premises.
No operations shall be permitted which constitute a danger to the community.
No commercial warehousing, testing or processing shall be permitted.
No residential uses shall be permitted, excepting apartments by special exception, (Sec. 305.1).

Section 307 C-7 Primary Business District

Specific Intent
It is the purpose of this district to provide and maintain commercial development existing in the central business districts of cities and towns. Retail stores in this district depend on heavy traffic. They have large trading areas. Pedestrian and automobile access are both important. A wide variety of commercial uses are to be found in this district because of its accessibility.

307.1 Use Regulations

Permitted Uses. In any C-7 district, land, buildings or premises shall be uses by right for one or more of the following.

1. Retail store
2. Eating establishment
3. Personal service shops
4. Public places of amusement
5. Financial institutions
6. General offices
7. Government offices
8. Apartments above ground level
9. Public parking facilities
10. Hotel and motel

307.2 Area and Bulk Regulations. In any C-7 Zoning District the following regulations shall be observed.

**Lot Size**
- per construction site ____________________________ 2500 sq. ft.
- per unit of use ____________________________ 1500 sq. ft.

**Lot width** ____________________________ 15 feet minimum

**Lot coverage** ____________________________ 100% maximum with alley access

**Building setback** ____________________________ None

**Side yards** ____________________________ None

**Rear Yard** ____________________________ 5 feet minimum if no rear access.

**Maximum Height** ____________________________ 3 stories

(A building over three stories may be permitted by special exception)

**Floor Area Ratio** ____________________________ 3.0 maximum

307.3 Design Standards

The following shall be applicable in all C-7 districts:

**Storage** As required by Section 505.1 of this ordinance.

**Parking.** As required by Section 510.1 of this ordinance.

307.4 Performance Standards. The following requirements shall be observed in all C-7 Zoning Districts.

No goods shall be displayed in any open area.

No glare shall be produced which is perceptible in any adjacent residential zoning district.

No manufacturing shall be permitted except for goods sold on the premises.

No operations shall be permitted which constitute a danger to the community.

No warehousing, testing or processing shall be permitted.

No residential use shall be permitted on the first floor of any building.

No odors shall be perceptible in any adjacent residential zoning district.

308.08 C-8 Secondary Business District

**Specific Intent**

It is the purpose of this district to provide and maintain commercial development existing in those areas adjacent to the central
business district. Those districts provide areas for the location of uses which do not depend on heavy traffic, but need to be located near to those which generate such traffic. Pedestrian and automobile access are both important to these uses. Residential uses are scattered throughout these areas.

308.1 Use Regulations

Permitted Uses. In any C-8 district, land, buildings or premises shall be used for one or more of the following:

1. Retail store
2. Eating establishment
3. Personal service shops
4. Public places of amusement
5. Financial institutions
6. General offices
7. Government offices
8. Apartments
9. Public parking facilities
10. Residential buildings
11. Any processing, cleaning, testing, repair, storage and/or distribution of materials
12. Vehicular sales and/or service
13. Hotel and Motel

Uses by Special Exception. The following specific uses may be permitted as a special exception when authorized by the Board of Adjustment, subject to Article 800 of this ordinance:

1. Church, philanthropic or religious institutions excluding hospitals, sanitariums, penal or corrective institutions.
2. Schools, including college or university.
3. Public recreation
4. Car wash
5. Gasoline service station

308.2 Area and Bulk Regulations. In any C-8 Zoning District the following regulations shall be observed:

Lot Size
Per construction site 5,400 sq. ft.
Per unit of use 1,800 sq. ft.

Lot width 20 feet minimum
Lot coverage 50% maximum
Building setback None
Side yards 10 feet minimum to apply only when a side yard is provided.
Rear yard ........................................ 25 feet
Floor area ratio ................................... 1.0 maximum
Paved surface area ................................. 90% maximum
Open area ......................................... 10% minimum

308.3 Design Standards. The following shall be applicable in all C-8 Zoning Districts:
Storage  As required by Section 505.1 of this ordinance.
Parking As required by Section 510.1 of this ordinance.

308.4 Performance Standards. The following requirements shall be observed in all C-8 Zoning Districts:
No goods shall be displayed in an open area.
No odors shall be perceptible in any adjacent residential zoning district.
No glare shall be produced which is perceptible in any adjacent residential zoning district.
No manufacturing shall be permitted which constitutes a danger to the community.

ARTICLE 400 — INDUSTRIAL DISTRICTS

Statement of Intent
In addition to the general goals listed in the preamble the districts established in these regulations are intended to achieve the following:

To provide sufficient space, in appropriate locations, to meet the anticipated future needs for industrial activity with due allowance for the needs for a range of choice of sites.

To provide that the land most suitable for industrial and related activities will be available to them by prohibiting the use of such land by new residential development, and at the same time, to protect residences by separating them from such activities.

To protect industry against congestions by limiting the bulk of buildings in relation to the land around them and to one another, and by providing sufficient off-street parking and loading facilities for such development.

To promote the most desirable use of land and direction of building development in accord with a well-considered plan, to promote stable industry, to strengthen the economic base, to protect the character of particular industrial areas and their peculiar suitability to particular uses, to conserve the value of land and buildings, and to protect local tax revenues.

To provide for industrial use in areas which can be readily served with public utilities and an adequate road system.

Procedures.
In order to assure a fair and comprehensive review of applications under this section, the following shall be observed:
Any application for a zoning permit under Article 700 of this ordinance shall be accompanied by:

a) A plot plan of the lot showing the location of all present and proposed buildings, drives, parking lots showing driveways, circulation patterns, curb cut accesses, parking stalls and bumpers, access from streets, screening fences and walls, and other construction features on the lot and the location of all topographical features.

b) Architectural plans for any proposed buildings.

c) A description of the operations proposed in sufficient detail to indicate the effects of these operations in producing congestion, noise, glare, air pollution, water pollution, vibration, fire hazards, safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation.

d) Engineering and architectural plans for treatment and disposal of sewage and industrial waste, tailings or unusable by-products.

e) Engineering and architectural plans for the handling of any excess traffic congestion, noise, glare, air pollution, water pollution, vibration, fire hazards or safety hazards, smoke, or emission of any potentially harmful or obnoxious matter or radiation.

f) Designation of the manner by which sanitary sewage shall be disposed and water supply obtained.

g) The proposed number of shifts to be worked and the maximum number of employees on each shift.

No zoning permit, as specified in Article 700, shall be issued for an application under this section until the Planning Commission shall evaluate the exhibits accompanying the application and make recommendations to the Borough Council, who shall consider the application and the recommendations of the Planning Commission. The Borough Council shall then instruct the Zoning Officer to either issue or deny a zoning permit. The municipality shall have a period of 90 days before acting upon any application under this section.

In all instances in which the Planning Commission, the Board of Adjustment, or the Borough Council expresses a reasonable doubt as to the ability of a proposed use to meet all of the requirements of this section, it will be incumbent upon the applicant to furnish adequate evidence in support of his application. If such evidence is not presented, the zoning permit will be denied.

In all instances under this section a temporary 90-day certificate of occupancy shall be required under Section 702.3 of this ordinance. Such a temporary certificate may be renewed until the Zoning Officer is able to evaluate whether the operation of the facilities meets the performance standards required by this section. No permanent certificate of occupancy shall be issued until the operation of these facilities meets these standards.

Section 401   1-1 Limited Industrial Districts

Specific Intent

In addition to the general goals listed in the preamble and the Statement of Intent, it is the purpose of this section to encourage
industrial development which is free from offensive noise, vibration, smoke, odors, glare, hazards of fire or other objectionable effects. Industries which can meet the standards imposed in this section shall be permitted to locate in adjacent districts to commercial and residential adjoining arterial highways provided adequate landscaping and screening is provided.

401.1 Use Regulations

Permitted Uses

In I-1 districts, land, buildings or premises shall be used for only one or more of the following:

1. Research, engineering or testing laboratories.
2. Any production, processing, cleaning, testing, repair, storage; and distribution of materials, goods, foodstuffs, and products not involving a retail activity on the lot.
3. Public utility installations and public service structures.
4. Truck freight terminal
5. Contractor's establishment not engaging in any retail activities on the site.
6. Administrative activities and offices.
7. Commercial warehouse

Accessory Uses.

Only the following accessory uses shall be permitted:

1. Restaurant, cafeteria or recreational facilities for employees.
2. Identification signs referring to the principal activities performed on the parcel or to the persons or firm performing those duties subject to Section 501 of this ordinance.
3. Customary accessory uses in manufacturing districts.

Uses by Special Exception

The following uses shall be permitted by special exception issued by the Zoning Board of Adjustment in accordance with Article 800 of this ordinance:

1. Radio or television transmitter, including such as an accessory use, if it is of any type requiring licensing by the Federal Communications Commission.
2. Gasoline service station on a minimum lot area of 40,000 square feet, provided all gasoline pumps and service facilities are set back at least thirty (30) feet from front lot lines.
3. A landfill or junk yard provided that grounds utilized for such purpose are completely screened by opaque fencing at least eight feet in height. Such fencing shall be set back from all lot lines a minimum distance of fifteen (15) feet. Such remaining area shall be subject to the landscaping provisions in accordance with Section 505.3.
Manufacturing activities in this Section shall be carried on in completely enclosed buildings. Only storage may be permitted out of doors, and only under the following provisions:

1. Storage shall be effectively screened by an opaque wall or fence with solid entrance and exit gates, which wall or fence shall be a minimum six (6) feet in height, and in no case lower than the enclosed storage.

2. Noise emanating from a use in this section shall not exceed the level of ordinary conversation at the boundaries of the lot. Short, intermittent noise peaks may be permitted, if they do not exceed normal traffic noise peaks at any point on the lot boundaries.

Uses in this section shall be such that they:

a. Emit no obnoxious, toxic or corrosive fumes or gases.

b. Emit no odors, perceptible at the lot boundaries.

c. Emit no smoke from primary activities of sufficient density to obscure sunlight.

d. Discharge into the air no dust or other particulate matter created.

e. Produce no heat or glare perceptible at or beyond the lot boundaries.

f. Utilize lighting in a manner which produces no glare in public streets or on any other parcel.

g. Produce no physical vibration perceptible at or beyond the lot boundaries.

h. Produce no electromagnetic radiation or radio-active emission injurious to human beings, animals or vegetation. Electromagnetic radiation or radioactive emissions shall not be of any intensity that interferes with the use of any other property.

i. Do not engage in the reproduction or storage of any material designed for use as an explosive, or in anyway create any other danger to the safety of the surrounding area.

j. Discharge no untreated potentially effluent from plant operations.

k. Do not engage in the storage of waste materials on the lot for any period beyond thirty (30) days.

401.3 Area and Bulk Regulations.
The following regulations shall be observed:

Floor area ratio ........................................... .6 maximum
Lot size .................................................. 40,000 sq. ft.
Lot Width ............................................... 100 ft. minimum
Lot Coverage ........................................... 40% maximum
Setback ............................................. 30 feet
Rear yard ....................................... 50 feet
Side yards ...................................... 15 feet minimum for each
Maximum Building Height .................... 40 feet
Tower and Chimney Location ................. 50 feet minimum from any lot line.
Paved Areas ..................................... 50% of lot area maximum

Section 402  
1-2 General Industrial District

Specific Intent.
In addition to the general goals listed in the preamble and the Statement of Intent, it is the purpose of this section to provide industrial locations for plants which require a large area for their operations and which are normally undesirable to locate adjacent to residential and commercial areas or are otherwise unable to meet the performance standards imposed in Section I-1.

402.1 Use Regulations
Permitted Uses:
1. Any production, processing, cleaning, testing, repair, storage and distribution of materials, goods, foodstuffs and products not involving a retail activity on the lot.
2. A rail freight terminal or switching yard.

Accessory Uses. Only the following accessory uses shall be permitted:
1. Restaurant, cafeteria or recreational facilities for employees.
2. Identification signs referring to the principal activities performed in the parcel or the person or firm performing those duties subject to Article 600 of this ordinance.
3. Customary accessory uses in manufacturing districts.

Uses by Special Exception
A landfill or junk yard provided that grounds utilized for such purposes are completely screened by opaque fencing at least eight feet in height. Such fencing shall be set back from all lot lines a minimum distance of fifteen (15) feet. Such remaining area shall be subject to the landscaping provisions in accordance with Section 505.3.

402.2 Standards
Manufacturing activities in this section shall be such that they:
a. Are conducted in areas which are screened from public view.
b. Emit no obnoxious, toxic or corrosive fumes or gases.
c. Produce no heat or glare perceptible at or beyond the lot boundaries during non-daylight hours.
d. Produce no physical vibration perceptible at or beyond the lot boundaries during non-daylight hours.

e. Produce no electromagnetic radiation or radioactive emissions injurious to human beings, animals or vegetation. Electro-magnetic radiation or radio-active emissions shall not be of an intensity that interferes with the use of any other property.

f. Discharge no untreated potentially dangerous effluent from plant operations.

g. Do not engage in the storage of waste materials on the lot for any period beyond thirty (30) days.

h. Do not engage in the reproduction or storage of any material designed for use as an explosive or in any way create any other danger to the safety of the surrounding area.

402.3 Area and Bulk Regulations

The following regulations shall be observed:

<table>
<thead>
<tr>
<th>Floor area ratio</th>
<th>1.0 maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot size</td>
<td>2 acres</td>
</tr>
<tr>
<td>Lot width</td>
<td>200 feet minimum</td>
</tr>
<tr>
<td>Lot coverage</td>
<td>40 percent maximum</td>
</tr>
<tr>
<td>Setback</td>
<td>60 feet</td>
</tr>
<tr>
<td>Side yards</td>
<td>20 feet minimum for each</td>
</tr>
<tr>
<td>Rear yard</td>
<td>100 feet</td>
</tr>
<tr>
<td>Maximum building height</td>
<td>40 feet</td>
</tr>
<tr>
<td>Tower and chimney location</td>
<td>100 feet from any lot line</td>
</tr>
</tbody>
</table>

ARTICLE 500 — SUPPLEMENTAL REGULATIONS

Section 501 Sign Regulations

501.1 In Residence Districts signs may be erected and maintained only when in compliance with the provisions of this Article and any and all other ordinances and regulations of the Borough relating to the erection, alteration or maintenance of signs, banners and other advertising devices and no other signs are permitted:

1. Signs advertising the sale or rental of the premises upon which they are erected, when erected by a broker or other person interested in the sale or rental of such premises, may be erected and maintained provided (a) the size of any such sign is not in excess of six square feet, and (b) not more than one sign is placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which event not more than one such sign may be erected on each frontage.

2. Signs advertising the sale or development of premises upon which they are erected, when erected in connection with the development of the premises, may be erected and maintained provided the size of any such sign is not in excess of six square feet, not more than one sign is placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which event not more than one such sign may be erected on each frontage.
development of the premises by a builder, contractor, developer, or other person interested therein, may be erected and maintained provided (a) the size of any such sign and (b) not more than two signs are not in excess of twenty square feet, placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which event not more than two signs may be erected on each frontage.

3. Signs indicating the location and direction of premises available for, or in process of development, but not erected upon such premises, and having inscribed thereon the name of the owner, developer, builder or agent, may be erected and maintained provided (a) the size of any such sign is not in excess of six feet in length nor four feet in width, and (b) not more than one such sign is erected on each five hundred feet of street frontage.

4. Signs bearing the words “Sold” or “Rented” with the name of the person effecting the sale or rental, may be erected and maintained provided the conditions specified Section 501.1, subsection 1 hereof are complied with.

5. Signs of mechanics, painters and other artisans may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected provided (a) the size thereof is not in excess of twelve square feet, and (b) such signs are removed promptly upon completion of the work.

6. Signs of schools, colleges, churches, hospitals, sanitariums, or other institutions of a similar nature, relating exclusively to the institutions erecting the same, may be erected and maintained provided (a) the size of any such sign is not in excess of twenty square feet, and (b) not more than one sign is placed upon a property in single and separate ownership, unless such property fronts upon more than one street, in which event not more than one sign may be erected on each frontage.

7. Professional, accessory use, home occupation or name signs on the same lot with and indicating the name, profession, or activity of the occupant of the dwelling, provided that the area of any one side of any such sign shall not exceed one hundred eight square inches and provided that not more than one such sign shall be erected for each permitted use or dwelling.

8. Signs in connection with the identification, operation, or protection of any public utility or municipal activity, on the same lot therewith, provided that the total sign area on any one street frontage of any property in single and separate ownership shall not exceed eight square feet.
9. In addition to the requirements of this Article every sign referred to herein must be constructed of durable materials, kept in good condition and repair, and not allowed to become dilapidated. Except as provided in other ordinances or regulations of the Borough, the construction of or erection of any such signs within the lines of a public highway is hereby prohibited.

501.2 In Commercial and Industrial Districts, signs may be erected and maintained only when in compliance with the provisions of this article and any and all other ordinances and regulations of the Borough relating to the erection, alteration or maintenance of signs, banners, and other advertising devices:

1. Signs bearing the name of a business house occupying the property or advertising goods and/or services offered by the owner, the tenant, or tenants of the property, may be erected, provided that such signs are attached to the building and so arranged that they do not interfere with traffic or restrict the clear view of the roadway, nor constitute a nuisance to adjoining property owners.

2. Any sign permitted in all residential districts, providing the use to which it refers is permitted in a commercial or industrial district.

3. Business, commercial or industrial signs on the same lot as to the use to which it refers; provided that any sign extending over six inches from the building shall have a total area not exceeding thirty-five square feet.

501.3 In All Districts the following general sign regulations shall apply:

1. No sign shall be placed in such a position as to endanger traffic on a street by obscuring a clear view or as to be confused with official street signs or signals.

2. No sign other than official street signs shall be erected or maintained within the street right-of-way except projecting signs and other signs authorized by any other ordinance or regulation of the Borough relating to the erection, alteration or maintenance of signs, banners and other advertising devices.

3. Every sign permitted by this Ordinance shall be constructed of durable materials and shall be maintained in good condition and repair at all times.

4. Every sign permitted by this Ordinance shall advertise only activities conducted on the premises where the sign is located.

Section 502 General Regulations

502.1 Visibility at Intersections. The following shall apply to all zoning districts:
On a corner lot or at a point or entry on a public road, nothing shall be erected, placed, or allowed to grow in a manner which obscures vision.

Above the height of two and one-half (2 1/2) feet measured from the centerline grades of the intersecting streets, and

Within the area bounded by the street lines of such corner lots and a line joining points on these street lines 25 feet from their intersection.

502.2 Stripping of Topsoil, Excavation of Clay, Sand, Gravel or Rock. The following shall apply to all districts:

Topsoil or sod may be removed only under the following conditions:

As part of the construction or alteration of a building, or the grading incidental to such building.

In connection with the construction or alteration of a street.

Sod farming.

The excavation of clay, sand, gravel, rock or other mineral shall be permitted, and the material thus excavated may be sold only under the following conditions:

As part of the construction of a building or the construction or alteration of a street.

The surface of the lot shall not be graded to a level below that of adjoining streets.

Excavation shall not be conducted in a way which will leave loose boulders exposed.

502.3 Projections into Required Yards. The following shall apply to all districts:

All required yards shall be unobstructed except as follows:

An arbor, open trellis, flagpole, unroofed steps or an unroofed terrace, or recreational or drying yard shall be permitted with no restriction.

An awning or movable canopy may project into any yard not more than fifteen (15) feet but may not be closer than fifteen (15) feet from the property line.

502.4 Exception on Height Limitations. The height limitations of this Ordinance shall not apply to church spires, bellfries, cupolas, and domes not intended for human occupancy; monuments, observation towers, masts and aerials.

502.5 Outdoor Storage. Yards as defined by this Ordinance shall be prohibited in all residential and commercial districts.
502.6 Corner Lot Restrictions.
The area requirements of any public building or structure located on a corner lot shall be interpreted as follows:
The front yard requirement shall be applied to that yard which is faced in the same direction with the front yards of adjacent uses fronting on the same street.
The side yard between the building or structure and other street shall be in conformance with the side yard requirements, but in no event shall this distance be less than twenty (20) feet.

Section 505 Design Standards
All storage shall be completely screened from view from any public right-of-way and any residential district which abuts the district. Screening shall consist of plantings or an architectural screen. All organic rubbish or storage shall be contained in air-tight, vermin proof containers which shall also be screened from view from any public right-of-way or abutting residential district. The regular storage of tractor trailers which supply or service establishments in the district shall be prohibited.

Section 506 Historical District Controls
Specific Intent
In addition to the general goals stated in the preamble, the purpose of this section is to preserve and protect the areas of unique and historic interest in the municipality and to promote the cultural awareness of certain designated lands and buildings which are significant to the municipality.

506.1 Designation of Area
Areas to be regulated under this section shall be determined by Borough Council under the recommendations of the Board of Historical Review. Those areas so designated shall be marked by a suitable plaque placed upon the structure and by a suitable sign designating the land and/or buildings. A list of those properties, including a description of the property lines, shall be maintained by the Borough Secretary.

506.2 Use Regulations
Uses shall be regulated by the zoning district in which the lands and/or buildings are situated.

506.3 Procedures
Each applicant for a building permit which would authorize new construction, alterations or modifications affecting the exterior
appearance of existing buildings; or for the construction of new buildings or land subject to those controls shall first submit the following to the Board of Historical Review:

- building floor plans;
- buildings elevations and sections;
- site plan showing building locations;
- complete landscaping plan.

Within thirty (30) days upon receipt of the plans and specifications, the Board of Historical Review shall either authorize or deny the approval of a building permit. Such authorization shall be granted when the architectural style, general design, arrangement, location and materials meet the following standards:

- harmonious interrelation with the exterior, architectural features of other structures in the immediate surrounding area;
- complimentary architectural characteristics with the traditional design of existing structures.

Any applicant shall before undertaking other alternative remedies appeal the decision of the Board of Historical Review to Borough Council, who shall permit discussion of application at a public meeting.

506.4 Creation and Composition of the Board of Historical Review

Borough Council shall appoint a Board of Historical Review consisting of three (3) members, one of whom shall be designated chairman. The members of the Board shall serve a term of three (3) years. The term of each member shall be so staggered that only one member is appointed or reappointed in any one year. Vacancies when existing shall be filled for the unexpired term of any member whose term becomes vacant.

In the selection of members of the Board of Historical Review, Borough Council shall select only those persons who have demonstrated an interest in the history of the Borough.

One member of the Board shall be designated by the Board as chairman, a second member as vice-chairman, and a third member as secretary.

The Board shall undertake a program of evaluating and re-evaluating areas to be subject to these regulations, the design of suitable plaques and signs, a list of properties affected, and the hearing of cases.

Section 507 Residence Conversion Controls for Dormitory Use

Specific Intent

In addition to the general goals stated in the preamble, the purpose of this section is to permit the conversion of single-family resi-
dences into lodging room units for use by college students. The regulations of this section are planned to permit orderly conversions in buildings which are suitable for lodging room use by college students where such use will not be injurious to their existing character.

507.1 Designation of Area

Areas to be regulated under this section shall be determined by Borough Council following the consideration of the recommendations of the Planning Commission. No area shall be smaller than a block as defined by this ordinance or 40,000 square feet. A list of areas which are designated as subject to these restrictions shall be maintained by the Planning Commission and the Borough Secretary.

507.2 Conversion Procedure

The use of an existing building for dormitory residence shall be permitted in an area subject to the following regulations: Applications shall be filed with the Zoning Officer. The application shall consist of a written request and the following information:

Separate photographs of the house, showing each side of the building.

Sketch plan of the lot showing width and depth of the lot, size and location of all structures, including any accessory building such as garages and storage sheds.

A statement indicating the number of proposed residence units and occupancy capacity, the room size of each, type of unit, the total building floor area per occupant and open yard space area per occupant.

Sketch plan of each floor in which residence units will be located, showing the dimensions of each resident unit.

Within forty-five (45) days of receipt of the request and the necessary information, the Planning Commission shall approve after an on-site inspection by the Zoning Officer and designated members of the Planning Commission. No application shall be approved unless evidence is furnished by the Planning Commission that the adjacent property owners were notified of the pending application.

The decision of the Planning Commission shall be presented to Borough Council as the recommendations of the Planning Commission. Within forty-five (45) days after its next monthly meeting, Borough Council shall either approve or reject the initial application after reviewing it at a public meeting.
507.3 Area and Bulk Regulations. The Area and Bulk Regulations of the prevailing zoning district shall apply. The maximum number of occupants shall be the lowest maximum number permitted under either of the following tables.

<table>
<thead>
<tr>
<th>Total Floor Area of Building (as defined by this ordinance)</th>
<th>Maximum Number of Occupants</th>
</tr>
</thead>
<tbody>
<tr>
<td>200 — 399 square feet</td>
<td>1</td>
</tr>
<tr>
<td>400 — 599</td>
<td>2</td>
</tr>
<tr>
<td>600 — 799</td>
<td>3</td>
</tr>
<tr>
<td>800 — 999</td>
<td>4</td>
</tr>
<tr>
<td>1000 — 1199</td>
<td>5</td>
</tr>
<tr>
<td>1200 — 1399</td>
<td>6</td>
</tr>
<tr>
<td>1400 — 1599</td>
<td>7</td>
</tr>
<tr>
<td>1600 — 1799</td>
<td>8</td>
</tr>
<tr>
<td>1800 — 1999</td>
<td>9</td>
</tr>
</tbody>
</table>

The total number of occupants may be increased at the ratio of 200 square feet of additional Floor Area for each occupant.

<table>
<thead>
<tr>
<th>Total Open Yard Space (excluding driveways)</th>
<th>Maximum Number of Occupants</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 — 99 sq. ft.</td>
<td>1</td>
</tr>
<tr>
<td>100 — 199</td>
<td>2</td>
</tr>
<tr>
<td>200 — 299</td>
<td>3</td>
</tr>
<tr>
<td>300 — 399</td>
<td>4</td>
</tr>
<tr>
<td>400 — 499</td>
<td>5</td>
</tr>
<tr>
<td>500 — 599</td>
<td>6</td>
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<tr>
<td>600 — 699</td>
<td>7</td>
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<tr>
<td>700 — 799</td>
<td>8</td>
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<tr>
<td>800 — 899</td>
<td>9</td>
</tr>
<tr>
<td>900 — 999</td>
<td>10</td>
</tr>
</tbody>
</table>

The total number of occupants may be increased at the ratio of 100 square feet of Open Yard Space for each occupant.

507.4 Design Standards
The following shall be applicable in all areas subject to these controls:

Storage. As required by Section 505.2 of this ordinance.
Parking. As required by Section 511 of this ordinance.
Section 510  Commercial (C) and Industrial (I) Districts
Parking and Loading Controls

510.1  Off-Street Parking Regulations

Standards. Off-Street parking space, or spaces, with proper and safe access from street or alley, shall be provided on each lot, either within a structure or in the open, to serve the uses within the district adequately. Parking space for one vehicle shall be equal to at least 350 square feet for purposes of computing car spaces including stalls and driveways, and shall have a stall of at least 10 by 20 feet in size. Parking spaces shall have an approved paved surface, shall be adequately marked and shall have a safe and convenient access in all seasons.

Requirements. Off-Street parking shall be required in any new construction or change of use in commercial and industrial zoning districts imposing these regulations. The number of required spaces shall be determined by the application of the following formula to the contemplated use.

These uses which may be considered in one of the following categories shall provide sufficient off-street parking spaces to meet the application of the appropriate formula.

<table>
<thead>
<tr>
<th>Use</th>
<th>At least One Parking Space for Each</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motel</td>
<td>Guestroom</td>
</tr>
<tr>
<td>Apartment or any other Residence</td>
<td>1 dwelling unit</td>
</tr>
<tr>
<td>Dormitory</td>
<td>each 4 residents</td>
</tr>
</tbody>
</table>

Section 511  Residential (R) Parking Controls

511.1  Standards

Parking space, or space with proper and safe access from street or alley, shall be provided on each lot, either within a structure or in the open to serve the dwellings within the district adequately. Parking space for one vehicle shall be equal to at least 350 square feet for purposes of computing car spaces including stalls and driveways, and shall have a parking space of at least 10 by 20 feet in size. Parking spaces shall have an approved all-weather surface and shall have a safe and convenient access in all seasons.

511.2  Requirements.

One space shall be required for each dwelling unit.

Where 8 or more spaces are provided or service a single residential use, the following additional requirements shall be imposed:

1. All access way and parking spaces shall be paved.
2. The outlines of all parking spaces shall be permanently marked.
Section 512 Redevelopment Controls

Specific Intent
In addition to the general goals listed in the preamble, it is the purpose of this section to provide regulations for the redevelopment of sections within the C-O Zoning District. Such regulations affect new building by requiring an overall development plan which has been approved by Borough Council. Area and bulk regulations, performance standards and other requirements are imposed for the unit and its immediate area rather than incorporating overall controls applicable throughout the district.

512.1 Scope
In any area zoned as “C-O” Residential-Commercial Development District, the construction of any new building or the extension of any existing building, except a residential dwelling used for single-family occupancy, shall require a Project Approval.

512.2 Project Approval
Upon the issuance of a Zoning Permit under Section 702.1 of this ordinance, the applicant shall submit the following information to the Planning Commission, which shall constitute a submission for Project Approval.

A location plan showing the relationship of the proposed development with adjacent properties.

Architectural drawings of all proposed buildings.

A landscape plan

Information required for a Zoning Permit

A statement indicating the proposed use of each building, approximate date of completion, effect on traffic congestion, adequacy of off-site parking facilities, benefits to the municipality, approximate cost of services to the municipality, approximate market value compared to the existing market value, effect on the use of adjacent buildings, and whatever additional information may be deemed necessary.

512.3 Procedure
Within thirty (30) days after a Project Approval has been submitted to the Planning Commission, that Commission shall make its recommendations public with any additional requirements necessary to protect adjacent property.

These recommendations shall be forwarded to Borough Council by the Planning Commission. Within thirty (30) days after receipt the Borough Council shall approve, disapprove or alter the recommendations of the Planning Commission. During this period, op-
portunity shall be afforded for a public hearing on the project approval. Such hearing may be held as a part of a Borough Council meeting.

512.5 Area and Bulk Regulations

The following regulations shall be observed:

Minimum Lot Size
Residential Development ........................................... 10,000 sq. ft.
Commercial Development ........................................... 20,000 sq. ft.
Industrial Development ............................................ 40,000 sq. ft.

Minimum Building Setback Adjacent Residential Property Line
Residential Development ........................................... 50 feet
Commercial .......................................................... 100 feet
Industrial Development ............................................ 200 feet

Maximum Floor Area Ratio
Residential Development ........................................... 3.0
Commercial Development ........................................... 2.0
Industrial Development ............................................ 1.0

Minimum Open Area
Residential Development ........................................... 25%
Commercial Development ........................................... 10%
Industrial Development ............................................ 15%

Maximum Building Setback
Residential Development ........................................... 10 feet
Commercial Development ........................................... 20 feet
Industrial Development ............................................ 20 feet

Maximum Paved Area
Residential Development ........................................... 40%
Commercial Development ........................................... 60%
Industrial Development ............................................ 50%

Maximum Lot Coverage
Residential Development ........................................... 50%
Commercial Development ........................................... 60%
Industrial Development ............................................ 70%

512.6 Design Standards

The following regulations shall be observed:

Storage: As required by Section 505.2 of this ordinance.
Parking: As required by Section 510.1 and 510.3 of this ordinance.
ARTICLE 600 — NON-CONFORMING USES
PREMISES, STRUCTURES AND LOTS

Section 601  Statement of Intent

The zoning districts established by this ordinance are designed to
guide future use of land in the Borough by encouraging the develop-
ment of desirable residential, commercial and manufacturing
areas, with appropriate groupings of compatible and related uses,
to the end of promoting and protecting the public health, safety,
comfort, prosperity and other aspects of the general welfare.

To achieve this end, lawful existing uses which would be pro-
hibited or restricted under the terms of this ordinance, or future
amendments, and which do not conform to the character and regu-
lations of the zoning district in which they are located must be
subject to certain limitations. The regulations set forth below are
intended to provide a gradual remedy for the undesirable condi-
tions resulting from indiscriminate mixing of uses, and to afford a
means whereby non-conforming uses can be gradually eliminated
and re-established in more suitable locations within the Borough.

Similarly, buildings or other structures which do not comply with
one or more of the applicable district requirements as to lot width,
minimum lot area and yard spaces, width of lot, coverages, or
height are deemed to be non-conforming.

Non-conforming uses and structures will be generally permitted to
remain; the purpose of regulating them is to restrict further in-
vestment in uses or structures which are inappropriate to their lo-
cations.

To avoid undue hardship, nothing in this ordinance shall be deemed
to require a change in plans, construction, or intended use of any
building on which actual construction was lawfully begun prior to
the effective date, or amendment, of this ordinance and on which
actual building construction has been diligently carried on.

SECTION 601 — NON-CONFORMING BUILDINGS OR USES

601.1  Continuation

The lawful use of a building or land existing on the effective date
of this Ordinance, or authorized by a building permit issued prior
thereto, may be continued, although such use does not conform
with the provisions of this Ordinance.

601.2  Extension

A nonconforming use of a building may be extended throughout
the building if no structural alterations are made therein, provided
that such extension may include structural alterations when author-
ized as a special exception by the Board of Adjustment.
A building constituting a nonconforming use may be extended upon the lot occupied by such building held in single and separate ownership at the effective date of this Ordinance when authorized as a special exception by the Board of Adjustment.

601.3 Changes
A nonconforming use of a building or land may be changed to a nonconforming use of the same or a more restricted classification, if no structural alterations are made therein, provided that such change may include structural alteration when authorized as a special exception. Whenever a nonconforming use of a building or land has been changed to a use of a more restricted classification, or to a conforming use, such use shall not thereafter be changed to a use of a less restricted classification.

601.4 Restoration
A nonconforming building which has been damaged or destroyed by fire, or other cause, to an extent of not more than 75 per cent of its value, or a nonconforming building which has been legally condemned, may be reconstructed and used for the same nonconforming use, provided that (a) the reconstructed building shall not exceed in height, area, and volume, the building destroyed or condemned, and (b) building reconstruction shall be commenced within one year from the date the building was destroyed or condemned, and shall be carried on without interruption.

601.5 Discontinuance
If a nonconforming use of land or of a building ceases or is discontinued for a continuous period of one year, or more, subsequent use of such building or land shall be in conformity with the provisions of this Ordinance, unless the Board of Adjustment shall authorize as a special exception the resumption of the discontinued use.

SECTION 602 — NON-CONFORMING LOTS—OF—RECORD

602.1 Lots Non-conforming as to Area and Width Regulations
A building may be erected or altered on any lot held at the effective date of this Ordinance in single and separate ownership which is not of the required minimum area, or width, or is of such unusual dimensions that the owner would have difficulty in providing the required open spaces for the district in which such lot is situated, provided a special exception is authorized by the Board of Adjustment, and provided further that the applicant does not own or control other adjoining property sufficient to enable him to comply with the provisions of this Ordinance as amended.
In any district in which single-family houses are permitted, notwithstanding the area limitation imposed by other provisions of this Ordinance, a single-family house and customary accessory buildings may be erected on any single lot of record in existence at the effective date of adoption or amendment of this Ordinance, without Board of Adjustment action, provided that such a lot must be in single and separate ownership, and not form part of a continuous frontage with another lot in the same ownership.

SECTION 603 — NON-CONFORMING SIGNS

Any sign, signboard, billboard, or advertising device existing at the time of the passage of this Ordinance that does not conform with the regulations of the district in which it is located shall be considered a nonconforming sign and may be used in its existing location provided it is maintained in good condition and repair at all times.

Nonconforming signs once removed may be replaced only with conforming signs; however, legal nonconforming signs may be repainted or, after issue of a permit, repaired or modernized provided that such repaired or modernized sign does not exceed the dimensions of the existing sign.

ARTICLE 700 — ADMINISTRATION

Section 701  Zoning Administrative Officer

The duty of administering and enforcing the provisions of this ordinance is hereby conferred upon a Zoning Administrative Officer, who shall have such powers as are conferred upon him by this ordinance, and as reasonably may be implied. The Zoning Administrative Officer is the Administrative Officer referred to in this ordinance. A vacancy shall be filled for the unexpired term.

Borough Council shall have the power to remove the Administrative Officer for cause upon written charges and after public hearing. He shall receive such compensation for his services as Council may determine.

Section 702  Plots

All applications for building permits shall be accompanied by a plot plan in duplicate, drawn to scale, showing the location and size of each building to be erected upon each lot, the actual dimensions of each lot to be built upon, and such other information as may be necessary to enable the Zoning Administrative Officer to determine that the proposed structure and use of land will conform to the provisions of this ordinance. A record of such applications and plots shall be kept in the office of the Zoning Administrative Officer.
Section 703 Certificate of Occupancy

703.1 Application. No excavation for foundation, nor the erection, construction of structural alteration of any structure or part of a structure, or temporary structures for construction purposes, shall be undertaken until a permit therefor shall have been issued by the Zoning Administrative Officer. No such permit shall be issued before application has been made for a certificate of occupancy.

703.2 Scope. No vacant land shall be occupied or used and no structure hereafter erected, structurally altered or changed in use, shall be used or changed in use until a certificate of occupancy shall have been issued by the Zoning Administrative Officer.

703.3 Issuance

A certificate of occupancy, either for the whole or part of a new building or for alteration of an existing building, shall be applied for coincident with the application for a building permit and shall be issued within ten (10) days after the erection or alteration of such building or part shall have been completed in conformity with the provisions of this ordinance.

A certificate of occupancy for the use or occupancy of vacant land, or for a change in the use of land, or for a change in the use of an existing building, shall be applied for and issued within ten (10) days after the application has been made, and before any such land or building shall be occupied or used, provided such proposed use is in conformity with the provisions of this ordinance.

A like certificate shall be applied for and issued for the purpose of maintaining, renewing, changing or extending a non-conforming use, existing at the time of the passage of this ordinance; and such certificate shall state that the use does not conform with the provisions of his ordinance. For the purpose of complying with this requirement, the Administrative Officer shall mail such certificate to the occupants or owners of all such property within six (6) months after the passage of this ordinance or amendment thereto.

703.4 Records. A record of all certificates of occupancy shall be kept on file in the office of the Administrative Officer, and a copy shall be furnished on request to any person having a proprietary or tenancy interest in the building or land affected.

703.5 Fees. No fees shall be charged for an original certificate of occupancy as required herein; but for each copy of an original certificate there shall be a charge of one (1) dollar, which shall be remitted to the Borough Treasurer by the issuing officer in accordance with the manner of reporting and payment as is generally provided.
In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals or general welfare of the Borough.

Where this ordinance imposes greater restrictions upon the use of a building or land, or upon the height, bulk or size of a building or structure, or requires larger open spaces than are imposed or required by other ordinances, rules, regulations or permits, or any easements, covenants or agreements impose greater restrictions upon the use of a building or land, or upon the height, bulk or size of a building or structure, or require larger open spaces than are required under the regulations of this ordinance, such provisions shall govern.

All structures for which permits have been obtained and the construction of which, or a portion of which has been begun, or for which a contract or contracts have been let, pursuant to a permit issued prior to the passage of this ordinance, may be completed and used in accordance with the plans for which said permit was granted.

All permits for buildings issued within sixty (60) days prior to the passage of this ordinance or amendments thereto, are hereby declared void, provided such building or its use does not conform to the provisions of this ordinance, if, at the time of the passage of this ordinance, no substantial construction has been made, and no contract or contracts have been let pursuant to said permit.

**Section 705 Changes and Amendments**

**705.1 Procedure**

The Borough Council may, from time to time, on its own initiative, or on petition signed by a majority of the property owners according to frontage in any district, or portion thereof as large as one city block between two intersecting streets, amend, supplement or change the regulations, restrictions or district boundaries herein established or subsequently established. This shall be done only after public hearing before Council in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days notice of the time and place of such hearing shall be published in a paper of general circulation published in the Borough.

**705.2 Protest.** In case the proposed amendment, supplement or change be objected to a protest signed by the owners of twenty (20) per cent or more of the area proposed to be altered, or by the owners of twenty (20) per cent of the area immediately in the rear thereof extending one hundred (100) feet therefrom, or by the owners of twenty (20) per cent of the area directly opposite the frontage
proposed to be altered, extending one hundred (100) feet from the street frontage of such opposite lots, such amendment, supplement or change shall not be passed or become effective, except by an affirmative vote of at least three-fourths of the members of Council.

**Section 706 Violation, Penalty**

Failure to secure the required zoning permit or use registration permit previous to the erection, construction, alteration, or addition to a building shall be a violation of this Ordinance. Structures erected without a permit or not in conformity with this Ordinance shall be removed.

When written notice of a violation of any of the provisions of this ordinance has been served by the Administrative Officer on the owner, agent, or occupant, contractor or builder, such violation shall be discontinued and/or removed immediately.

Any person, firm or corporation violating any of the provisions of this Ordinance, shall for each violation upon conviction thereof pay a penalty of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00), with costs recoverable before the Mayor or any Justice of the Peace, and upon default of payment of the penalty and costs, the person or persons convicted may be committed to the County Prison for a period not exceeding thirty (30) days. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 801 — ADMINISTRATION AND PROCEDURE**

**801.1 Appointment.** The Borough Council shall appoint a Board of Adjustment consisting of three members. Council shall designate one such member to serve until the first day of January following the effective date of this Ordinance, one until the first day of the second January thereafter, and one until the first day of the third January thereafter. Council shall appoint three successors on the expiration of their respective terms to serve three years, and shall fill any vacancy for the unexpired term of any member whose term becomes vacant. The members of the Board of Adjustment shall be removable for cause by the Council upon written charges and after a public hearing.

**801.2 Powers.** The Board shall have the following powers:
1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination including any order requiring an alleged violator to stop, cease and desist, made by the Zoning Officer in the enforcement of the Enabling Act of this Ordinance adopted pursuant thereto.
2. To hear and decide special exceptions to the terms of this Ordinance, in such cases as are herein expressly provided for, in harmony with the general purposes and intent of this ordinance with power to impose appropriate conditions and safeguards.

3. To authorize, upon appeal, in special cases, such variance from the terms of this Ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship, and so that the spirit of this Ordinance shall be observed and justice done.

801.3 Orders. In exercising the above mentioned powers, the Board may reverse or affirm, wholly or in part or may modify the order, requirement, decision or determination including any order requiring an alleged violator to stop, cease and desist, appealed from and may make such order, requirement, decision or determination including a stop order or orders to cease and desist as ought to be made. Notice of such decision shall forthwith be given to all parties in interest.

801.4 Rules of Procedure. The Board shall adopt Rules of Procedure in accordance with the several provisions of this Ordinance as to manner of filing appeals or applications for special exceptions or for variance from the terms of this Ordinance.

801.5 Standards for Action. In all cases of special exceptions, the Zoning Board of Adjustment shall authorize such exceptions only in such cases as are expressly provided for in harmony with the general purposes and intent of the Ordinance. In granting special exceptions the Board of Adjustment shall in addition to such other factors as it may deem relevant:

1. Give full consideration to the size, scope, extent and character of the exception desired and assure itself that such request is consistent with the plan for future land use in West Chester Borough, and with the spirit, purpose and intent of the Zoning Ordinance.

2. Consider the suitability of the property for the use desired, and the extent to which the new or expanded use is susceptible of regulation or restriction by appropriate conditions and safeguards.

3. Consider the public interest in, or the need for the proposed use or change, and determine that the proposal will serve the best interests of the Borough, the convenience of the community (where applicable), and the public health, safety, morals, and general welfare.

4. Consider, where pertinent, the effects of the proposed change with respect to congestion on the roads or highways, the most appropriate use of land, conserving the value of buildings, safety from
fire, panic and other dangers, adequacy of light and air, the prevention of overcrowding the land, congestion of population and the adequacy of public and community services.

5. Make certain that the proposed change is reasonable in terms of the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection, transportation, and public schools.

6. Take into consideration the character and type of development in the area surrounding the location for which the request is made and determine that the proposed change or modification, as permitted, will constitute an appropriate use in the area and will not substantially injure or detract from the use of surrounding property or from the character of the neighborhood.

7. Guide the development of highway frontage insofar as possible so as to limit the total number of access points, reduce the need for on-street parking, and encourage the frontage of buildings on parallel marginal roads or on roads perpendicular to the highway.

8. Consider the probable effects of proposed development on highway congestion and insure that adequate access arrangements are provided in order to protect major highways from undue congestion and hazard.

801.6 Meetings. Meetings of the Board shall be held at the call of the chairman and at such times as the Board may determine. The chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

801.7 Notice of Hearings. Upon the filing with the Board of an application for a special exception or for variance from the terms of this Ordinance, the Board shall fix a reasonable time and place for a public hearing thereon, and shall give ten (10) days notice as follows:

1. By publishing a notice thereof once a week for two (2) successive weeks in a newspaper of general circulation published or circulated in the Township.

2. By mailing or serving due notice thereof to the applicant.

3. By mailing or serving notice thereof to the Borough Council.
4. When the Board shall so order, by mailing or serving notice thereof to the owner or owners, if their residence is known, or to the occupier or occupiers of every lot on the same street within five hundred (500) feet of the lot or building in question and of every lot not on the same street within one hundred fifty (150) feet of the said lot or building; Provided that failure to give notice required by this paragraph shall not invalidate any action by the Board.

The notices herein required shall state the location of the building or lot and the general nature of the question involved.
ARTICLE 900—ENACTMENT PROVISIONS

Section 901 Repealer
All ordinances or part of ordinances inconsistent herewith are hereby repealed.

902 Effective Date
This Ordinance shall become effective 10 days after final approval.

ENACTED this 23rd day of August, 1966.
COUNCIL OF THE BOROUGH OF WEST CHESTER

Attest:
ROBERT J. SHAW

By: J. DEWEES MOSTELLER
President

Approved:
CHARLES H. ANDRESS
Mayor