

*Borough of Pottstown, PA
Thursday, September 25, 2025*

Chapter 27. Zoning

PART 3. DISTRICTS

§ 320. Downtown (Conservation).

[Ord. 1968, 9/8/2003, § 320; as amended by Ord. 2042, 8/13/2007; by Ord. 2064, 7/13/2009, § 3; by Ord. 2067, 12/14/2009, § 4; by Ord. 2085, 9/12/2011; by Ord. 2110, 5/13/2013; by Ord. 2154, 9/12/2016 and by Ord. No. 2183, 4/8/2019]

1. Intent: To preserve and enhance Pottstown's historic Central Business District with a wide range of retail, business, professional, governmental, and urban residential uses.
2. Definitions. The following definitions shall be applicable to the Downtown District and any other zoning district or overlay in which these definitions are expressly applied only, and, with respect to the Downtown District and any other districts or overlays in which these definitions are expressly applied only, shall supersede any definitions in conflict herewith.
[Amended by Ord. No. 2201, 1/11/2021]

ART GALLERY

A public or private facility that is operated as an exhibition space for individual art pieces not mass produced, consisting of one or more of the following: paintings, drawings, etchings, sculptures, or photographic prints; may include the sale or loan of the individual art pieces or the sale of related objects and services. An art gallery shall not exceed 3,000 square feet.

ARTIST (INDIVIDUAL) STUDIOS AND ARTISAN INDUSTRIAL

Spaces used by artists for the creation of art or the practice of their artistic endeavors, where no individual or group instruction takes place, as well as uses that produce consumer goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment in a completely enclosed building with no outdoor operations, storage or regular commercial truck parking/loading.

COMMERCIAL OR TRADE SCHOOL

Such use shall include post-secondary trade schools, as well as career or vocational schools licensed by the State Board of Private Licensed Schools.

GROCERY STORE or SUPERMARKET

A retail store principally devoted to the sale of food goods and associated household products customarily incidental to food shopping activity.

- A. Outdoor sales areas are permitted, provided the area is enclosed by fencing or screening, directly adjoins the principal building, is not located in a front or buffer yard, and the outdoor area is factored into the total number of required parking spaces.
- B. When proposed in a detached building, the following standards shall apply:
 - (1) The site shall have a minimum of two ingress/egress locations.

- (2) In addition to required load/unload zones, the premises shall define a customer pickup area sufficient to maintain at least four vehicles without interference to the normal flow of traffic.
- (3) Cart return areas shall be defined on the premises for each vehicle parking aisle, without reduction to required parking areas. If carts are not required by the proposed use, carts areas shall be maintained as green space in reserve.

HEALTH AND FITNESS CENTER

A building, facility or structure which, through membership and/or compensation, offers facilities and programs operated by a nongovernmental agency for athletic, health or recreational workout and training, including but not limited to gymnasiums, exercise and weight rooms, game courts, locker rooms, jacuzzi and sauna, reduction and tanning salons, weight control programs, classes, group instruction, and accessory pro and health food snack shops.

- A. If outdoor courts are provided, they shall comply with approved playing size standards exclusive of any required buffer areas.
- B. If outdoor playing courts are provided, a twenty-five-foot-wide screening buffer is required to surround the playing area, which shall be landscaped according to the standards of this chapter.
- C. When additional parking is not proposed beyond the base parking standard to accommodate additional uses, accessory uses of any type, including restaurants, retail areas and classrooms, are collectively limited to 10% of the gross floor area of the building.

HOTEL/MOTEL

A facility offering transient lodging accommodations on a daily or weekly basis to the general public, having access to the accommodations only through a central lobby, and providing additional services such as restaurants, meeting rooms and recreational facilities.

- A. Accessory uses, other than a restaurant located on the ground floor, shall be limited in use to paying guests of the hotel. The use must have access to a major collector or higher classification highway.
- B. The maximum permitted density for hotel/motel lodging shall be 32 overnight guest rooms per acre.
- C. The length in occupancy per transient guest shall be at least one night and no more than 30 nights in a six-month period beginning at the first day of occupancy.

LIBRARY or MUSEUM

Such use shall include a library or museum open to the public or connected with a permitted educational use, conducted as a nonprofit operation, and not conducted as a private, gainful business; provided, however, that any retail activity is incidental to the primary purpose of the library or museum.

MICROBREWERY/MICRODISTILLERY/MICROWINERY/NANOBREWERY

A facility for the production, packaging, and sampling of alcoholic beverages, including beer, wine, cider, and distilled liquors, for retail or wholesale distribution, for sale or consumption on- or off-premises, and which produces less than 100,000 gallons of such beverages per year. Tasting or sampling rooms or areas incidental thereto are permitted.

MIXED-USE BUILDING

A building, use, or structure, other than a shopping center or lifestyle center, comprised of a mixture of uses, such that uses from at least two of the three following categories: 1) retail, 2) office, or 3) residential are provided. Particular uses in a mixed-use building shall comply with their respective use regulations in this Part, the standards of mixed-use buildings, the standards of the applicable zoning district, and all other applicable regulations of this chapter.

- A. Mixing uses of different use categories on the same floor within a building is permitted, provided that such uses are served by separate building entrances.
- B. Residential uses (one or more multifamily units) are permitted on the ground floor of a mixed-use building, provided the following standards are satisfied:
 - (1) Nonresidential uses occupy 50% or more of the ground-floor square footage;
 - (2) The front area of the ground floor shall only be occupied by nonresidential uses, the front facade of which must have transparent windows and an everyday entrance from the street; and
 - (3) Residential uses shall not be accessed from the nonresidential uses of such a building.
- C. Only those uses listed in Subsections 2C(1) through (3) below, and no other, may be permitted within a mixed-use building, provided that the use indicated in Subsections 2C(1) through (3) below is also specifically permitted in Subsections 3 through 5 below.
 - (1) Retail/Service: art gallery; artist (individual) studio and artisan industrial; bank or financial institution; commercial or trade school; personal care business - A; pet grooming; professional service business; restaurant, sit-down; restaurant, take-out and prepared foods shop; retail shop; studio training for dance, art, music, photography, yoga, martial arts, or similar arts; and/or sundries, pharmaceuticals, and convenience sales (pharmacy).
 - (2) Office: office - business; office - general; office - municipal or governmental; and/or office - professional services.
 - (3) Residential: hotel/motel; and/or multifamily unit.

MULTIFAMILY BUILDING/UNIT

A multifamily dwelling is a single, detached, residential use or building containing at least three separate dwelling units, with units arranged in a variety of combinations, including side-by-side, over and under, or back to back with another dwelling unit. When contained in a mixed-use building, "multifamily building/unit" shall refer to at least one dwelling unit contained in a single building containing other uses, as described in the definition of "mixed-use building."

- A. The dwelling units may share outside access and internal hallways, lobbies and similar facilities.
- B. The dwelling units cannot be individually lotted, but shall share a lot or parcel on which the building is located; except under condominium law.
- C. Uses of a multifamily unit and of accessory uses that relate to business activity are not permitted.

PARKING STRUCTURE

A building, structure or a portion thereof designed and used for the parking of motor vehicles open to customers, patrons, tenants of a business or residence, or to the public at large, all or parts of which may be above or below ground. Parking structures shall be constructed to the following minimum standards indicated below:

- A. Retail store fronts or other business uses on the street level shall be required along all street frontages.
- B. The wall of the parking structure facing a public street or right-of-way shall be treated in such a manner as to partially screen street-level parking. Undecorated appearances of parking structures are not permitted.

- C. **Underground Parking Structures:** Underground parking structures are permitted within any required setback, side yard, and rear yard, on any lot in any nonresidential zoning district, provided no portion of the underground structure extends above grade more than three feet at any point. A parapet or railing may extend above the permitted structure height, provided it is not greater than 36 inches in height; is set back from the property line at least three feet; and has openings equal to at least 50% of its surface along each side. Along any lot line abutting a street, "grade" means the elevation at the center line of the street. Along any lot line not abutting a street, "grade" means ground elevation at the property line. Such structures shall conform to any corner sight distance requirement. An underground parking structure may encroach upon any area set aside for the buffer, screening, or other planting requirements, so long as there is at least four feet of soil between the aboveground surface and the top of the underground parking structure.
- D. Parking structures shall be monitored with a commercial security service at all times, provided at the sole expense of the parking structure owner or operator.

PET GROOMING

A commercial use dedicated to the grooming of dogs and cats, and may include accessory animal pens for the incidental holding of animals; provided, however, that no overnight boarding and any other activity normally associated with a kennel, such as the breeding, boarding, training or selling of animals, shall be permitted.

PROFESSIONAL SERVICE BUSINESS

Such use shall include businesses which typically offer service in conjunction with the sale of goods. Such uses differ from retail or office business in that the customer area is usually separated from the service area, and some form of laboratory, fabrication area or processing area is necessary. Such use includes but is not limited to dry cleaning, shoe repair, tailor, photography studio, copying service, eyeglass labs, and other similar uses, unless otherwise provided for in another district.

RECREATION, INDOOR

An indoor facility designed to accommodate sports, games, or other recreational, entertainment or amusement activities, including, but not limited to, bowling, ice skating, roller skating, roller blading, skateboarding, roller ball, laser tag, escape rooms, and the like.

RESEARCH AND DEVELOPMENT LABORATORY

An establishment engaged in investigation in the natural, physical, or social sciences, but which may include engineering and product development.

RESTAURANT, SIT-DOWN

An establishment, or other retail use, or portion thereof, where food or beverages are sold for direct consumption on the premises to persons seated within the building when licensed. This shall include coffee shops, tea rooms, and other substantially similar dine-in establishments that meet this definition.

- A. Eating and drinking establishments preparing, assembling or dispensing food or drink primarily for take-out or consumption off-premises; or eating and drinking establishments with less than 20% of their gross leasable floor area devoted to seating shall be classified as "restaurant, take-out, or prepared food shop."
- B. Brewpubs shall comply with all the requirements of restaurants, and not taverns/bars, as defined herein, and shall be permitted to operate a microbrewery/microdistillery/microwinery/nanobrewery as an accessory use to a restaurant, only when the following conditions are met:
 - (1) The area used for brewing, distilling, fermenting, bottling, and kegging shall not exceed 30% of the total gross leasable floor area.

- (2) No brewed, fermented or distilled beverage shall be sold wholesale or distributed by the manufacturing entity beyond what is sold on-site for either on- or off-premises consumption.
- C. If located adjoining a residential zoning district, odor control devices shall be installed to minimize food odor impacts.

RESTAURANT, TAKE-OUT, OR PREPARED FOOD SHOP

Such use shall include shops dedicated to the retail sale of foods which are prepared, assembled or dispensed on the premises, primarily for take-out or consumption off-premises; and which may customarily also provide sit-down service, provided the sit-down service is incidental to the take-out function and does not occupy more than 20% of the gross leasable floor area of the use. Such requirement is necessary to distinguish this use from sit-down restaurant service. Such facilities containing outdoor seating areas shall also satisfy the conditions for outdoor dining areas.

RETAIL SHOP

A small shop or store where the single principal use of the premises is the retail sale of consumer goods and merchandise for use, entertainment, comfort or aesthetics, and whose market draw is considered as largely local in scope or services.

- A. There shall be no outdoor display or storage unless permitted by district regulations.
- B. The making or selling of cooked food shall not be permitted as an accessory use.
- C. More than one business enterprise is permitted on the premises or lot, provided that each enterprise has direct building access, physical separation between enterprises, and entrances for each enterprise facing the street (more than one enterprise may be permitted as a part of a mixed-use building).
- D. The gross leasable floor area devoted to retail use and storage is less than 10,000 square feet.

STUDIO TRAINING FOR DANCE, ART, MUSIC, PHOTOGRAPHY, YOGA, MARTIAL ARTS, OR SIMILAR ARTS

A use for individual and group instruction and training in the crafts and arts, which may include but is not limited to dance, visual or performing arts, yoga, martial arts, photography and the processing of photographs produced only by users of the studio facilities.

SUNDRIES, PHARMACEUTICALS, AND CONVENIENCE SALES (PHARMACY)

A retail store use that sells or otherwise provides goods for personal grooming and for the day-to-day maintenance of personal health and well-being.

TAVERN/BAR

Any premises licensed by the Pennsylvania Liquor Control Board wherein alcoholic beverages are served or sold at retail for consumption on the premises, of which the principal business is the sale of such beverages, and where the sale of such beverages comprises at least 75% or more of gross receipts.

[Amended by Ord. No. 2187, 7/8/2019]

THEATER, MOVIE

A building, structure, or use, primarily designed for the showing of on-screen films, movies, or videos, with one or more theater screens for viewing. The following standards shall apply to proposed theaters containing three or more theater screens:

- A. Theaters containing more than two screens and located within shopping centers or lifestyle centers are not permitted shared parking provisions.
- B. Theaters containing more than two screens shall provide pedestrian stacking room on sidewalk areas located directly adjacent to the building or showbox entrance, sufficient to

contain 50 persons per theater or screen, in single-file lanes. Pedestrian stacking lanes shall be positively separated from vehicular traffic flow areas.

- C. All exit points from the theater shall be lighted at night, and exit areas shall have at least two directions of travel which lead directly to the parking areas.
- D. The front or showbox entrance shall have a lay-by area sufficient to stack at least one car per screen, which is independent of vehicle access flow.
- E. Submission of appropriate community impact statements, security provisions, and traffic impact studies are required.

THEATER, PERFORMING

An indoor facility, theater or auditorium, or other building or structure designed, intended, or used primarily for dance, dramatic, oratorical, musical, or other live performance purposes.

3. Permitted Uses. A building may be erected or used and a lot may be used or occupied for any of the following purposes and no other, subject to the standards herein contained in this chapter:
 - A. Art gallery.
 - B. Artist (individual) studios and artisan industrial.
 - C. Bank and financial institutions.
 - D. Commercial or trade school.
 - E. Dwelling, multifamily unit (permitted only as a part of a mixed-use building).
 - F. Grocery store or supermarket.
 - G. Health and fitness center.
 - H. Hotel/motel.
 - I. Library or museum.
 - J. Mixed-use building.
 - K. Office - business.
 - L. Office - general.
 - M. Office - municipal or governmental.
 - N. Office - professional.
 - O. Open-air markets.
 - P. Personal care business - A.
 - Q. Professional service business.
 - R. Recreation, indoor.
 - S. Research and development laboratory.
 - T. Restaurant, sit-down.
 - U. Restaurant, take-out, and prepared foods shop.
 - V. Retail shop.
 - W. Studio training for dance, art, music, photography, yoga, martial arts, or similar arts.
 - X. Sundries, pharmaceuticals, and convenience sales (pharmacy).

- Y. Tavern/bar.
 - Z. Theater, movie.
 - AA. Theater, performing.
4. Conditional Uses. The following uses are permitted only by conditional use approval, pursuant to §§ 400 and 401.
- A. (Reserved)^[1]
 [1] *Editor's Note: Former Subsection 4A, Child care facility, including family day-care home, group day-care home, or day-care center, was repealed by Ord. No. 2187, 7/8/2019.*
 - B. Neighborhood convenience store.
 - C. Parking structure, nonaccessory.
 - D. Parking lot, nonaccessory, provided that the use shall not be located on a lot having frontage on High Street between York and Evans Street, Hanover Street between the Norfolk Southern tracks and Buttonwood Alley, or Charlotte Street between the Norfolk Southern tracks and Buttonwood Alley.
 - E. Utility company operational facility.
 - F. Uses of the same general character as those listed in this chart, with the same or lesser impact on the community as determined by Borough Council, provided such use is not already defined or meets another definition in § 1400 therein, and provided such use is not already permitted in another zoning district.
5. Accessory Uses. The following accessory uses, but no others, are permitted in this district:
- A. Garage - private.
 - B. Greenhouse.
 - C. Home occupation, major.
 - D. Home occupation, no-impact.
 - E. Microbrewery/microdistiller/microwinery/nanobrewery, but only as part of a restaurant, sit-down.
 - F. Municipal or civic accessory use/structure.
 - G. Outdoor dining area.
 - H. Parking lot.
 - I. Parking structure.
 - J. Pet grooming.
 - K. Solar energy equipment.
 - L. Storage shed.
 - M. Dumpster (routine collection).
 [Added by Ord. No. 2219, 11/14/2022]
 - N. Dumpster (special collection).
 [Added by Ord. No. 2219, 11/14/2022]
6. Limitation on Hours of Operation.
 [Added by Ord. No. 2219, 11/14/2022]

- A. The following uses shall not be permitted to actively operate within the hours of 12:00 a.m. to 6:00 a.m.:

Art gallery

Artist (individual) studios and artisan industrial

Bank and financial institutions

Commercial or trade school

Grocery store or supermarket

Health and fitness center

Library or museum.

Neighborhood convenience store

Open-air markets

Personal care business - A

Professional service business

Recreation, indoor

Retail shop

Studio training for dance, art, music, photography, yoga, martial arts, or similar arts

Sundries, pharmaceuticals, and convenience sales (pharmacy)

Theater, movie

Theater, performing

Any other similar use which may be permitted by variance

- B. The following uses shall not be permitted to actively operate within the hours of 2:00 a.m. to 6:00 a.m.:

Restaurant, sit-down

Restaurant, take-out, and prepared foods shop

Tavern/bar

Any other similar use which may be permitted by variance

- C. Mixed-Use Building. The component uses of a mixed-use building shall adhere to any limitations contained herein applicable to each specific use.

7. Special Exceptions.

[Added by Ord. No. 2226, 4/10/2023]

- A. Hookah bar.