

## ARTICLE VI Commercial, Mixed-Use and Institutional Districts

### § 245-6.1. Area of application.

The following regulations shall apply to the areas designated as Neighborhood Commercial (C-1), Highway Commercial (C-2), Village (VIL), Professional Office (PO), and Institutional (INS) Districts on the Zoning Map.

### § 245-6.2. Permitted uses. [Amended 6-2-2021 by Ord. No. 810 ; 10-4-2023 by Ord. No. 828 ]

The following table (Table VI-1) lists all permitted, special exception, and conditional uses in the Neighborhood Commercial (C-1), Highway Commercial (C-2), Village (VIL), Professional Office (PO), and Institutional (INS) Districts. Permitted, special exception, and conditional uses shall meet the requirements of Article XIV, § 245-14.1, and specific regulations for each use.

Table VI-1							
Commercial and Mixed-Use Districts							
		Use Regulation					
Use #	Use	C-1	C-2	VIL	PO	INS	Specific Criteria
<b>Residential Uses</b>							
1	Continuing care retirement community	N	N	N	N	P	§ 245-14.18
2	Group homes and family care facilities	N	N	P	N	P	§ 245-14.26
3	Group quarters	N	N	N	N	P	§ 245-14.27
4	Long-term-care nursing center and personal care centers	N	N	N	N	P	§ 245-14.36
5	Multifamily	P	P	P	P	N	§ 245-14.43
6	Single-family, attached (townhouse, max 8 du per building)	N	N	P	N	P	§ 245-14.61
7	Single-family, detached	P	N	P	N	P	
8	Single-family, semidetached (duplex, 2 du)	N	N	P	N	P	
9	Student housing (in a permitted residential unit)	N	N	P	N	P	§ 245-14.65
10	Two-family detached	N	N	P	N	N	

Table VI-1							
Commercial and Mixed-Use Districts							
		Use Regulation					
Use #	Use	C-1	C-2	VIL	PO	INS	Specific Criteria
	Nonresidential Uses						
11	Adaptive reuse of federally or locally designated historic building	P	P	P	N	N	§ 245-14.6
12	Adult regulated facility	N	N	N	N	N	§ 245-14.7
13	Animal hospital	SE	N	N	P	N	§ 245-14.11
14	Bed-and-breakfast home	N	P	SE	N	SE	§ 245-14.12
15	Bed-and-breakfast inn	N	P	N	N	N	§ 245-14.12
16	Business and office equipment sales and service	N	P	N	P	N	
17	Business services	P	P	P	P	N	
18	Child-care centers and older adult living centers	N	P	SE	P	P	§ 245-14.25
19	Colleges, universities, including dormitories	N	N	N	N	P	
20	Commercial recreational or entertainment facility	N	P	N	N	N	
21	Convenience store (with gas dispensing)	N	P	N	P	N	§ 245-14.19
22	Convenience store (without gas dispensing)	SE	P	N	P	N	§ 245-14.19
23	Cultural facilities	P	P	P	P	P	§ 245-14.51
24	Emergency medical treatment facility	P	P	N	P	SE	§ 245-14.22
25	Farmers market	P	P	N	N	N	§ 245-14.23

Table VI-1							
Commercial and Mixed-Use Districts							
Use #	Use	Use Regulation					
		C-1	C-2	VIL	PO	INS	Specific Criteria
26	Gasoline service station	N	P	N	N	N	§ 245-14.19
27	Heliports and helistops	N	N	N	C	N	§ 245-14.10
28	Hospitals	N	C	N	P	C	§ 245-14.30
29	House of worship	P	P	P	N	P	§ 245-14.51
30	Kennel	N	P	N	N	N	§ 245-14.11
31	Landscaping and garden service, nonretail	P	P	N	N	N	§ 245-14.35
32	Landscaping and garden service, retail	P	P	N	N	N	§ 245-14.35
33	Laundry and dry-cleaning establishment	N	N	N	P	N	§ 245-14.37
34	Library	P	P	P	P	P	§ 245-14.51

Table VI-1							
Commercial and Mixed-Use Districts							
Use #	Use	Use Regulation					
		C-1	C-2	VIL	PO	INS	Specific Criteria
35	Manufacturing, limited to processing and packaging of eatery products; drug and pharmaceutical preparation; perfumes and cosmetics; electrical lighting and wiring; electronic components; optical instruments, lenses; dental and medical instruments; household instruments; sports equipment; apparel; footwear; luggage; leather and other finished products made from fabrics, rubber, leather and similar materials; and printing, graphic reproduction and allied services, including manufacturing of manifold business forms, greeting cards, bookbinding, typesetting and photoengraving and similar uses; provided that no adverse external effects or emission such as dust, glare, vibration, electrical or radio disturbance, fumes, vapor	N	N	N	P	N	



Table VI-1							
Commercial and Mixed-Use Districts							
Use #	Use	Use Regulation					
		C-1	C-2	VIL	PO	INS	Specific Criteria
	or gases go beyond the property lines creating such potential nuisances						
36	Medical labs and clinics	C	P	N	P	SE	§ 245-14.30
37	Microbrewery	P	P	N	P	N	
38	Microdistillery	P	P	N	P	N	
39	Mixed uses	P	P	P	P	P	§ 245-14.39
40	Mortuary or undertaking establishment	N	P	N	N	N	§ 245-14.41
41	Motel/hotel	N	P	N	P	N	§ 245-14.42
42	Municipal uses and buildings	P	P	P	P	P	§ 245-14.51
43	Nightclubs	N	C	N	N	N	§ 245-14.45
44	Nursery, horticulture	N	P	N	N	N	
45	Office buildings and office center	N	P	N	P	N	
46	Parking lot	N	P	N	N	N	
47	Personal services	P	P	P	N	N	
48	Professional offices	P	P	P	P	N	
49	Public parks and recreation areas	P	P	P	P	P	
50	Public utility buildings and structures	N	P	N	P	N	§ 245-14.52
51	Retail businesses	P	P	P	P	N	
52	Resort	N	P	N	N	N	§ 245-14.54
53	Restaurant	P	P	N	P	N	
54	School, commercial	N	P	SE	N	N	§ 245-14.57
55	School, public or nonpublic	SE	P	SE	P	P	§ 245-14.50
56	Shopping center, mall or plaza and large commercial establishments	N	P	N	P	N	§ 245-14.59

Table VI-1							
Commercial and Mixed-Use Districts							
Use #	Use	Use Regulation					
		C-1	C-2	VIL	PO	INS	Specific Criteria
57	Storage, mini facility	C	P	N	N	N	§ 245-14.38
58	Studio, dancing or music	P	P	P	SE	P	
59	Taverns	N	P	N	N	N	§ 245-14.66
60	Vehicle body shop and repair garage	N	P	N	N	N	§ 245-14.68
61	Vehicle, mobile/ manufactured home or trailer sales lot	N	P	N	N	N	§ 245-14.69
62	Vehicle washes	N	P	N	N	N	§ 245-14.70
63	Warehousing and storage, not greater than 25,000 square feet of gross floor area	N	SE	N	P	N	§ 245-14.71
64	Wireless communications facilities	N	C	N	N	N	§ 245-14.16
<b>Accessory Uses</b>							
65	Accessory buildings, structures and uses, including timber harvesting	P	P	P	P	P	§ 245-16.2 and § 245-16.3
66	Apartments, accessory	SE	N	N	N	SE	§ 245-14.3
67	Boardinghouse	N	N	N	N	P	§ 245-14.13
68	Day care, accessory (for permitted nonresidential uses only)	SE	P	SE	P	P	§ 245-14.25
69	Drive-in facilities for permitted uses	C	P	N	P	N	§ 245-14.21
70	Family child-care home	P	N	P	N	P	§ 245-14.25
71	Group child-care homes	SE	P	SE	P	P	§ 245-14.25
72	Honeybee apiaries	P	N	P	N	P	§ 245-14.29

Table VI-1							
Commercial and Mixed-Use Districts							
Use #	Use	Use Regulation					
		C-1	C-2	VIL	PO	INS	Specific Criteria
73	Keeping of chickens or poultry	P	N	P	N	P	§ 245-14.33
74	Professional and other home occupations, other than no-impact home-based businesses	P	P	P	P	P	§ 245-14.49
75	Professional and other home occupations, impact	P	P	P	N	SE	§ 245-14.48
76	Solar energy systems	P	P	P	P	P	§ 245-14.62
77	Special occasion home	N	P	SE	N	N	§ 245-14.64

### § 245-6.3. Neighborhood Commercial (C-1) District.

- A. Permitted uses. See Table VI-1 for a complete list of allowed uses within the C-1 District.
- B. Use limitation. Without intending to reduce the total lot coverage or building area as otherwise permitted in this article, the square footage of a single structure may not exceed 15,000 square feet in gross floor area, with the exception of libraries, public parks and recreation areas, houses of worship, mixed-use buildings that include both nonresidential and residential uses, provided the nonresidential component of the building does not exceed 15,000 square feet in gross floor area, and municipal buildings, which may exceed 15,000 square feet in gross floor area. **[Amended 6-2-2021 by Ord. No. 810 ]**
- C. Lot area requirements. The minimum lot area shall be determined based on the size of the building(s); the accommodation of an approved on-lot water and sewer system, if needed; compliance with the yard and applicable parking requirements of the chapter; and the stormwater management requirements of the Upper Allen Township Subdivision and Land Development Ordinance.<sup>1</sup>
- D. Minimum setback requirements. The following minimum setback standards are required for all uses within the C-1 District:
  - (1) Front yard: 30 feet.
  - (2) Side yard: 15 feet each side; however, when a written agreement is provided by adjoining property owners, no side yard shall be required where two or more

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1. Editor's Note: See Ch. 220.

commercial properties abut side by side. In the case of a series of abutting structures paralleling a public right-of-way, an open, unobstructed passage for vehicles and pedestrians of at least 20 feet in width shall be provided every 400 feet. In addition, staggered setbacks or change in the roofline or facades of contiguous buildings shall be required so that no more than two contiguous buildings have the same setback, roofline and facade. Changes in building setback shall involve a minimum of four feet.

(3) Rear yard: 15 feet.

- E. Street frontage requirements. The minimum street frontage standard required for all uses within the C-1 District is 75 feet.
- F. Lot coverage requirements. Not more than 50% of the lot area shall be occupied by buildings, and no more than 70% shall be occupied by impervious surface. The remaining 30% shall be in landscaping/vegetative coverage.
- G. Building height limitation. No principal building or structure shall exceed 35 feet in height; however, this height may be exceeded in accordance with § 245-16.6, Height adjustments, of this chapter. Accessory building or structure heights shall be in accordance with § 245-16.2 herein.
- H. Tracts of land five acres or larger in size existing on the effective date of this subsection. The subdivision or land development of tracts that are five acres or larger in size shall be limited to the following: **[Added 10-2-2019 by Ord. No. 788 ]**
  - (1) A mix of single-family residential and nonresidential uses, as permitted in this district, if subdivided or developed under a preliminary or final subdivision or land development plan. The total number of single-family residential lots or units shall not exceed 50% of the total number of lots or uses on the tract;
  - (2) Multifamily uses, as permitted in § 245-14.43 of this chapter;
  - (3) A single nonresidential use; or
  - (4) A mix of nonresidential uses on one or more lots, as permitted in this district.

#### **§ 245-6.4. Highway Commercial (C-2) District.**

- A. Permitted uses. See Table VI-1 for a complete list of allowed uses within the C-2 District.
- B. Lot area requirements. The minimum lot area shall be determined based on the size of the building(s); compliance with the yard and applicable parking requirements of the chapter; and the stormwater management requirements of the Upper Allen Township Subdivision and Land Development Ordinance.<sup>2</sup>
- C. Minimum setback requirements. The following minimum setback standards are required for all uses within the C-2 District:
  - (1) Front yard: 30 feet.

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2. Editor's Note: See Ch. 220.

- (2) Side yard: 15 feet each side; however, when a written agreement is provided by adjoining property owners, no side yard shall be required where two or more commercial properties abut side by side. In the case of a series of abutting structures paralleling a public right-of-way, an open, unobstructed passage for vehicles and pedestrians of at least 20 feet in width shall be provided at grade levels of not more than 400 feet. In addition, staggered setbacks or change in the roofline or facades of contiguous buildings shall be required so that no more than two contiguous buildings have the same setback, roofline and facade. Changes in building setback shall involve a minimum of four feet.
- (3) Rear yard: 15 feet.
- D. Street frontage requirements. The minimum street frontage standard required for all uses within the C-2 District is 150 feet.
- E. Lot coverage requirements. Not more than 50% of the lot area shall be occupied by buildings, and no more than 70% shall be occupied by impervious surface. The remaining 30% shall be in landscaping/vegetative coverage.
- F. Building height limitations. No principal building or structure shall exceed 35 feet in height; however, this height may be exceeded in accordance with § 245-16.6, Height adjustments, of this chapter. Accessory building or structure heights shall be in accordance with § 245-16.2 herein.

#### § 245-6.5. Village (VIL) District.

- A. Permitted uses. See Table VI-1 for a complete list of allowed uses within the VIL district.
- B. Dimensional requirements. The following table (Table VI-2) shall apply to all areas designated Village District on the Zoning Map. The table shows the minimum lot size, setbacks, and street frontage requirements per dwelling unit or nonresidential uses. Requirements represent minimums unless otherwise noted.

Table VI-2					
Village District (VIL)					
		Lot Size Per Dwelling Units or Use, Unless Otherwise Indicated (square feet)		Street Frontage Per Dwelling Units or Use, Unless Otherwise Indicated (square feet)	
Use #	Use	Minimum	Maximum	Minimum	Maximum
	<b>Residential Uses</b>				
1	Conversion apartments	6,000	12,000	40	80
2	Group homes and family care facilities	6,000	30,000	40	120

Table VI-2					
Village District (VIL)					
		Lot Size Per Dwelling Units or Use, Unless Otherwise Indicated (square feet)		Street Frontage Per Dwelling Units or Use, Unless Otherwise Indicated (square feet)	
Use #	Use	Minimum	Maximum	Minimum	Maximum
3	Multifamily dwelling	12,000 per building	40,000 per building	80 per building	160 per building
4	Single-family, attached	2,000	3,500	20	35
5	Single-family, detached	6,000	12,000	40	80
6	Single-family, semidetached (duplex, 2 du)	2,500	6,000	25	40
7	Student housing	Shall be allowed in a permitted residential unit in accordance with § 245-14.65			
8	Two-family detached	6,000 per building	12,000 per building	40 per building	80 per building
<b>Nonresidential Uses</b>					
9	Adaptive reuse of federally or locally designated historic building	6,000	18,000	40	120
10	Bed-and-breakfast home or inn	6,000	40,000	40	160
11	Business services	6,000	18,000	40	120
12	Cultural facilities	12,000	30,000	80	160

Table VI-2					
Village District (VIL)					
		Lot Size Per Dwelling Units or Use, Unless Otherwise Indicated (square feet)		Street Frontage Per Dwelling Units or Use, Unless Otherwise Indicated (square feet)	
Use #	Use	Minimum	Maximum	Minimum	Maximum
13	Group day-care home or older adult daily living center	6,000	18,000	40	120
14	House of worship	12,000	40,000	80	160
15	Library	12,000	30,000	80	160
16	Mixed uses	6,000	18,000	40	120
17	Municipal uses and buildings	12,000	30,000	80	160
18	Personal services	6,000	18,000	40	120
19	Professional offices	6,000	18,000	40	120
20	Public parks and recreation areas	12,000	30,000	80	160
21	Retail businesses	6,000	12,000	40	80
22	School, public or nonpublic	12,000	30,000	80	160
23	Studio, dancing or music	6,000	18,000	40	120
	<b>Accessory Uses</b>				

Table VI-2					
Village District (VIL)					
		Lot Size Per Dwelling Units or Use, Unless Otherwise Indicated (square feet)		Street Frontage Per Dwelling Units or Use, Unless Otherwise Indicated (square feet)	
Use #	Use	Minimum	Maximum	Minimum	Maximum
24	Accessory buildings, structures and uses, including timber harvesting	See §§ 245-16.2 and 245-16.3			
25	Day-care, accessory	See § 245-14.4			
26	Professional and other home occupations, no-impact	See § 245-14.49			
27	Professional and other home occupations	See § 245-14.48			
28	Special occasion home	12,000	30,000	80	160

C. Setback requirements are established to retain the existing character of the village.

(1) Front yard setbacks. The front yard setback shall be dependent on the characteristics of existing development contiguous to the parcel. All principal buildings, whether residential or nonresidential, shall front on a street, unless the only access to the lot is by an alleyway, in accordance with the following standards.

(a) Infill lots (lots within developed blocks or street frontages). The required setback shall be the average of the setback of the existing principal buildings on either side of the lot. If the lot is the last lot in the district or at the end of the block or row of buildings, the front setback shall be within plus or minus five feet of the adjacent existing principal building setback on the developed side of the lot, unless the lot is situated on a corner, in which case the building shall be set back a distance that shall provide a clear site triangle at the intersection in accordance with § 245-16.9



of this chapter and the Upper Allen Township Subdivision and Land Development Ordinance.<sup>3</sup>

- (b) Undeveloped blocks or areas. If the block or street frontage has no existing principal structures from which to determine the setback requirement, the following setbacks shall apply. For lots fronting on streets with sidewalks, the lots shall have a maximum front yard setback of five feet from the inner edge of the sidewalk easement. For lots fronting on streets without sidewalks, the lots shall have a minimum front yard setback of five feet from the ultimate street right-of-way and a maximum front yard setback of 10 feet from the ultimate street right-of-way; however, in the case of lots situated on a corner, buildings shall be set back a distance that shall provide a clear site triangle at the intersection in accordance with the Upper Allen Township Subdivision and Land Development Ordinance.
- (c) A lot fronting on an alleyway shall have a minimum front yard setback of 15 feet from the property line.
- (2) Side yard setback shall be a minimum of five feet for residential lots and 10 feet for nonresidential lots; however, all buildings with the principal use being nonresidential shall be set back 20 feet from any other buildings, whether on the same or adjoining lot.
- (3) Rear yard setback shall be a minimum of 15 feet.
- (4) Setbacks for accessory structures on an alleyway: The minimum setback requirement shall be five feet.
- D. Lot coverage requirements. Not more than 40% of the lot area shall be occupied by buildings, and no more than 60% shall be occupied by impervious surface.
- E. Building height limitations. No principal building or structure shall exceed 35 feet in height; however, this height may be exceeded in accordance with § 245-16.6, Height adjustments, of this chapter. Accessory building or structure heights shall be in accordance with § 245-16.2 herein.
- F. Buffer and screening requirements. Buffer and screen planting areas and buffer yards shall be provided in accordance with the requirements contained in § 245-16.5, General buffer regulations, herein.

#### **§ 245-6.6. Professional Office (PO) District.**

- A. Permitted uses. See Table VI-1 for a complete list of allowed uses within the PO District.
- B. Lot area requirements. The minimum lot area shall be determined based on the size of the building(s); compliance with the yard and applicable parking requirements of the chapter; and the stormwater management requirements of the Upper Allen Township Subdivision and Land Development Ordinance.<sup>4</sup>

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3. Editor's Note: See Ch. 220.

4. Editor's Note: See Ch. 220.

- C. Minimum setback requirements. The following minimum setback standards are required for all uses within the PO District:
  - (1) Front yard: 30 feet.
  - (2) Side yard: 25 feet.
  - (3) Rear yard: 50 feet.
- D. Street frontage requirements. The minimum street frontage standard required for all uses within the PO District is 150 feet.
- E. Lot coverage requirements. Not more than 30% of the lot area shall be occupied by buildings, and no more than 60% shall be occupied by impervious surface. The remaining 40% shall be in landscaping/vegetative coverage.
- F. Building height limitations. No principal building or structure shall exceed 35 feet in height; however, this height may be exceeded in accordance with § 245-16.6, Height adjustments, of this chapter. Accessory building or structure heights shall be in accordance with § 245-16.2 herein.
- G. Use limitation. Without intending to reduce the total lot coverage or building areas as otherwise permitted in this article, the square footage of a retail business may not exceed 15,000 square feet in gross floor area. The total square footage of retail business in any building that is part of a shopping center, mall, or plaza may not exceed 15,000 square feet in gross floor area.

#### **§ 245-6.7. Institutional (INS) District.**

- A. Permitted uses. See Table VI-1 for a complete list of allowed uses within the INS District.
- B. Lot area requirements.
  - (1) The minimum lot area for nonresidential uses and group quarters, such as dormitories, shall be determined based on the size of the building(s), compliance with the yard and applicable parking requirements of this chapter, and the stormwater management requirements of the Upper Allen Township Subdivision and Land Development Ordinance.<sup>5</sup>
  - (2) The minimum lot area for residential units shall be in accordance with the following standards.
    - (a) Single-family attached dwelling (townhouse; maximum of eight dwelling units per building): 2,000 square feet.
    - (b) Single-family detached dwelling, including group homes and day-care center: 10,000 square feet.
    - (c) Single-family semidetached dwelling (duplex; two dwelling units): 5,000 square

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5. Editor's Note: See Ch. 220.

feet.

C. Minimum setback requirements.

- (1) The following minimum setbacks for nonresidential uses and group quarters, such as dormitories, shall be in accordance with the following standards:
  - (a) Front yard: 50 feet.
  - (b) Side yard: 50 feet each.
  - (c) Rear yard: 50 feet.
- (2) The minimum setbacks for residential uses shall be in accordance with the following standards:
  - (a) Front yard: 25 feet.
  - (b) Side yard for all residential uses, with the exception that side yards are only required for the exterior side in single-family detached and attached dwellings: 10 feet.
  - (c) Rear yard: 15 feet.

D. Street frontage requirements.

- (1) The minimum street frontage for nonresidential uses and group quarters, such as dormitories, shall be 100 feet.
- (2) The minimum street frontage for residential units shall be in accordance with the following standards.
  - (a) Single-family attached dwelling: 20 feet, interior units; 35 feet, exterior units.
  - (b) Single-family detached dwelling, including group homes and day-care center: 75 feet.
  - (c) Single-family semidetached dwelling (duplex; two dwelling units): 35 feet.

E. Lot coverage requirements. Not more than 50% of the lot area shall be occupied by buildings, and no more than 70% shall be occupied by impervious surface. The remaining 30% shall be in landscaping/vegetative coverage.

F. Building height limitations. No principal building or structure shall exceed 35 feet in height; however, this height may be exceeded in accordance with § 245-16.6, Height adjustments, of this chapter. Accessory building or structure heights shall be in accordance with § 245-16.2 herein.

**§ 245-6.8. Buffer, screening and landscaping requirements.**

A. Where buffer yards and screen planting areas are required in this chapter, they shall be provided in place of yard setbacks prescribed in the applicable zoning districts and in accordance with the requirements contained in § 245-16.5, General buffer regulations,

herein, and the Upper Allen Township Subdivision and Land Development Ordinance's screening and landscaping regulations.

- B. A landscaping plan for the entire tract shall be required. A landscape architect licensed by the Commonwealth of Pennsylvania shall be retained to complete such a plan to ensure the proper species, use, arrangement of plant materials and installation by the developer. All areas of the development not covered by impervious surfaces shall be landscaped and maintained with suitable ground cover and plants.
- (1) The plan shall indicate the extent in which existing vegetation will be preserved for landscaping purposes.
  - (2) Where deemed necessary by the Board of Commissioners of Upper Allen Township, earthen berms shall be incorporated into the landscaping plan along public street frontage and along property lines abutting existing dwellings in accordance with the Upper Allen Township Subdivision and Land Development Ordinance.<sup>6</sup>
  - (3) Landscaped areas shall be continually maintained by the landowner. Care, grooming, and replacement of plants shall be included as part of the required maintenance. Failure to adequately maintain landscaped areas shall be subject to a citation issued by the Township.
  - (4) In addition to landscape elements, the plan shall include the layout of walkways, lighting, and recreation areas throughout the development for the safety and security of the patrons. The layout and design of pedestrian-level streetlighting shall be provided throughout the development and parking areas.
  - (5) Parking areas shall be adequately landscaped in order to provide shade, to screen vehicles from public streets, and to reduce glare and noise within the development itself and shall be designed in accordance with § 245-17.5 and the Upper Allen Township Subdivision and Land Development Ordinance.<sup>7</sup>

#### **§ 245-6.9. Sign requirements.**

Signs shall be permitted in accordance with Article XVIII, Signs, of this chapter.

#### **§ 245-6.10. Off-street parking requirements.**

Off-street parking and access requirements shall be provided in accordance with Article XVII, Off-Street Parking and Loading, of this chapter.

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6. Editor's Note: See Ch. 220.

7. Editor's Note: See Ch. 220.