

ARTICLE 2

ESTABLISHMENT OF ZONING DISTRICTS

201. **Establishment and Purposes of Districts.** See the overall purposes of this Ordinance in Section 1402. The Borough of Archbald is hereby divided into Zoning Districts of different types to carry out the objectives of this Ordinance. Each parcel of land and every structure in the Borough, except as otherwise provided by law or by this Ordinance, shall be subject to the regulations specified for the District in which it is located. The Borough is divided into the following Zoning Districts, with the following abbreviations and that serve the following purposes, in addition to the overall purposes of this Ordinance:
- A. R-C Resource Conservation District - To recognize areas with significant steep slopes, creek valleys, wetlands and formerly mined lands that may not be suitable for intense development. To provide for lower intensity residential and recreational uses, with uses encouraged to be clustered on the most suitable portions of a tract.
 - B. R-1 Low Density Residential District – To provide for and to protect the integrity of low density residential neighborhoods that are primarily comprised of single family detached dwellings.
 - C. R-2 Medium Density Residential District – To provide for medium density neighborhoods, in a manner that respects and continues traditional forms of development (such as walkable neighborhoods with sidewalks, street trees and front porches).
 - D. R-3 Medium High Density Residential District – To provide for a neighborhood with a mix of housing types, including apartment developments.
 - E. C-1 Neighborhood Commercial/Residential District – To provide for a mix of commercial and residential uses, as well as varied arts, cultural and institutional uses. To promote pedestrian-friendly uses, as opposed to uses that are auto dependent. The intent is to avoid very intensive uses that are most likely to generate nuisances or hazards for nearby residents.
 - F. C-2 General Commercial District - To provide for a wide range of commercial uses, particularly in areas where there are not large adjacent residential neighborhoods. To manage traffic to avoid congestion and safety hazards, particularly in regards to access to major streets
 - G. C/LI Commercial/Light Industrial District – To provide for a wide variety of commercial uses, including more intensive commercial uses, in areas that include fewer existing homes. To also provide for a range of light industrial uses, while not allowing heavy industrial uses. To manage traffic to avoid congestion and safety hazards, particularly in regards to access to major streets. To also provide services to travelers along the Casey Highway and employees of local businesses.
 - H. I-1 Light Industrial District – To provide for a variety of industrial development, while not allowing for heavy industrial uses that are likely to result in hazards or nuisances. To also allow for complementary commercial uses.
 - I. I-2 General Industrial District – To provide suitable areas for a wide variety of industrial uses and a few selected commercial uses, including intensive and potentially controversial uses that must be allowed somewhere in each municipality under State law.

- J. M Mining District - To allow for various types of mineral extraction (including coal) with proper controls, in addition to selected other industrial, recreation and commercial uses.
- K. CM Coal Mining District - To allow for coal mining and related reclamation activities, in addition to selected industrial, recreation and commercial uses.
- 202. **Zoning Map.** The Borough of Archbald Zoning Map shall consist of one or more map(s) accurately showing the boundaries of various Zoning Districts. The zoning map information may be maintained and updated using digital and/or paper versions. At least one paper copy of the official map shall be maintained and available in the office of the Zoning Officer. The zoning map and all notes and measurements shown thereon are hereby incorporated by reference into this Zoning Ordinance and shall be as much a part of this Zoning Ordinance as if all were fully described in this text.
- 203. **District Boundaries.** Where uncertainty exists with respect to the boundaries between Districts as shown on the Zoning Map, the following rules shall apply.
 - A. Where District boundaries are indicated as approximately coinciding with streets, alleys, waterways, or railroad rights-of-way, the center line of such features shall be construed to be such boundaries, unless otherwise indicated on the Zoning Map. The Zoning District boundaries shall extend to the Borough border, even if a border is not accurately portrayed on the Zoning Map.
 - B. Where District boundaries are indicated as approximately coinciding with lot lines that existed at the time of the adoption of the Zoning Map, they shall be construed as following such lot lines.
 - C. Where District boundaries do not coincide with a physical feature or lot line, and are not fixed by dimensions on the Zoning Map or notes, the boundary shall be determined using a scale.
 - D. Whenever any street, alley, or other public right-of-way is vacated, the Zoning District adjoining each side of such street, alley, or public right-of-way shall be automatically extended to the center of such vacation.
- 204. **Floodplain District.** For the regulations pertaining to the Floodplain District, which is an overlay to the regular Zoning Districts, see the Borough Floodplain Ordinance and Federal Floodplain Maps.
- 205. **Uses Not Specifically Regulated.** If a use clearly is not permitted by right or as a Special Exception Use or a Conditional Use by this Ordinance within any Zoning District, the use is prohibited, except that the Borough Council may permit such use as a Conditional Use if the applicant specifically proves to the clear satisfaction of the Borough Council that all of the following conditions would be met:
 - A. the proposed use would be no more intensive with respect to external impacts and nuisances than uses that are allowed in the District,
 - B. the proposed use would be closely similar in impacts and character to uses allowed in that District,
 - C. the use would meet the standards that would apply under Section 1417 to a Conditional Use, and
 - D. the use is not specifically prohibited in that District.

ARTICLE 3
ALLOWED USES IN PRIMARILY RESIDENTIAL DISTRICTS.

301. **Allowed Uses in Primarily Residential Districts.**

- A. For the purposes of Articles 3 and 4, the following abbreviations shall have the following meanings:

P	=	Permitted by right use (zoning decision by Zoning Officer)
SE	=	Special exception use (zoning decision by the Zoning Hearing Board)
C	=	Conditional use (zoning decision by Borough Council)
N	=	Not Permitted
(See 602)	=	See Additional Requirements in Section 602
(See 603)	=	See Additional Requirements in Section 603

- B. Unless otherwise provided by State or Federal law or specifically stated in this Ordinance (including Section 205), any land or structure shall only be used or occupied for a use specifically listed in these Articles 3 or 4 as being allowed in the Zoning District where the land or structure is located. Such uses shall only be allowed if the use complies with all other requirements of this Ordinance.

USES (See definitions in Article 15)	<u>ZONING DISTRICTS</u>			
	R-1	R-2	R-3	R-C
<u>(1) RESIDENTIAL USES</u>				
Age-Qualified Housing Involving Housing Types Allowed in the District - See Article 5 for density bonuses and Section 406. In addition, apartments shall be permitted by right in R-2 or R-3 if they are part of an Age-Qualified Housing Development	P	P	P	N
Boarding House (includes Rooming House)	N	N	N	N
Conversion of an Existing One Family Dwelling into Additional Dwelling Units (See 602)	N	SE*	SE	N
Conversion of an Existing Principal Institutional or Principal Industrial Building into Multi-Family Dwellings or Live Work Units (See 602)	SE	SE	SE	N
Group Home within a lawful existing dwelling unit (See 602), not including a Treatment Center	P**	P**	P**	N
Manufactured/Mobile Home Park (See 602)	N	N	SE	N
Multi-Family (Apartment) Dwellings, other than conversion of an existing one family dwelling into 3 or more dwellings (See 602)	N	N	P	N
Single Family Detached Dwelling (Note-Manufactured/mobile homes shall meet the additional requirements of See 602)	P	P	P	P
Single-Family Semi-Detached Dwelling (Side-by-Side Twin)	N	P	P	N
Two-Family Dwelling (Typically One Unit Above Another Unit)	N	P	P	N
Townhouses (Single-Family Attached Dwellings) (See 602)	N	P	P	N
<u>(2) COMMERCIAL USES</u> (See also accessory uses on the next page.)				
Bed and Breakfast Inn, within a building constructed before January 1, 1940 (See 602)	N	SE*	SE*	SE *
Camp or Campground, but not including a use that primarily serves recreational vehicles	N	N	N	P
Golf Course, with a 20 acre minimum lot area, and which may include an accessory restaurant, pro shop, driving range and clubhouse	P	P	P	P
Temporary Commercial Uses that comply with Section 1403.G.	P	P	P	P
<u>(3) INSTITUTIONAL / SEMI-PUBLIC USES</u>				
Cemetery (not including Crematorium) (See 602)	SE	SE	SE	SE
Community Recreation Center (Note - one designed for residents of a housing development is permitted by right as an accessory use).	SE	SE	SE	SE
Day Care Center, Adult (See 602) (See also as accessory use)	N	N	SE	N
Day Care Center, Child (See 602)(See also as accessory use)	N	N	SE	N
Nursing Home, Personal Care Home / Assisted Living Facility or Hospice (See 602)	N	SE	SE	N

* = Limited to a pre-existing building that includes more than 3,000 square feet of heated habitable indoor floor area. Basement or attic space shall only count towards this square footage if the space would be considered habitable under the Construction Code, including meeting the minimum ceiling height. For a conversion to dwelling units, a maximum total of 3 dwelling units may be allowed on the lot under this provision, provided there is compliance with other requirements, including parking requirements.

** = Certain group homes need special exception approval under Section 602.

P = Permitted By Right N = Not Permitted SE = Permitted By Special Exception (Zoning Hearing Board approval)

C = Conditional use (Borough Council approval)

(See 602 or 603) = See Additional Requirements in Sections 602 or 603

USES (See definitions in Article 15)	<u>ZONING DISTRICTS</u>			
	R-1	R-2	R-3	R-C
Outdoor Recreation, other than Publicly-Owned or Publicly-Operated				
Recreation Park (See 602)	N	N	N	SE
Place of Worship (See 602) (includes Church)	SE	SE	SE	SE
School, Public or Private, Primary or Secondary (See 602)	SE	SE	SE	N
(4) <u>PUBLIC/SEMI-PUBLIC</u>				
Borough Government Uses	P	P	P	P
Emergency Services Station (See 602)	SE	P	P	N
Government Facility, other than uses listed separately in this table	SE	SE	SE	SE
Publicly Owned or Operated Recreation Park	P	P	P	P
Public Utility Facility (See also Section 1414) other than uses listed separately in Articles 3 and 4	SE	SE	SE	SE
Swimming Pool, Non-household (Indoor or outdoor) (See 602)	P	P	P	P
(5) <u>ACCESSORY USES</u> - See also allowed accessory uses in Section 302.				
Bus Passenger Shelter (See 603) - without an advertising sign	P	P	P	P
- with an advertising sign	N	P	P	N
Communications Antennas meeting Section 602 pertaining to accessory antenna placed on certain existing structures (See 602)	P	P	P	P
Communications Antenna or Towers, other than as provided above (See 602)	N	N	N	SE
Day Care Center accessory to an existing lawful place of worship	P	P	P	P
Day Care, Accessory Adult Day in a Home (4 to 6 adults)	N	N	SE	N
Day Care, Child (See 603) as accessory to a dwelling of the following number of persons, in addition to children of the on-site caregiver				
- Day care of a maximum of 3 persons	P	P	P	P
- Family Day Home (4 to 6 children)	SE**	SE**	SE**	SE**
- Group Day Care Home (7 to 12 children)	N	N	N	N
Donation Bins, Outdoor (See 603, which limits their locations)	P	P	P	P
Furnace, Outdoor (See 603)	N	N	N	P
Home Occupation, General (See 603)	SE	SE	SE	SE
Home Occupation, No Impact (Also known as No Impact Home Based Business - See 603)	P	P	P	P
Short-Term Rental of a Dwelling (See 603)	P	P	P	P
Unit for Care of Relative (See 603)	P	P	P	P
Wind Turbine, maximum of one on a lot as an accessory use (See 603)	N	N	N	P
(6) <u>MISCELLANEOUS USES</u>				
Clean Fill (See 603)	P	P	P	P
Crop Farming, Non-Commercial Greenhouse or Community Garden	P	P	P	P
Forestry (See 602)	P	P	P	P
Nature Preserve or Environmental Education Center	P	P	P	P
Livestock and Poultry, Raising of (See also Pets in accessory uses)	N	N	N	SE
Mining, except that reclamation of previously mined areas shall be allowed	N	N	N	N
<p>P = Permitted by right use (zoning decision by Zoning Officer)</p> <p>C = Conditional use (zoning decision by Borough Council)</p> <p>SE = Special exception use (zoning decision by Zoning Hearing Board) N = Not permitted</p> <p>(See 602 or 603) = See Additional Requirements in Sections 602 or 603</p> <p>** Limited to a single family detached or single family semi-detached (twin) dwelling.</p>				

USES (See definitions in Article 15)	<u>ZONING DISTRICTS</u>			
	R-1	R-2	R-3	R-C
Parking Lot as the Principal Use of a Lot, not including a lot that primarily serves commercial trucks	N	SE	SE	N
Solar Energy Collection Systems which may cover areas on top of building roofs and over vehicle parking areas, plus areas equal to a maximum of 20 percent of the lot area. For panels that are not attached to a building or parking canopy, the maximum total height of 15 feet shall apply. The structures shall be completely removed within 6 months after it is no longer used to produced electricity.	P	P	P	P
Stable, Non-Household (See 602), which may include horseback riding lessons and horse shows	N	N	N	P
Wastewater Treatment Plant (other than customarily accessory pre-treatment facilities)	N	N	N	SE

P = Permitted by right use (zoning decision by Zoning Officer)

C = Conditional use (zoning decision by Borough Council)

SE = Special exception use (zoning decision by Zoning Hearing Board)

N = Not permitted

(See 602 or 603)= See Additional Requirements in Sections 602 or 603

302. **Permitted Accessory Uses in All Districts.** An accessory use of a dwelling is only permitted if such use is customarily incidental to the residential use and is specifically permitted by this Ordinance. The following are permitted by right as accessory uses to a lawful principal use in all Districts, within the requirements of Article 6, the setbacks stated in Article 7, and all other requirements of this Ordinance:

- A. Antennas, Standard for television, radio and similar reception or an amateur “ham” radio broadcast antenna (See Section 603)
- B. Fence or Wall (See Section 603)
- C. Food Truck or Trailer, as a customarily accessory use at a Township-approved festival or special event or that is visiting a location for less than 15 minutes per day (such as an ice cream truck)
- D. Garage, Household
- E. Garage Sale (See Section 603)
- F. Pets, Keeping of (See Section 603)
- G. Parking or Loading, Off-Street, only to serve a lawful use on the same lot or a use that is permitted in that District
- H. Recreational Facilities, limited to use by: residents of a development or students at a primary or secondary school or center for the care and treatment of youth, and their occasional invited guests
- I. Residential accessory structure (See Section 603)
- J. Signs, as permitted by Article 12
- K. Swimming Pool, Household (See Section 603)
- L. Such other accessory use or structure that the applicant proves to the satisfaction of the Zoning Officer is clearly customary and incidental to a permitted by right, special exception or conditional principal use.

ARTICLE 4
ALLOWED USES IN PRIMARILY
NON-RESIDENTIAL DISTRICTS

401. **Allowed Uses in Primarily Non-Residential Districts.** Unless otherwise provided by State or Federal law or specifically stated in this Ordinance (including Section 205), any land or structure shall only be used or occupied for a use specifically listed in these Articles 3 or 4 as being allowed in the Zoning District where the land or structure is located. Such uses shall only be allowed if the use complies with all other requirements of this Ordinance.

For manufacturing uses, the types of uses listed in this Article correspond approximately to the categories of the North American Classification System, administered by the U.S. Department of Commerce. In case of question about the categorization, such system shall be consulted.

For additional provisions in the C-1 district, the additional regulations of Article 8 shall apply.

TYPES OF USES (See definitions in Article 15)	ZONING DISTRICTS					
	C/LI	C-1**	C-2	I-1	I-2	M & CM
A. RESIDENTIAL USES						
Age-Qualified Housing Involving Housing Types Allowed in the District - See Article 5 for density bonuses and Section 406.	N	P	P	N	N	N
Boarding House (includes Rooming House) (See 602) (other than uses listed separately in this table)	N	N	SE	N	N	N
Group Home within a lawful existing dwelling unit (See 602), not including a Treatment Center	N	P	P	N	N	N
Live Work Unit (See 602), which shall involve an allowed commercial use combined with a dwelling unit occupied by the primary operator of the commercial use	N	P	P	N	N	N
Multi-Family (Apartment) Dwellings (See 602), which may be in the same building or on the same lot as allowed non-residential uses.	N	P*	N	N	N	N
Single Family Detached Dwelling (Note - Manufactured/mobile homes shall meet the additional requirements of Section 602)	N	P	P	N	N	N
Single Family Semi-Detached Dwelling (side-by-side)	N	P	N	N	N	N
Townhouse (Single Family Attached Dwelling) (See 602)	N	P	N	N	N	N
B. COMMERCIAL USES						
Adult Use (See 602), with a 2,500 feet setback from a public park	N	N	N	N	SE	N
After Hours Club - To the extent this use is not already prohibited by State Act 219 of 1990 (See 602)	N	N	N	N	SE	N
Airport (see also “Heliport”)	N	N	N	N	SE	N
Amusement Arcade	P	P	P	N	N	N
Amusement Park or Water Park	SE	N	SE	P	P	N
Animal Cemetery (See 602)	P	N	P	P	P	P
Animal Day Care (See 602)	P	N	P	P	P	P
Arena, Auditorium (Commercial), Performing Arts Center or Exhibition-Trade Show Center	P	P	P	P	P	N
Auto Body Shop or Auto Repair Garage (See 602), and provided that parking shall be prohibited on a sidewalk within the right-of-way	SE	N	SE	N	P	N
Auto, Boat or Mobile/Manufactured Home Sales (See 602)	P	N	P	N	N	N
Auto Service Station, which may combined with a retail store or restaurant that is allowed in the zoning district, and which may include fueling using hydrogen, liquefied natural gas, propane or similar fuels of vehicles (See 602). This use shall not include high speed diesel pumps for trucks, which shall be separately regulated as a “Truck Stop.”	P	N	P	N	N	N

* = If the lot is adjacent to Main Street, such housing shall be limited to being in the same building as a principal commercial use(s) that occupies the majority of the street level along Main Street.

** = See limits on hours of operation in Section 405.

P = Permitted by right use (zoning decision by Zoning Officer)

SE = Special exception use (zoning decision by Zoning Hearing Board)

C = Conditional use (zoning decision by Borough Council)

N = Not permitted

(See 602 or 603) = See Additional Requirements in Sections 602 or 603

TYPES OF USES (See definitions in Article 15)	ZONING DISTRICTS					
	C/LI	C-1**	C-2	I-1	I-2	M & CM
B. <u>COMMERCIAL USES</u> (Cont.)						
Bakery, Retail	P	P	P	P	P	N
Bed and Breakfast Inn (See 603)	P	P	P	P	N	N
Beverage Distributor (wholesale and/or retail)	P	P	P	P	P	N
Bus Maintenance or Storage Yard	P	N	P	P	P	N
Bus, Taxi or Passenger Rail Terminal	P	P	P	P	P	N
BYOB Club (Note- this use is limited to a use that is open after midnight and does not receive the majority of its revenues from food, and is not an “After Hours Club”)(See 602)	SE	N	SE	N	N	N
Camp or Campground, which may include recreational vehicles (See 603)	P	N	P	P	P	P
Car Wash (See 602)	P	N	P	P	P	N
Catering, Custom, for Off-Site Consumption	P	P	P	P	P	N
Communications Antennas, Commercial (See 602), limited to accessory antenna attached to specified types of structures by Section 602	P	P	P	P	P	P
Communications Tower, Commercial (See 602), or other antennas that are not allowed under the above accessory provision	SE	N	SE	SE	SE	SE
Conference Center or Exposition Center	P	P	P	P	P	N
Construction Company or Tradesperson's Headquarters (including but not limited to landscaping, building trades or janitorial contractor). See also as Home Occupation. Accessory outdoor storage shall be permitted provided it meets the screening requirements of Section 1303.C.	P	P*	P	P	P	P
Convenience Store, which may be combined with an Auto Service Station only if the requirements for an Auto Service Station are also met, including being allowed in the district.	P	P	P	N	N	N
Crafts or Artisan's Studio	P	P	P	P	P	N
Custom Printing, Copying, Faxing, Mailing or Courier Service and similar services to businesses	P	P	P	P	P	N
Data Center, which may include an Internet Server Building	P	N	P	P	P	N
Exercise Club	P	P	P	P	P	N
Financial Institution; includes banks, with Drive-Through facilities only allowed in the C-1 District if the applicant proves to the Borough that the access has been designed to minimize conflicts with pedestrian traffic along sidewalks. See also Drive-Through Provisions in Section 603.	P	P	P	P	P	N
Flea Market/ Auction House	P	P	P	P	P	N
Food Truck (includes Food Trailer) that meets one or more of the following standards: a) it operates at any location for less than 15 minutes per day, except up to 2 hours is allowed at an industrial or building construction worksite, b) is used at a Borough-recognized special event or festival, or c) is an accessory use to an on-site principal commercial use building (See 603)	P	P	P	P	P	P
- Food Truck or Food Trailer that does not meet the above standards	SE	SE	SE	N	N	P

* = A maximum of 25% of lot area shall be used for outdoor storage.

** = See limits on hours of operation in Section 405.

P = Permitted by right use (zoning decision by Zoning Officer) C = Conditional use (zoning decision by Council)

SE = Special exception use (zoning decision by Zoning Hearing Board) N = Not permitted

(See 602 or 603) = See Additional Requirements in Sections 602 or 603

Borough of Archbald Zoning Ordinance – As Adopted March 15, 2023

TYPES OF USES (See definitions in Article 15)	ZONING DISTRICTS					
	C/LI	C-1**	C-2	I-1	I-2	M & CM
B. COMMERCIAL USES (Cont.)						
Funeral Home (See crematorium listed separately under Institutional Uses)	P	P	P	P	N	N
Gaming Facility, Licensed, other than small games of chance allowed under State law and the State Lottery	C	N	N	N	N	N
Gas Station - See “Auto Service Station” in this table.						
Golf Course, with a 20 acre minimum lot area, and which may include an accessory restaurant, pro shop, driving range and clubhouse	P	N	P	N	N	P
Heliport (See 602)	SE	N	N	SE	SE	SE
Hotel or Motel (See 602)	P	N	P	P	N	N
Kennel (See 602)	SE	N	SE	SE	SE	SE
Laundromat	P	P	P	P	P	N
Laundry, Commercial or Industrial	P	N	P	P	P	N
Lumber Yard	P	N	P	P	P	N
Medical Marijuana Dispensary (See 602)	C	N	C	N	N	N
Micro-brewery or Micro-distillery (which may be in combination with a restaurant or tavern)	P	P	P	P	P	N
Motor Vehicle Racetrack, Outdoor (See 602)	N	N	N	N	C	N
Nightclub (See 602)	SE	SE	SE	N	N	N
Office (May include medical clinics or labs)	P	P	P	P	P	P
Pawn Shop	N	N	P	N	N	N
Personal Services (includes tailoring, check cashing, custom dressmaking, haircutting/styling, dog grooming, travel agency, drycleaning, shoe repair, "massage therapy, certified" and closely similar uses)	P	P	P	P	P	N
Plant Nursery (other than a Retail Store)	P	P	P	P	P	P
Propane Retail Distributor, other than pre-packaged sales, with a 150 feet minimum setback required between any storage or dispensing facilities and any Residential District, and with Fire Company review.	SE	N	N	SE	SE	N
Recording Studio, Music	P	P	P	P	P	N
Recreation, Commercial Indoor or Outdoor (includes bowling alley, roller or ice skating rink, batting practice, miniature golf course, golf driving range, archery, horseback riding, paintball and closely similar uses); other than uses listed separately in this Article 4	P	P	P	P	P	N
Repair Service, Household Appliance	P	P	P	P	P	N
Restaurant (includes Banquet Hall) (See 602), other than a Tavern or Nightclub						
– with drive-through service (See 603)	P	N	P	N	N	N
– without drive-through service.	P	P	P	P	P	N
(Sidewalk Cafes and Food Trucks are listed separately below.)						
Retail Store (not including uses listed individually in this Article 4). Any drive-through facilities shall meet Section 603.						
This use may include rental of items or check cashing.	P	P	P	N	N	N

** = See limits on hours of operation in Section 405.

P = Permitted by right use (zoning decision by Zoning Officer) C = Conditional use (zoning decision by Borough Council)

SE = Special exception use (zoning decision by Zoning Hearing Board) N= Not permitted

(See 602 or 603) = See Additional Requirements in Sections 602 or 603

TYPES OF USES (See definitions in Article 15)	ZONING DISTRICTS					
	C/LI	C-1**	C-2	I-1	I-2	M & CM
B. COMMERCIAL USES (Cont.)						
Self-Storage Development (See 602)	P	N	P	P	P	P
Shopping Center	P	P	P	P	P	N
Sidewalk Café as an accessory use (See 603)	P	P	P	N	N	N
Target Range, Firearms						
– Completely indoor, enclosed and soundproofed	P	N	P	P	P	P
– Other than above, with a barrier that the applicant proves is sufficient to protect public safety	N	N	N	N	SE	SE
Tattoo Parlor or Body Piercing (other than temporary tattoos or ear piercing which are personal service uses)	P	N	P	N	N	N
Tavern, other than a Nightclub	P	SE	P	N	N	N
Television or Radio Broadcasting Studios	P	P	P	P	P	N
Theater, Indoor Movie or Live Theater, other than an Adult Establishment	P	P	P	P	N	N
Trade / Hobby School	P	P	P	P	P	N
Truck Stop that primarily serves tractor-trailer trucks	SE***	N	N	N	SE***	SE***
Veterinarian Office (See 602)	P	P	P	P	P	P
Visitor Center providing education and promotional information	P	P	P	P	P	P
Wholesale Sales - see under Industrial Uses						
C. INSTITUTIONAL / SEMI-PUBLIC USES						
Cemetery (See 602); see Crematorium listed separately	P	N	P	P	P	P
College or University - Educational, Recreational, Office or Support Uses (See also Residential Uses, which are addressed separately)	P	P	P	P	P	N
Community Recreation Center or Library	P	P	P	P	P	N
Crematorium (See 602)	SE	N	N	N	SE	SE
Criminal Halfway House or Day Reporting Center (See 602)	SE	N	N	N	SE	N
Cultural Center or Museum	P	P	P	P	P	N
Day Care Center, Adult or Child (See 602) (See also as an accessory use)	P	P	P	SE	N	N
Emergency Services Station or Training Facility	P	P	P	P	P	N
Hospital or Surgery Center, which may include Related Testing Facilities	P	P	P	P	N	N
Membership Club meeting & non-commercial recreational facilities, provided that such use shall not be open between 2 & 6 AM, and provided that such use shall only be allowed in combination with another use if the other use is allowed in that District and if the requirements for that use are also met. (See 602)	P	P	P	P	P	P

* = If the use will be open between midnight and 6 AM, the use and its parking areas shall be setback a minimum of 200 feet from any existing or approved dwellings.

** = See limits on hours of operation in Section 405.

*** = This use shall be limited to lots east of U.S. Route 6 (which is also known as the Casey Highway).

P = Permitted by right use (zoning decision by Zoning Officer)

SE = Special exception use (zoning decision by Zoning Hearing Board)

C = Conditional use (zoning decision by Borough Council)

N = Not permitted

(See 602 or 603) = See Additional Requirements in Sections 602 or 603

TYPES OF USES (See definitions in Article 15)	ZONING DISTRICTS					
	C/LI	C-1**	C-2	I-1	I-2	M & CM
C. INSTITUTIONAL / SEMI-PUBLIC USES (Cont.)						
Nursing Home or Personal Care Home/Assisted Living Facility or Hospice (See 602)	P	P	P	N	N	N
Place of Worship (See 602) (includes Church)	P	P	P	P	P	N
School, Public or Private, Primary or Secondary (See 602)	P	P	P	N	N	N
Temporary Shelter (See 602)	SE	N	N	N	SE	N
Treatment Center (See 602)	C	N	N	N	C	N
D. PUBLIC/SEMI-PUBLIC USES						
Borough Government Uses and Facilities, such as Public Works Facilities.	P	P	P	P	P	P
Government Facility, other than offices and other than uses listed separately in this Article	P	P	P	P	P	P
Prison or Similar Correctional Institution (See 602)	N	N	N	N	C	N
Publicly Owned or Operated Park	P	P	P	P	P	P
Public Utility Facility, other than Borough-owned facilities & other than uses listed separately in this Article. See also Section 1414	SE	SE	SE	SE	P	SE
Sewage Pump Stations	P	P	P	P	P	P
Swimming Pool, Non-household (See 602)	P	P	P	P	P	P
U.S. Postal Service Facility or Substation	P	P	P	P	P	N
E. INDUSTRIAL USES						
Asphalt Plant	N	N	N	N	SE	SE* in M N in CM
Assembly or Finishing of Products Using Materials Produced Elsewhere (such as products from plastics manufactured off-site)	P	N	N	P	P	P
Building Supplies and Building Materials, Wholesale Sales of	P	N	P	P	P	P
Compressor Station - See Pipeline Compressor Station in this section						
Distribution Center - See Warehousing, Storage or Distribution Center in this section.						
Electric Power Generating Plant (Other than Solid Waste to Energy, Solar Energy or Wind Turbines)	N	N	N	C***	C	N
Electricity Grid Storage Battery Facility, with a 150 feet setback from all electricity storage structures to a residential district boundary	N	N	N	C	C	C
Gas or Oil Well (See 602)	SE	N	N	N	SE	SE
Industrial Equipment Sales, Rental and Service, other than involving trucks and trailers primarily intended to be operated on public streets	P	N	P	P	P	N
Incineration of Hazardous or Toxic Waste, other than may have been previously approved within an existing waste-to-energy plant	N	N	N	N	C	N

P = Permitted by right use (zoning decision by Zoning Officer) C = Conditional use (zoning decision by Borough Council)

SE = Special exception use (zoning decision by Zoning Hearing Board)

N = Not permitted

(See 602 or 603) = See Additional Requirements in Sections 602 or 603

* = This use is only allowed in combination with a Mineral Extraction Use, as provided in Section 602.

** = See limits on hours of operation in Section 405.

*** = Limited to a maximum electric generating capacity of 75 megawatts per day.

TYPES OF USES (See definitions in Article 15)	ZONING DISTRICTS					
	C/LI	C-1**	C-2	I-1	I-2	M & CM
E. INDUSTRIAL USES (Cont.)						
Junk - outdoor storage, display or processing of, other than within an approved junkyard or solid waste disposal facility	N	N	N	N	N	N
Junk Yard (See 602) (includes scrapyards)	N	N	N	N	C	N
Liquid or Gas Fuel Storage, Bulk, or Liquefied Natural Gas Facility for off-site distribution or shipment, which shall require a 300 feet setback from a Residential District and review by the Fire Company of any proposed facilities; but not including: auto service station, propane distributor as listed separately, pre-packaged sales of tanks, or fuel tanks for company vehicles. See also pipeline setbacks in Section 1309.	N	N	N	N	C	N
Manufacture and/or bulk processing of the following, provided manufacturing occurs only indoors:						
– Agricultural Chemicals, Fertilizers or Pesticides	N	N	N	N	SE	N
– Apparel, Textiles, Shoes and Apparel Accessories (see also Crafts Studio)	P	N	P	P	P	N
– Cement Manufacture	N	N	N	N	SE	SE*
– Ceramics Products (other than Crafts Studio)	P	N	N	P	P	N
– Chemicals, Manufacture or Bulk Processing of, other than pharmaceuticals and types listed separately	N	N	N	N	C	N
– Clay, Brick, Tile and Refractory Products	P	N	N	P	P	SE*
– Computers; Electronic & Microelectronic Products	P	N	P	P	P	N
– Concrete, Lime and Gypsum Products, other than actual manufacture of cement	N	N	N	N	P	SE* in M N in CM
– Electrical & Electronic Equipment, Appliances & Components	P	N	P	P	P	P
– Explosives, Fireworks or Ammunition (see also Section 1309 for pipeline setbacks)	N	N	N	N	C	N
– Fabricated Metal Products (except Explosives, Fireworks or Ammunition) and/or Machine Shops	P	N	N	P	P	P
– Food and Beverage Products, at an industrial scale as opposed to a clearly retail scale (which may include aquaculture)	P	N	P	P	P	P
– Glass & Glass Products (other than Crafts Studio)	P	N	N	P	P	P
– Jewelry and Silverware	P	N	N	P	P	P
– Leather and Allied Products (other than Crafts Studio or Tannery)	P	N	N	P	P	P
– Machinery or Gaskets	P	N	N	P	P	P
– Manufactured or Modular Housing Manufacture	P	N	N	P	P	P
– Medical Equipment and Supplies	P	N	SE	P	P	P
– Metal Products, Primary	N	N	N	SE	P	P
– Mineral Products, Non-metallic (other than Mineral Extraction)	P	N	N	P	P	P
– Paper and Paper Products (including recycling, but not including manufacture of raw paper pulp)	P	N	N	P	P	P
– Paper - Raw Pulp	N	N	N	N	SE	P
– Paving Materials, other than bulk manufacture of asphalt	N	N	N	SE	P	SE*

P = Permitted by right use (zoning decision by Zoning Officer) C = Conditional use (zoning decision by Borough Council)

SE = Special exception use (zoning decision by Zoning Hearing Board) N = Not permitted

(See 602 or 603) = See Additional Requirements in Sections 602 or 603

* = This use is only allowed in combination with a Mineral Extraction Use, as provided in Section 602.

** = See limits on hours of operation in Section 405.

TYPES OF USES (See definitions in Article 15)	ZONING DISTRICTS					
	C/LI	C-1**	C-2	I-1	I-2	M & CM
<u>E. INDUSTRIAL USES (Cont.)</u>						
Manufacture and/or bulk processing of the following, provided manufacturing occurs only indoors:						
– Pharmaceuticals and Medicines	P	N	SE	P	P	N
– Plastics, Polymers, Resins, Vinyl, Coatings, Cleaning Compounds, Soaps, Adhesives, Paints, or Ink	SE	N	N	SE	P	N
– Products from Previously Manufactured Materials, such as glass, leather, plastics, cellophane, textiles, rubber or synthetic rubber	P	N	SE	P	P	N
– Roofing Materials and Asphalt Saturated Materials or Natural or Synthetic Rubber	SE	N	N	SE	P	SE*
– Scientific, Electronic and Other Precision Instruments	P	P	P	P	P	N
– Sporting Goods, Toys, Games, Musical Instruments or Signs	P	P	P	P	P	N
– Transportation Equipment, including installing mechanical additions to trucks and trailers	P	N	N	P	P	N
– Wood Products and Furniture (not including raw paper pulp)	P	P	P	P	P	N
– See Section 602 for uses that are not listed						
Medical Marijuana Grower / Processor (See 602)	N	N	N	SE***	SE	N
Mineral Extraction (See 602) and related processing, stockpiling and storage of materials removed from the site (other than necessary site preparation of a development site), and provided that reclamation activities of formerly mined lands are allowed in all districts:						
- Limited to Coal Mining	N	N	N	SE	SE	SE
- For Any Minerals	N	N	N	N	N	SE in M; N in CM
Packaging	P	P	P	P	P	N
Package Delivery Services Distribution Center - This use is regulated as a type of “Distribution Center” use. See under “Warehousing, Storage and Distribution Center” in this section.						
Petroleum Refining or Manufacture or Bulk Storage of Ethanol or similar fuels for off-site use, which shall require a 300 feet setback from a residential district and Fire Company review. See also Section 1309.	N	N	N	N	C	SE
Pipeline Compressor Station (such as for natural gas), which shall be constructed within an enclosed structure with sound absorbing walls, and with additional setbacks required by Section 1309	N	N	N	C	C	C
Printing or Bookbinding	P	P	P	P	P	N
Recycling Center, Bulk Processing, provided all operations of an industrial scale occur within an enclosed building (this use does not include any use meeting the definition of a waste disposal or transfer facility, junkyard or vehicle salvage use)	P	N	N	P	P	N

P = Permitted by right use (zoning decision by Zoning Officer) C = Conditional use (zoning decision by Borough Council)

SE = Special exception use (zoning decision by Zoning Hearing Board) N = Not permitted

(See 602 or 603) = See Additional Requirements in Sections 602 or 603

* = This use is only allowed in combination with a Mineral Extraction Use, as provided in Section 602.

** = See limits on hours of operation in Section 405.

*** = Limited to lots east of U.S. Route 6 (which is also known as the Casey Highway)

TYPES OF USES (See definitions in Article 15)	ZONING DISTRICTS					
	C/LI	C-1**	C-2	I-1	I-2	M & CM
E. INDUSTRIAL USES (Cont.)						
Research and Development, Engineering or Testing Facility or Laboratory (other than medical laboratories, which is an office use) and related manufacture of prototypes	P	N	N	P	P	N
Sawmill/ Planing Mill	P	N	N	N	P	P
Slaughterhouse, Stockyard or Tannery, with a 400 feet minimum setback from all lot lines	N	N	N	N	SE	N
Solid Waste Transfer Facility, Solid Waste Landfill or Solid Waste to Energy Facility (See 602, including setbacks)	N	N	N	N	C	N
Tire Storage, Bulk - See Outdoor Storage and Display in Section 602						
Trucking Company Terminal (See 602)						
- More than 50 tractor-trailer loading or unloading docks or stations	N	N	N	C***	C	N
- Other Trucking Company Terminals	N	N	N	SE***	SE	N
Warehousing, Storage or Distribution Center as a principal use: (See 602) (Not including a Trucking Company Terminal)						
- More than 800,000 square feet of building floor area per lot	N	N	N	C***	C	N
- 200,001 to 800,000 square feet of building floor area per lot	N	N	N	C***	C	N
- 200,000 square feet or less of building floor area per lot	P***	N	N	P	P	N
Warehousing or Storage as an on-site accessory use to a lawful principal use	P	P****	P	P	P	N
Welding	P	N	N	P	P	N
Wholesale Sales (other than Motor Vehicles)	P	SE	P	P	P	N
F. ACCESSORY USES						
See list of additional permitted uses in Sections 302 and 403, such as “Residential Accessory Structure or Use”. See Additional Requirements in Section 603 for Specific Accessory Uses.						
Bus Passenger Shelter, which may include an advertising sign (See 603)	P	P	P	P	P	N
Composting, other than leaves, vegetation or materials generated on-site which are permitted by right	N	N	N	SE	P	P
Day Care Center accessory to and on the same lot as an existing lawful Place of Worship	P	P	P	P	P	N
Day Care (See 603) as accessory to a lawful dwelling, of the following number of persons, in addition to children or grandchildren of the on-site caregiver:						
- Day care of a maximum of 3 persons. This use does not need a zoning permit.	P	P	P	P	P	N
- Group Day Care Home (7 to 12 persons)	P	P	P	P	N	N
- Family Day Care Home (4 to 6 persons)	P	P	P	P	N	N
Donation Bin, Outdoor (See 603)	P	P	P	P	P	N
Furnace, Outdoor (See 603, including setbacks from buildings)	N	N	N	P	P	N
Home Occupation, General or No Impact (See 603)	P	P	P	P	P	N
Outdoor Storage and/or Display as accessory to a business use (See buffer yard provisions) (See 603)	P	P*	P	P	P	P

* = A maximum of 25% of lot shall be used for outdoor storage.

** = See limits on hours of operation in Section 405.

*** = New building(s) including a total of 200,000 square feet of building floor area or more of such use per lot are limited to locations east of U.S. Route 6 (which is also known as the Casey Highway).

**** = Limited to building floor area that existed prior to the adoption date of this Ordinance.

P = Permitted by right use (zoning decision by Zoning Officer) C = Conditional use (zoning decision by Borough Council)

SE = Special exception use (zoning decision by Zoning Hearing Board) N = Not permitted

(See 602 or 603) = See Additional Requirements in Sections 602 or 603

TYPES OF USES (See definitions in Article 15)	ZONING DISTRICTS					
	C/LI	C-1**	C-2	I-1	I-2	M & CM
F. ACCESSORY USES (cont.)						
Outdoor Storage and/or Display as principal use, other than uses listed separately in this table (See buffer yard provisions in Section 1303)	SE	N	N	SE	P	SE
Retail Sales as Accessory to a Principal Industrial Use, limited to items produced or distributed on the premises, and limited to a maximum of 5% of the floor area of the principal use	P	P	P	P	P	P
Short-Term Rental of an Existing Lawful Dwelling (See 603)	P	P	P	N	N	N
Temporary Commercial Uses - See Section 1403.G., as well as “Food Truck” which is listed separately.						
Unit for Care of Relative (See 603) on the lot of an existing dwelling	P	P	P	N	N	N
G. MISCELLANEOUS USES						
Clean Fill (See 603)	P	P	P	P	P	P
Crop Farming, Community Garden, Greenhouse, or Hydroponics, not including Mushroom production houses	P	P	P	P	P	P
Forestry (See 602)	P	P	P	P	P	P
Livestock or Poultry, Raising of (See 602)	N	N	SE	P	P	P
Mushroom Houses, for production of mushrooms	N	N	N	N	SE	N
Nature Preserve/Environmental Education Center	P	P	P	P	P	P
Parking Lot or Structure as an accessory or principal use:						
- parking of trucks that haul putrescent or hazardous waste	N	N	N	N	SE	N
- overnight parking that primarily serves 3 or more tractor-trailer trucks and/or their trailers	P	N	N	P	P	P
- other than above, such as municipal parking lots, carpool lots, and customary accessory parking for on-site uses.	P	P	P	P	P	P
Recycling Collection Center (See 602, which further limits locations and requires plant screening)	P	N	P	P	P	N
Solar Energy Collection Systems, provided the structures shall be completely removed within 6 months after it is no longer used to produced electricity.						
– Which cover areas equal to a maximum of 20 percent of the lot area, plus any areas on top of building roofs and parking areas	P	P	P	P	P	P
– Which cover areas more than 20 percent up to a maximum of 40 percent of the lot area, plus any areas on top of building roofs and parking areas, and which includes evergreen vegetation with an initial height of 3 feet between ground-mounted solar collectors and any abutting dwelling	P	N	P	P	P	P
Wastewater Treatment Plant (other than customarily accessory pre-treatment facilities)	N	N	N	N	SE	P
Wind turbines:						
– Maximum of one on a lot that is an accessory use (See 603)	P	N	P	P	P	P
– One or more wind turbines, other than above (See 602)	N	N	N	SE	SE	SE
Uses that will be unable to comply with the performance standards of this ordinance. See the “Environmental Protection” requirements of Article 10	N	N	N	N	N	N

P = Permitted by right use (zoning decision by Zoning Officer) C = Conditional use (zoning decision by Borough Council)
SE = Special exception use (zoning decision by Zoning Hearing Board) N = Not permitted
(See 602 or 603) = See Additional Requirements in Sections 602 or 603
* = Minimum lot area of 3 acres. ** = See limits on hours of operation in Section 405.

403. **Permitted Accessory Uses.**

- A. See Section 302 for accessory uses allowed in all districts.
- B. **Permitted Accessory Uses to Business and Institutional Uses.** The following are permitted by right accessory uses only to an allowed commercial, industrial or institutional use, provided that all requirements of this Ordinance are met:
 - (1) Storage of fuels for on-site use or to fuel company vehicles.
 - (2) The following accessory uses, provided that the use is clearly limited to employees, patients, residents and families of employees of the use and their occasional invited guests:
 - (a) Internal cafeteria without drive-through service,
 - (b) Day care center or
 - (c) Recreational facilities.
 - (3) Automatic Transaction Machine

404. **Uses Not Specifically Regulated.** Section 205 shall apply.

405. **Limits on Late Night Hours of Operation in the C-1 District and for Nonconforming Commercial Uses in Residential Districts.**

- A. A commercial use or membership club in the C-1 Districts shall not be open to customers or patrons for business purposes between the hours of 2 AM and 6 AM unless it was already regularly open to the public during those hours immediately prior to the effective date of this Ordinance. A commercial use or membership club may be approved to be open after 2 AM as a special exception use if the applicant proves to the satisfaction of the Zoning Hearing Board that such business hours will not negatively impact dwellings in the vicinity.
- B. A non-conforming commercial use or membership club in a Residential District shall not be open to customers or patrons for business purposes between the hours of 11 PM and 6 AM, unless the use was already regularly open to the public during those hours immediately prior to the effective date of this Ordinance.

406. **Age-Qualified Housing.**

- A. These provisions shall apply if Age-Qualified Housing is used to allow an increased density under this Ordinance under Article 5 of this Ordinance.
- B. Age-Qualified Housing shall involve all housing units within a subdivision or land development being permanently limited by deed and by any lease to occupancy by at least one person age 55 and older, and with no resident under age 18, except that a person under age 18 may temporarily stay within a housing unit for a total of less than 60 days per calendar year. An applicant alternatively may decide to use an age limit of 62 or above, or a similar age limit authorized by Federal law.
- C. The applicant may also decide to permit one or more types of persons classified by the Social Security Administration as disabled to reside in Age-Qualified Housing, regardless of their age, provided it is structured in a way that complies with Federal law for Age-Qualified Housing.
- D. A primary enforcement mechanism shall be established by the applicant, such as through the owner of a rental development or by a homeowner association. The Borough shall be provided with secondary enforcement authority that is intended to be used if such primary mechanism fails to comply with its enforcement responsibilities. If the Borough needs to utilize its enforcement

authority, the Borough's enforcement costs shall be paid by the entity with the primary enforcement responsibility.

- E. If a household met the age qualifications at the time of initial occupancy of a dwelling unit, members of a household are not required to leave if a person aged 55 or older later dies or leaves the household, such as because of divorce, separation or need for nursing care.
- F. An Age-Qualified Housing Development may use a condominium or similar form of ownership, with most yard areas being commonly maintained. In such case, the buildings shall be laid out in such a manner so that they would have been able to comply with the dimensional requirements for each lot, even though fee-simple lot lines are not required.
- G. Minimum side yards may be reduced for residential buildings on lots within the interior of the development, provided that a minimum 10 feet separation distance is maintained between residential buildings.
- H. A minimum of 15 percent of the total land area of the development shall be provided as recreation area for use by the residents, which shall include landscaped trails and which may include other non-commercial recreation facilities. Stormwater areas may count towards a portion of this requirement if they are designed and maintained to be scenic or recreational assets.
- I. If a development is approved as an Age-Qualified Housing development:
 - (1) the maximum density shall be increased by 25 percent above the maximum density of the tract that otherwise would be allowed; provided that if the density is stated in terms of a minimum lot area, then the minimum lot area may be reduced by 25 percent;
 - (2) the maximum lot coverage shall be increased by 15 percent (such as from 30 to 45 percent of the lot area); and
 - (3) the minimum lot width may be reduced by 25 percent.