

Chapter 27. Zoning

Part 9. C-3 CENTRAL BUSINESS DISTRICT

§ 27-901. Intent.

[Ord. 593, 4/8/1986; as amended by Ord. 797, 12/18/2006, § 1]

It is the purpose of this district to permit appropriate commercial uses that serve the daily needs of Borough residents, with particular emphasis on retail and personal service uses, and selected uses, and selected residential uses reflecting the existing mix of land uses. The regulations are designed to maintain the scale and character of the historic and retail commercial environment in the district. The district is not intended to accommodate commercial uses that are more appropriate for the C-1, C-2, or PC/LI Districts and that are characterized by high-volume traffic, large parking areas, and/or outdoor storage and display areas.

§ 27-902. Permitted Uses.

[Ord. 593, 4/8/1986; as amended by Ord. 598, 9/9/1986; by Ord. 622, 12/29/1987; by Ord. 690, 12/20/1993; by Ord. 704, 6/12/1995; by Ord. 760, 10/13/2003, § III; by Ord. 770, 1/10/2005, §§ 1-3; by Ord. 782, 12/19/2005, § 3; by Ord. 797, 12/18/2006, § 2; and by Ord. 870, 7/8/2013, § 2]

1. For any property within the C-3 Central Business District that has frontage on 3rd Street and/or Market Street, the following uses, individually or in combination, shall be the only uses permitted in the first 35 feet in depth of the first floor/ground floor of any building:
 - A. Uses Permitted by Right.
 - (1) Retail business establishment for the sale of goods including, but not limited to, appliances, clothing, pharmaceuticals, flowers, food, furniture, hardware, household supplies, liquor, newspapers, stationery, and tobacco.
 - (2) Personal or household service establishment, including, but not limited to, barbershop, beauty shop, laundry and dry-cleaning shop, shop renting household goods and appliances, tattoo parlor, and tailor shop.
[Amended by Ord. No. 919-2018, 6/18/2018]
 - (3) Restaurant, fast-food restaurant, and fast-food restaurant with drive-in service, except that no access lane used exclusively for drive-in service shall have direct access to 3rd Street or Market Street.
 - (4) Farmers market, growers market.
 - (5) Professional or business office.
 - (6) Bank and fiduciary institution.
 - (7) Outdoor cafe, in accordance with § 27-1330.
 - (8) Municipal use.

[Added by Ord. 906, 6/19/2017]

(9) Public parking lot or public parking garage.

[Added by Ord. 906, 6/19/2017]

B. Uses Permitted as Conditional Uses. The following uses are permitted when approved as a conditional use by Borough Council. In addition to compliance with any specific standards cited herein, any proposed conditional use shall comply with the procedures and standards contained in § **27-2009** of this chapter.

[Amended by Ord. 906, 6/19/2017]

(1) Shop for the repair and cleaning of goods sold in establishments permitted in Subsection **1A(1)**, other than laundry and dry-cleaning shop.

(2) Private parking lot or private parking garage.

(3) Hotel/inn.

(4) Bed-and-breakfast operation, in accordance with § **27-1322**.

(5) Medical center or clinic.

(6) Indoor entertainment, in accordance with § **27-1324**.

(7) Indoor recreational use, in accordance with § **27-1324**.

(8) Day care center.

(9) Medical marijuana dispensary, in accordance with the terms of §**27-1331** of this chapter.

[Added by Ord. No. 938-2020, 3/2/2020]

2. Within those areas and buildings in the C-3 District not subject to the terms of Subsection **1**, above, the following uses shall be permitted, individually or in combination, within any single structure:

A. Uses Permitted by Right.

(1) Any use permitted under the terms of Subsection 1A, above.

(2) Shop for the repair and cleaning of goods sold in establishments permitted in Subsection 1A, above, other than laundry and dry-cleaning shop.

(3) Municipal use.

(4) Private or public parking lot or garage.

(5) Hotel/inn.

(6) Bed-and-breakfast operation, in accordance with § **27-1322**.

(7) Medical center or clinic.

(8) Apartments when in conjunction with a permitted use in accordance with the terms of this section, provided that such residential use not occupy the ground floor of buildings.

B. Uses Permitted as Conditional Uses. The following uses are permitted when approved as a conditional use by Borough Council. In addition to compliance with any specific standards cited herein, any proposed conditional use shall comply with the procedures and standards contained in § **27-2009** of this chapter.

(1) Indoor entertainment, in accordance with § **27-1324**.

(2) Indoor recreational use, in accordance with § **27-1324**.

(3) Day care center.

(4) Public library.

(5) Medical marijuana dispensary, in accordance with the terms of §27-1331 of this chapter.
[Added by Ord. No. 938-2020, 3/2/2020]

§ 27-903. Accessory Uses Permitted by Right.

[Ord. 593, 4/8/1986; as amended by Ord. 760, 10/13/2003, § II]

1. The following uses shall be the only permitted accessory uses under the C-3 District. The uses shall remain incidental to the principal use:
 - A. Accessory commercial uses, buildings and structures, in accordance with § 27-1302.
 - B. Accessory residential uses, buildings and structures, in accordance with § 27-1302.
 - C. No-impact home occupation, in accordance with § 27-1304.

§ 27-904. Uses Permitted by Special Exception.

[Ord. 593, 4/8/1986; as added by Ord. 810, 12/17/2007]

1. The following uses are permitted when a special exception is granted by the Zoning Hearing Board. Standards to be used in applying for and determining whether a special exception should be granted are found in §§ 27-1904 and 27-1905.
 - A. Major home occupation, in accordance with § 27-1304.

§ 27-905. (Reserved)

[1] *Editor's Note: Former § 27-905, Uses Permitted as Conditional Uses, added 12/19/2005 by Ord. No. 780, as amended, was repealed 6/18/2018 by Ord. No. 917-2018.*

§ 27-906. Area and Bulk Regulations.

[Ord. 593, 4/8/1986; as amended by Ord. 762, 4/19/2004, § 1; by Ord. 781, 12/19/2005, § 5; and by Ord. 906, 6/19/2017]

The area and bulk regulations applicable to uses permitted in the C-3 District are listed on the table of C-3 Zoning District Area and Bulk Regulations.^[1] Where area and bulk regulations applicable to a specific use are contained elsewhere in this chapter, those regulations shall govern.

[1] *Editor's Note: Said table is included as an attachment to this chapter.*

§ 27-907. Additional Regulations.

[Ord. 593, 4/8/1986; as amended by Ord. 797, 12/18/2006, § 3]

1. The following additional regulations shall apply to uses within the C-3 District.
 - A. General regulations, Part 12.
 - B. Sign standards, Part 15.
 - C. Floodplain District, Part 17.
 - D. Nonconformance standards, Part 18.

- E. For any property within the C-3 Central Business District that has frontage on 3rd Street and/or Market Street, the following design standards shall apply:
- (1) No more than 32 feet of continuous street wall shall be created for any new building. Any building that is wider than 32 feet shall have a recess of up to four feet at intervals of 24 feet.
 - (2) Off-street parking, where provided, shall be placed to the rear of buildings and accessed off an alley or from an existing curb cut.
 - (3) No new curb cuts shall be permitted.
 - (4) No building shall be a windowless box. Building openings and windows shall constitute not less than 30% of all exterior walls. No building shall have opaque windows.