

PART 4

MIXED USE ZONING DISTRICTS

Section 401. Designation of Mixed Use Zoning Districts and Purpose Statements.

See Table 4-1 herein this Section for the designations and purpose statements of the respective Mixed Use Zoning Districts which are shown on the Borough Zoning Map:

**TABLE 4-1
 MIXED USE ZONING DISTRICTS**

MIXED USE ZONING DISTRICT NAMES	MIXED USE ZONING DISTRICT PURPOSE STATEMENTS	REPRESENTATIVE IMAGES
High Density Residential Office Zoning District (HDRO)	To provide for high-density residential neighborhoods with a mix of housing types; to protect these areas from incompatible uses; to also provide opportunities for offices and certain other light business uses.	
Medium Density Residential Office Zoning District (MDRO)	To provide for medium-density residential neighborhoods; to protect these areas from incompatible uses; to make sure that "infill" development is consistent with neighboring development; to also provide for offices along certain streets.	
Downtown Zoning District (DT)	To promote pedestrian-friendly commercial activities; to promote an appropriate mix of retail, service, office, public, institutional and residential uses; to avoid heavy auto-related commercial uses which are most likely to conflict with nearby homes and the pedestrian orientation and which are most likely to cause demolition of historic buildings; to primarily provide for smaller-scale uses that utilize existing older buildings, as opposed to uses that would involve substantial demolition.	
Commercial Neighborhood Zoning District (CN)	To provide for high-density residential neighborhoods with a mix of housing types; to provide for an appropriate mix of retail, service, office, public, institutional and residential uses; to avoid heavy auto-related commercial uses which are most likely to conflict with nearby homes.	

Section 402. Permitted Uses.

See Table 4-2 herein this Section for the types of uses permitted in the respective Mixed Use Zoning District as set forth by this Chapter. Uses are divided into those Permitted by Right “P” (zoning decision by Zoning Officer); Permitted by Special Exception “SE” (zoning decision by Zoning Hearing Board,) and Permitted by Conditional Use “CU” (zoning decision by Borough Council). Many of the uses permitted by the above three (3) categories must comply with certain criteria, which are found in Part 11 of this Chapter. The specific section numbers of Part 11 where the criteria are located are noted in the table. Uses not listed in the table below or identified by “N” shall specifically not be permitted in the applicable Mixed Use Zoning Districts:

**TABLE 4-2
 PERMITTED USES – MIXED USE ZONING DISTRICTS**

TYPES OF USES	HIGH DENSITY RESIDENTIAL OFFICE ZONING DISTRICT (HDRO)	MEDIUM DENSITY RESIDENTIAL OFFICE ZONING DISTRICT (MDRO)	DOWNTOWN ZONING DISTRICT (DT)	COMMERCIAL NEIGHBORHOOD ZONING DISTRICT (CN)	SECTION REFERENCE FOR SPECIFIC USE REGULATIONS
A. RESIDENTIAL USES					
Apartment Conversion	N	SE	P	P	1102
Group Home	P	P	P	P	
Multi-Family Dwelling	N	SE	P	P	1102
Single Family Attached Dwelling	N	SE	P	P	1102
Single Family Detached Dwelling	P	P	P	P	
Single Family Semi-Detached Dwelling	N	P	P	P	
Two Family Detached Dwelling	N	P	P	P	1102
B. NON-RESIDENTIAL USES					
B.1 COMMERCIAL USES					
Art Gallery	P	CU	P	P	1103
Bank	N	N	P	P	
Bed and Breakfast	SE	SE	P	P	1103
Boarding House	SE	N	N	SE	1103
Commercial Recreation, Indoor	N	N	P	P	
Copy Shop / Business Service	P	N	P	P	
Craftsman / Artisan Studio	P	CU	P	P	1103
Financial Service, Other	P	CU	P	P	1103
Food Service	N	CU	P	P	1103
Funeral Home	N	CU	P	P	1103
Hotel	N	N	N	SE	1103
Laundry & Dry Cleaning Facility, Personal	N	N	P	P	

TYPES OF USES	HIGH DENSITY RESIDENTIAL OFFICE ZONING DISTRICT (HDRO)	MEDIUM DENSITY RESIDENTIAL OFFICE ZONING DISTRICT (MDRO)	DOWNTOWN ZONING DISTRICT (DT)	COMMERCIAL NEIGHBORHOOD ZONING DISTRICT (CN)	SECTION REFERENCE FOR SPECIFIC USE REGULATIONS
Office, Business and Professional	P	CU	P	P	1103
Office, Medical	P	CU	P	P	1103
Parking Lot / Parking Structure	N	N	P Structure only	P	1103
Personal Service	P	CU	P	P	1103
Restaurant	N	CU	P	P	1103
Retail Business	N	CU	P	P	1103
School, Commercial	N	CU	P	P	1103
Shopping Center, Town	N	N	P	P	
Theater, Indoor	N	N	P	P	
Therapeutic Massage Facility	P	CU	P	P	1103
Veterinary Office	P	CU	P	P	1103
B.2 INSTITUTIONAL / CIVIC USES					
Cemetery	N	P	N	N	1105
Clinic, Medical / Urgent Care	N	N	P	P	
Clubhouse or Lodge, Private	N	N	P	P	1105
Community Center	N	SE	P	P	1105
Continuing Care Retirement Facility	N	N	N	CU	1105
Daycare, Commercial	N	SE	P	P	1105
Emergency Services	SE	N	P	P	1105
Government Facility, Other Than Municipal Owned Use	N	N	SE	SE	1105
Group Care Facility	N	N	N	SE	1105
Library	N	SE	P	P	1105
Long Term Care Facility or Personal Care Facility	N	N	P	P	1105
Museum	N	N	N	P	
Municipal Owned Use	P	P	P	P	
Park, Playground, and Other Non-Commercial Outdoor Recreational Use	N	P	P	P	1105
Place of Worship	SE	SE	P	P	1105
Post Office	N	N	P	P	

TYPES OF USES	HIGH DENSITY RESIDENTIAL OFFICE ZONING DISTRICT (HDRO)	MEDIUM DENSITY RESIDENTIAL OFFICE ZONING DISTRICT (MDRO)	DOWNTOWN ZONING DISTRICT (DT)	COMMERCIAL NEIGHBORHOOD ZONING DISTRICT (CN)	SECTION REFERENCE FOR SPECIFIC USE REGULATIONS
School, Public or Private	SE	SE	P	P	1105
University / College	N	N	N	SE	1105
B.3 FORESTRY / AGRICULTURE USES					
Agricultural Operation	P	P	P	P	1106
Community Garden	P	P	P	P	1106
Forestry (Timber Harvesting)	P	P	P	P	1106
B.4 MISCELLANEOUS USES					
Telecommunications Signal Site, Antenna Only	P	P	P	P	1107
C. SPECIFIC ACCESSORY USES					
Accessory Apartment	SE	SE	SE	SE	1108
Automated Banking Facility	P	N	P	P	1108
Community Garden	P	P	P	P	1108
Daycare, Accessory	P	P	P	P	
Daycare, Family	P	P	P	P	1108
Drive-Thru Facility for Permitted Use	SE	N	SE	SE	1108
Home Occupation	P	SE	P	P	1108
No-Impact Home Occupation	P	P	P	P	1108
Outdoor Café / Dining	N	CU	P	P	1108
Outside Display and Sales	N	N	P	P	1108
D. SPECIFIC TEMPORARY USES					
Accessory Dwelling Unit for Care of Relative	SE	SE	SE	SE	1109
E. GENERAL ACCESSORY USES AND STRUCTURES					
Accessory structures and uses customarily incidental and subordinate to the principal uses permitted in the applicable Zoning District, other than specified elsewhere in this Chapter including but not limited to Part 7 of this Chapter	P	P	P	P	

- P Permitted by Right (zoning decision by Zoning Officer)
- SE Permitted by Special Exception Use (zoning decision by Zoning Hearing Board)
- CU Permitted by Conditional Use (zoning decision by Borough Council)
- N Not Permitted

Section 403. Area and Design Requirements.

See Tables 4-3 – 4-6 herein this Section for the area and design requirements for all development activities and uses within the respective Mixed Use Zoning Districts. Additionally, to the maximum extent feasible, all development activities and uses shall respect, maintain, and be compatible with the predominant development pattern, context, and character features of the adjacent and nearby buildings / structures and development including height, scale, setback, orientation, lot access, and off-street parking. Unless specifically listed herein this Section and Part 6 of this Chapter relating to *Development Compatibility Standards Overlay Zoning District*, applicants for new development and uses may, and are strongly encouraged, to utilize the other development compatibility design guidelines and standards set forth in Part 6 of this Chapter relating to *Development Compatibility Standards Overlay Zoning District*:

**TABLE 4-3
 AREA AND DESIGN REQUIREMENTS
 HIGH DENSITY RESIDENTIAL OFFICE
 ZONING DISTRICT (HDRO)**

AREA / DESIGN FEATURES	PERMITTED USES		
	SINGLE FAMILY DETACHED DWELLING	OTHER USES, UNLESS SPECIFICALLY LISTED IN PART 11	ACCESSORY USE OR STRUCTURE, OTHER THAN SPECIFIED HEREIN ELSEWHERE THIS CHAPTER INCLUDING PART 7, PART 9, AND PART 11 OF THIS CHAPTER
Net Lot Area - Minimum	4,000 sq. ft. per DU	8,000 sq. ft.	Included as part of total minimum lot area for principal use.
Lot Width at Front Setback Line – Minimum, Interior Lot	35 ft.	60 ft.	Included as part of total minimum lot width for principal use.
Lot Width at Front Setback Line – Minimum, Corner Lot	50 ft.	75 ft.	Included as part of total minimum lot width for principal use.
Front Setback - Minimum	25 ft., See Note I	25 ft., See Note I	Not permitted to be located within the front yard.
Side Setback – Minimum, See Note A	5 ft. each side from interior lot line, 12 ft. from street right-of-way line	15 ft.	See Note A
Rear Setback – Minimum, See Note A	25 ft., See Note F	25 ft., See Note F	See Note A
Building Footprint - Maximum	40%	40%	Included as part of total maximum building coverage for principal use.
Impervious Lot Coverage - Maximum	70%	70%	Included as part of total maximum impervious lot coverage for the principal use.
Vegetative Coverage - Minimum	20%	20%	Included as part of total minimum vegetative coverage for principal use.
Building Height / Structure Height - Maximum	35 ft. or 3 stories, whichever is more restrictive	35 ft. or 3 stories, whichever is more restrictive	25 ft. or 2 stories, whichever is more restrictive*

- Not Applicable
- * Accessory uses or structures for non-residential uses shall have a maximum building height / structure height of 35 ft. or 3 stories, whichever is more restrictive.

Note A = The following exceptions to side and rear yards shall apply:

1. A 3 foot wide minimum side and rear setback shall apply for a permitted detached structure that is accessory to a dwelling, except:
 - a. In no case shall a vehicle garage be set back less than 5 feet from the cartway of an alley.
 - b. Structures shall not obstruct minimum sight clearance at intersections.
 - c. No setback is required for a structure that is accessory to a dwelling from a lot line along which 2 dwellings are attached (such as a lot line shared by single family semi-detached dwellings).
2. A residential porch or deck that is open along sides not attached to the principal building may extend into a required side or rear building setback. See Note I concerning front setbacks. However, if a deck or porch is covered by a roof or is raised an average of more than 5 feet above the ground level, then the deck or porch shall meet the minimum side yard and shall be setback a minimum of 15 feet from a rear lot line. A setback is not required where 2 buildings are attached to each other along a lot line. Space under an unenclosed porch may be used for household storage.

Note B = Except if 2 or more off-street parking spaces per dwelling for 2 or more motor vehicles are located within 20 feet of a public street, then the lot width per dwelling unit along such street shall be a minimum of 24 feet. An end unit townhouse shall have a minimum lot width of 24 feet.

Note C = A canopy over gasoline pumps may have a front setback of 20 feet, provided that no sign is located on the canopy within 35 feet from the street right-of-way.

Note D = Except a minimum of 40 feet for a new or expanded principal nonresidential building from a directly abutting primarily residential lot in a Residential Zoning District. From a portion of a building used for manufacturing operations or tractor-trailer loading docks, this setback shall be increased to a minimum of 70 feet.

Note E = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot width of less than 60 feet, the minimum side setback shall be reduced to 5 feet, provided that the 2 side yards together include a minimum of 14 feet.

Note F = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot depth of less than 125 feet, the minimum rear setback shall be reduced to 20 feet.

Note G = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot width of less than 50 feet, the minimum side setback shall be reduced to 4 feet, provided that the 2 side yards together include a minimum of 10 feet.

Note H = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot depth of less than 100 feet, the minimum rear setback shall be reduced to 15 feet.

Note I = An unenclosed front porch may intrude into the front yard by up to a maximum of 10 feet. Such front porch may be covered by a roof.

Note J = As a special exception use, the maximum impervious coverage may be increased up to 95%, provided that:

1. the applicant proves the stormwater will be able to be handled on the site without creating any increased hazards or damage to other properties and;
2. the use will involve substantially greater amounts of landscaping than would otherwise be required, following a landscaping plan prepared by a qualified professional and submitted to the Zoning Hearing Board for approval. Where a zoning district is required to maintain a minimum percentage of a lot in trees, shrubs and other vegetative ground cover, that requirement may not be overturned by special exception.

Note K = A maximum of 30% of the land area within the minimum front yard shall be paved or used for parking, unless a more restrictive requirement is established within the DCSD Zoning District.

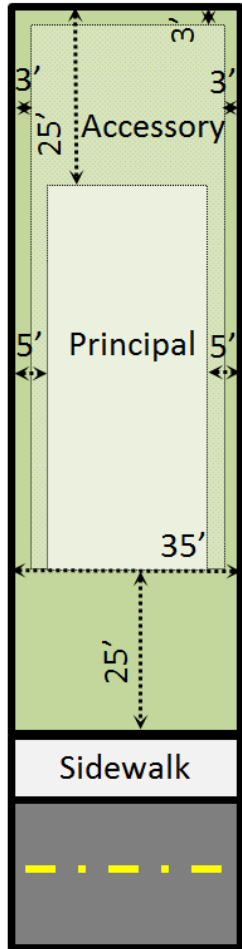


Figure 4.1
Typical HDRO Zoning District Area / Design Features - Single Family Detached Dwelling Example
(Abutting Lots Not Developed)
(Not Drawn to Scale)

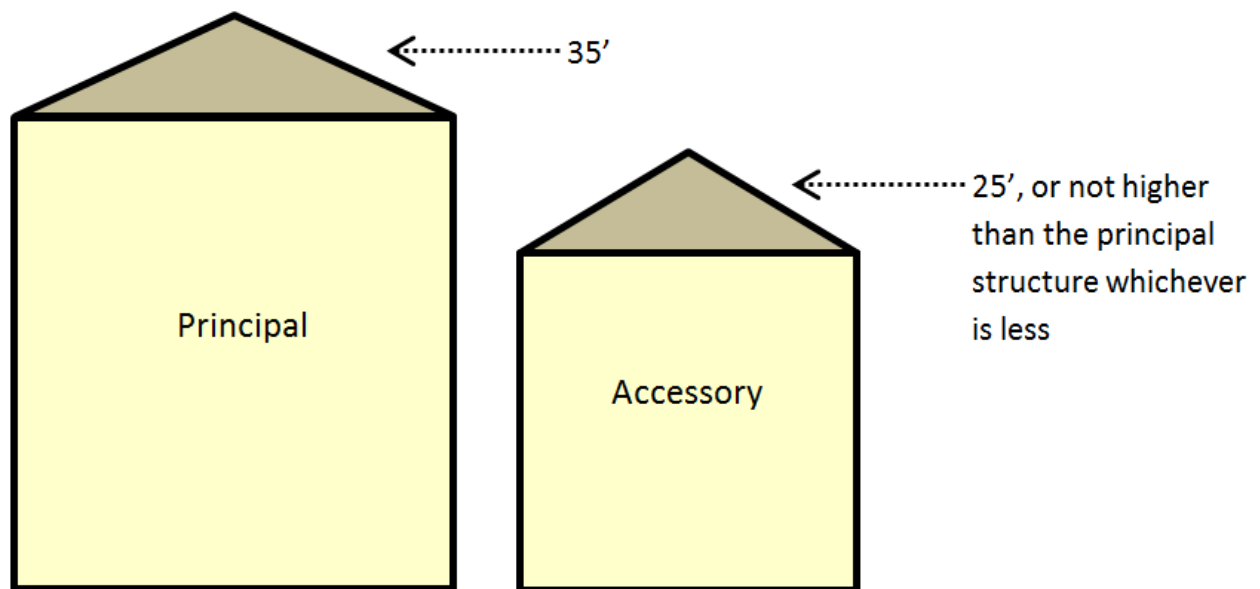


Figure 4.2
Typical HDRO Zoning District Building Height / Structure Height - Single Family Detached Dwelling Example
(Abutting Lots Not Developed) (Not Drawn to Scale)

**TABLE 4-4
 AREA AND DESIGN REQUIREMENTS
 MEDIUM DENSITY RESIDENTIAL OFFICE
 ZONING DISTRICT (MDRO)**

AREA / DESIGN FEATURES	PERMITTED USES				
	SINGLE FAMILY DETACHED DWELLING	SINGLE FAMILY SEMI-DETACHED DWELLING	TWO FAMILY DETACHED DWELLING	OTHER USES, UNLESS SPECIFICALLY LISTED IN PART 11	ACCESSORY USE OR STRUCTURE, OTHER THAN SPECIFIED HEREIN ELSEWHERE THIS CHAPTER INCLUDING PART 7, PART 9, AND PART 11 OF THIS CHAPTER
Net Lot Area - Minimum	5,000 sq. ft. per DU	4,000 sq. ft. per DU	4,000 sq. ft. per DU	13,500 sq. ft.	Included as part of total minimum lot area for principal use.
Lot Width at Front Setback Line – Minimum, Interior Lot	50 ft.	40 ft.	80 ft.	80 ft.	Included as part of total minimum lot width for principal use.
Lot Width at Front Setback Line – Minimum, Corner Lot	65 ft.	55 ft.	95 ft.	95 ft.	Included as part of total minimum lot width for principal use.
Front Setback - Minimum	25 ft., See Note I	25 ft., See Note I	25 ft., See Note I	25 ft., See Note I	Not permitted to be located within the front yard.

AREA / DESIGN FEATURES	PERMITTED USES				
	SINGLE FAMILY DETACHED DWELLING	SINGLE FAMILY SEMI-DETACHED DWELLING	TWO FAMILY DETACHED DWELLING	OTHER USES, UNLESS SPECIFICALLY LISTED IN PART 11	ACCESSORY USE OR STRUCTURE, OTHER THAN SPECIFIED HEREIN ELSEWHERE THIS CHAPTER INCLUDING PART 7, PART 9, AND PART 11 OF THIS CHAPTER
Side Setback – Minimum, See Note A	5 ft. each side from interior lot line, See Note G; 12 ft. from street right-of-way line	5 ft. each side from interior lot line, See Note G; except, 0 ft. at the shared lot line of lawfully attached dwellings constructed with a shared common party wall and the written consent of the owner of the abutting lot and building, 12 ft. from street right-of-way line	5 ft. each side from interior lot line, See Note G; 12 ft. from street right-of-way line	15 ft.	See Note A
Rear Setback – Minimum, See Note A	25 ft., See Note H	25 ft., See Note H	25 ft., See Note H	25 ft., See Note H	See Note A
Building Footprint - Maximum	40%	40%	40%	40%	Included as part of total maximum building coverage for principal use.
Impervious Lot Coverage - Maximum	60%	60%	60%	60%	Included as part of total maximum impervious lot coverage for the principal use.
Vegetative Coverage - Minimum	25%	25%	25%	25%	Included as part of total minimum vegetative coverage for principal use.

AREA / DESIGN FEATURES	PERMITTED USES				
	SINGLE FAMILY DETACHED DWELLING	SINGLE FAMILY SEMI-DETACHED DWELLING	TWO FAMILY DETACHED DWELLING	OTHER USES, UNLESS SPECIFICALLY LISTED IN PART 11	ACCESSORY USE OR STRUCTURE, OTHER THAN SPECIFIED HEREIN ELSEWHERE THIS CHAPTER INCLUDING PART 7, PART 9, AND PART 11 OF THIS CHAPTER
Building Height / Structure Height - Maximum	35 ft. or 3 stories, whichever is more restrictive	35 ft. or 3 stories, whichever is more restrictive	35 ft. or 3 stories, whichever is more restrictive	35 ft. or 3 stories, whichever is more restrictive	25 ft. or 2 stories, whichever is more restrictive*

- Not Applicable

* Accessory uses or structures for non-residential uses shall have a maximum building height / structure height of 35 ft. or 3 stories, whichever is more restrictive.

Note A = The following exceptions to side and rear yards shall apply:

1. A 3 foot wide minimum side and rear setback shall apply for a permitted detached structure that is accessory to a dwelling, except:
 - a. In no case shall a vehicle garage be set back less than 5 feet from the cartway of an alley.
 - b. Structures shall not obstruct minimum sight clearance at intersections.
 - c. No setback is required for a structure that is accessory to a dwelling from a lot line along which 2 dwellings are attached (such as a lot line shared by single family semi-detached dwellings).
2. A residential porch or deck that is open along sides not attached to the principal building may extend into a required side or rear building setback. See Note I concerning front setbacks. However, if a deck or porch is covered by a roof or is raised an average of more than 5 feet above the ground level, then the deck or porch shall meet the minimum side yard and shall be setback a minimum of 15 feet from a rear lot line. A setback is not required where 2 buildings are attached to each other along a lot line. Space under an unenclosed porch may be used for household storage.

Note B = Except if 2 or more off-street parking spaces per dwelling for 2 or more motor vehicles are located within 20 feet of a public street, then the lot width per dwelling unit along such street shall be a minimum of 24 feet. An end unit townhouse shall have a minimum lot width of 24 feet.

Note C = A canopy over gasoline pumps may have a front setback of 20 feet, provided that no sign is located on the canopy within 35 feet from the street right-of-way.

Note D = Except a minimum of 40 feet for a new or expanded principal nonresidential building from a directly abutting primarily residential lot in a Residential Zoning District. From a portion of a building used for manufacturing operations or tractor-trailer loading docks, this setback shall be increased to a minimum of 70 feet.

Note E = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot width of less than 60 feet, the minimum side setback shall be reduced to 5 feet, provided that the 2 side yards together include a minimum of 14 feet.

Note F = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot depth of less than 125 feet, the minimum rear setback shall be reduced to 20 feet.

Note G = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot width of less than 50 feet, the minimum side setback shall be reduced to 4 feet, provided that the 2 side yards together include a minimum of 10 feet.

Note H = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot depth of less than 100 feet, the minimum rear setback shall be reduced to 15 feet.

Note I = An unenclosed front porch may intrude into the front yard by up to a maximum of 10 feet. Such front porch may be covered by a roof.

Note J = As a special exception use, the maximum impervious coverage may be increased up to 95%, provided that:

1. the applicant proves the stormwater will be able to be handled on the site without creating any increased hazards or damage to other properties and;
2. the use will involve substantially greater amounts of landscaping than would otherwise be required, following a landscaping plan prepared by a qualified professional and submitted to the Zoning Hearing Board for approval. Where a zoning district is required to maintain a minimum percentage of a lot in trees, shrubs and other vegetative ground cover, that requirement may not be overturned by special exception.

Note K = A maximum of 30% of the land area within the minimum front yard shall be paved or used for parking, unless a more restrictive requirement is established within the DCZO Zoning District.

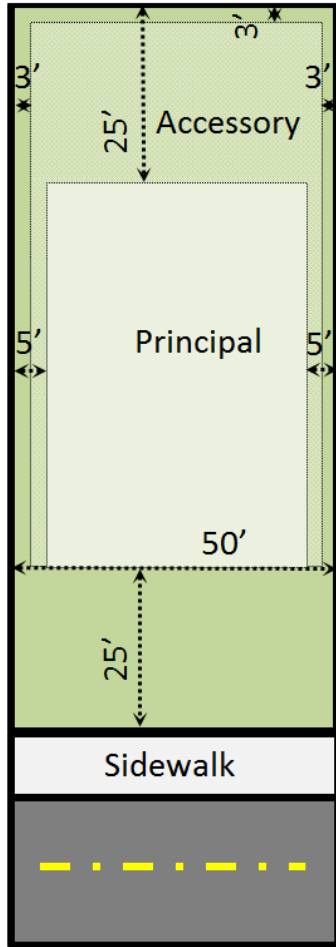


Figure 4.3
Typical MDRO Zoning District Area / Design Features - Single Family Detached Dwelling Example
(Abutting Lots Not Developed)
(Not Drawn to Scale)

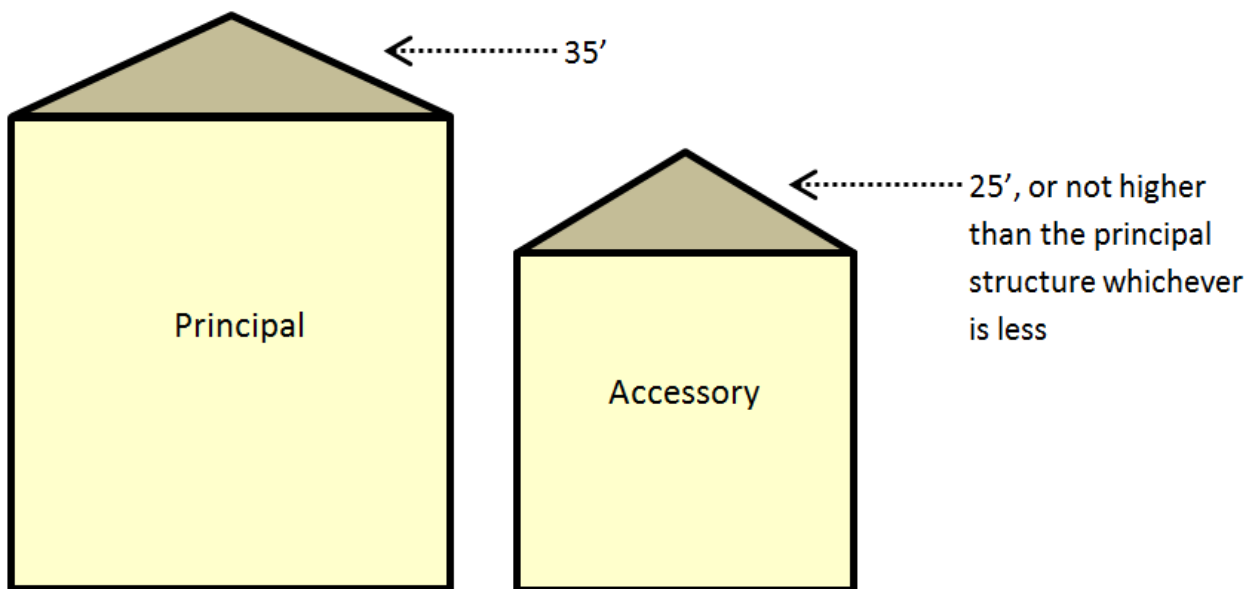


Figure 4.4
Typical MDRO Zoning District Building Height / Structure Height - Single Family Detached Dwelling Example
(Abutting Lots Not Developed) (Not Drawn to Scale)

**TABLE 4-6
 AREA AND DESIGN REQUIREMENTS
 DOWNTOWN
 ZONING DISTRICT (DT)**

AREA / DESIGN FEATURES	PERMITTED USES				
	SINGLE FAMILY DETACHED DWELLING	SINGLE FAMILY SEMI-DETACHED DWELLING	TWO FAMILY DETACHED DWELLING	OTHER USES, UNLESS SPECIFICALLY LISTED IN PART 11	ACCESSORY USE OR STRUCTURE, OTHER THAN SPECIFIED HEREIN ELSEWHERE THIS CHAPTER INCLUDING PART 7, PART 9, AND PART 11 OF THIS CHAPTER
Net Lot Area - Minimum	5,000 sq. ft. per DU	4,000 sq. ft. per DU	4,000 sq. ft. per DU	5,000 sq. ft.	Included as part of total minimum lot area for principal use.
Lot Width at Front Setback Line – Minimum, Interior Lot	50 ft.	40 ft.	80 ft.	30 ft.	Included as part of total minimum lot width for principal use.
Lot Width at Front Setback Line – Minimum, Corner Lot	65 ft.	55 ft.	95 ft.	45 ft.	Included as part of total minimum lot width for principal use.
Front Setback - Minimum	25 ft., See Note I	25 ft., See Note I	25 ft., See Note I	25 ft., See Note I See Note K	Not permitted to be located within the front yard.

AREA / DESIGN FEATURES	PERMITTED USES				
	SINGLE FAMILY DETACHED DWELLING	SINGLE FAMILY SEMI-DETACHED DWELLING	TWO FAMILY DETACHED DWELLING	OTHER USES, UNLESS SPECIFICALLY LISTED IN PART 11	ACCESSORY USE OR STRUCTURE, OTHER THAN SPECIFIED HEREIN ELSEWHERE THIS CHAPTER INCLUDING PART 7, PART 9, AND PART 11 OF THIS CHAPTER
Side Setback – Minimum, See Note A	5 ft. each side from interior lot line, See Note G; 12 ft. from street right-of-way line	5 ft. each side from interior lot line, See Note G; except, 0 ft. at the shared lot line of lawfully attached dwellings constructed with a shared common party wall and the written consent of the owner of the abutting lot and building, 12 ft. from street right-of-way line	5 ft. each side from interior lot line, See Note G; 12 ft. from street right-of-way line	8 ft. each side from interior lot line; 12 ft. from street right-of-way line	See Note A
Rear Setback – Minimum, See Note A	25 ft., See Note H	25 ft., See Note H	25 ft., See Note H	25 ft., See Note D	See Note A
Building Footprint - Maximum	40%	40%	40%	50%	Included as part of total maximum building coverage for principal use.
Impervious Lot Coverage - Maximum	60%	60%	60%	60%, See Note J	Included as part of total maximum impervious lot coverage for the principal use.
Vegetative Coverage - Minimum	25%	25%	25%	15%	Included as part of total minimum vegetative coverage for principal use.

AREA / DESIGN FEATURES	PERMITTED USES				
	SINGLE FAMILY DETACHED DWELLING	SINGLE FAMILY SEMI-DETACHED DWELLING	TWO FAMILY DETACHED DWELLING	OTHER USES, UNLESS SPECIFICALLY LISTED IN PART 11	ACCESSORY USE OR STRUCTURE, OTHER THAN SPECIFIED HEREIN ELSEWHERE THIS CHAPTER INCLUDING PART 7, PART 9, AND PART 11 OF THIS CHAPTER
Building Height / Structure Height - Maximum	35 ft. or 3 stories, whichever is more restrictive	35 ft. or 3 stories, whichever is more restrictive	35 ft. or 3 stories, whichever is more restrictive	35 ft. or 3 stories, whichever is more restrictive	25 ft. or 2 stories, whichever is more restrictive*

- Not Applicable

* Accessory uses or structures for non-residential uses shall have a maximum building height / structure height of 35 ft. or 3 stories, whichever is more restrictive.

Note A = The following exceptions to side and rear yards shall apply:

1. A 3 foot wide minimum side and rear setback shall apply for a permitted detached structure that is accessory to a dwelling, except:
 - a. In no case shall a vehicle garage be set back less than 5 feet from the cartway of an alley.
 - b. Structures shall not obstruct minimum sight clearance at intersections.
 - c. No setback is required for a structure that is accessory to a dwelling from a lot line along which 2 dwellings are attached (such as a lot line shared by single family semi-detached dwellings).
2. A residential porch or deck that is open along sides not attached to the principal building may extend into a required side or rear building setback. See Note 1 concerning front setbacks. However, if a deck or porch is covered by a roof or is raised an average of more than 5 feet above the ground level, then the deck or porch shall meet the minimum side yard and shall be setback a minimum of 15 feet from a rear lot line. A setback is not required where 2 buildings are attached to each other along a lot line. Space under an unenclosed porch may be used for household storage.

Note B = Except if 2 or more off-street parking spaces per dwelling for 2 or more motor vehicles are located within 20 feet of a public street, then the lot width per dwelling unit along such street shall be a minimum of 24 feet. An end unit townhouse shall have a minimum lot width of 24 feet.

Note C = A canopy over gasoline pumps may have a front setback of 20 feet, provided that no sign is located on the canopy within 35 feet from the street right-of-way.

Note D = Except a minimum of 40 feet for a new or expanded principal nonresidential building from a directly abutting primarily residential lot in a Residential Zoning District. From a portion of a building used for manufacturing operations or tractor-trailer loading docks, this setback shall be increased to a minimum of 70 feet.

Note E = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot width of less than 60 feet, the minimum side setback shall be reduced to 5 feet, provided that the 2 side yards together include a minimum of 14 feet.

Note F = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot depth of less than 125 feet, the minimum rear setback shall be reduced to 20 feet.

Note G = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot width of less than 50 feet, the minimum side setback shall be reduced to 4 feet, provided that the 2 side yards together include a minimum of 10 feet.

Note H = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot depth of less than 100 feet, the minimum rear setback shall be reduced to 15 feet.

Note I = An unenclosed front porch may intrude into the front yard by up to a maximum of 10 feet. Such front porch may be covered by a roof.

Note J = As a special exception use, the maximum impervious coverage may be increased up to 95%, provided that:

1. the applicant proves the stormwater will be able to be handled on the site without creating any increased hazards or damage to other properties and;
2. the use will involve substantially greater amounts of landscaping than would otherwise be required, following a landscaping plan prepared by a qualified professional and submitted to the Zoning Hearing Board for approval. Where a zoning district is required to maintain a minimum percentage of a lot in trees, shrubs and other vegetative ground cover, that requirement may not be overturned by special exception.

Note K = A maximum of 30% of the land area within the minimum front yard shall be paved or used for parking, unless a more restrictive requirement is established within the DCZO Zoning District.

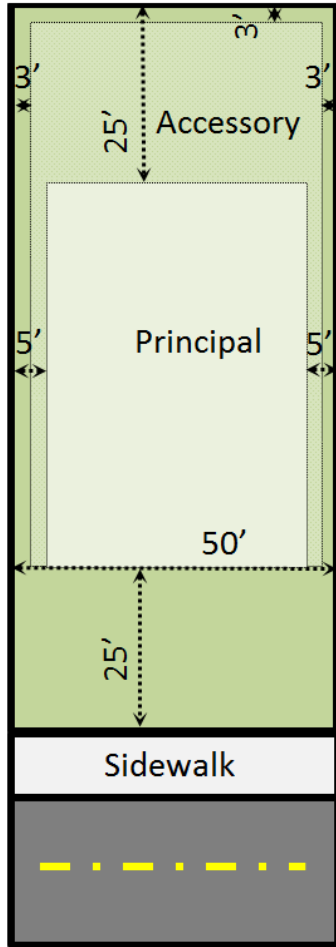


Figure 4.5
Typical DT Zoning District Area / Design Features - Single Family Detached Dwelling Example
(Abutting Lots Not Developed)
(Not Drawn to Scale)

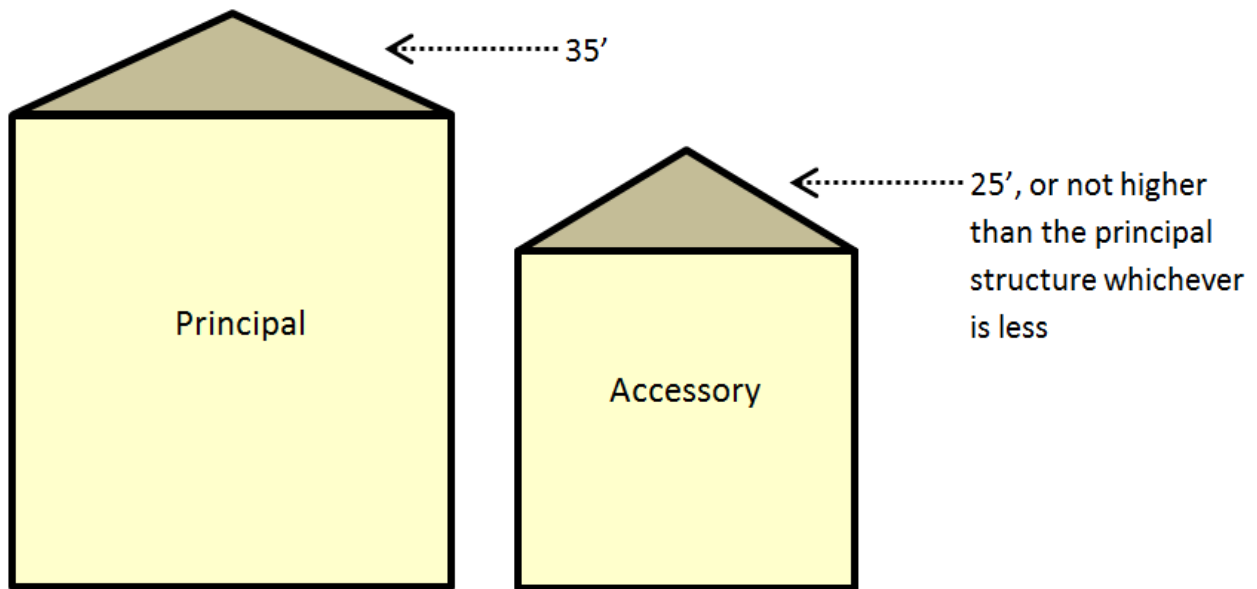


Figure 4.6
Typical DT Zoning District Building Height / Structure Height - Single Family Detached Dwelling Example
(Abutting Lots Not Developed) (Not Drawn to Scale)

**TABLE 4-6
 AREA AND DESIGN REQUIREMENTS
 COMMERCIAL NEIGHBORHOOD
 ZONING DISTRICT (CN)**

AREA / DESIGN FEATURES	PERMITTED USES				
	SINGLE FAMILY DETACHED DWELLING	SINGLE FAMILY SEMI-DETACHED DWELLING	TWO FAMILY DETACHED DWELLING	OTHER USES, UNLESS SPECIFICALLY LISTED IN PART 11*	ACCESSORY USE OR STRUCTURE, OTHER THAN SPECIFIED HEREIN ELSEWHERE THIS CHAPTER INCLUDING PART 7, PART 9, AND PART 11 OF THIS CHAPTER
Net Lot Area - Minimum	6,000 sq. ft. per DU	4,000 sq. ft. per DU	4,000 sq. ft. per DU	8,000 sq. ft.	Included as part of total minimum lot area for principal use.
Lot Width at Front Setback Line – Minimum, Interior Lot	60 ft.	40 ft.	80 ft.	50 ft.	Included as part of total minimum lot width for principal use.
Lot Width at Front Setback Line – Minimum, Corner Lot	75 ft.	55 ft.	95 ft.	65 ft.	Included as part of total minimum lot width for principal use.
Front Setback - Minimum	25 ft., See Note I	25 ft., See Note I	25 ft., See Note I	35 ft., See Note I, See Note C	Not permitted to be located within the front yard.
Side Setback – Minimum, See Note A	5 ft. each side from interior lot line, see Note G; 12 ft. from street right-of-way line	5 ft. each side from interior lot line, see Note G; except, 0 ft. at the shared lot line of lawfully attached dwellings constructed with a shared common party wall and the written consent of the owner of the abutting lot and building, 12 ft. from street right-of-way line	5 ft. each side from interior lot line, see Note G; 12 ft. from street right-of-way line	8 ft. each side from interior lot line; 12 ft. from street right-of-way line	See Note A

AREA / DESIGN FEATURES	PERMITTED USES				
	SINGLE FAMILY DETACHED DWELLING	SINGLE FAMILY SEMI-DETACHED DWELLING	TWO FAMILY DETACHED DWELLING	OTHER USES, UNLESS SPECIFICALLY LISTED IN PART 11*	ACCESSORY USE OR STRUCTURE, OTHER THAN SPECIFIED HEREIN ELSEWHERE THIS CHAPTER INCLUDING PART 7, PART 9, AND PART 11 OF THIS CHAPTER
Rear Setback – Minimum, See Note A	25 ft., See Note H	25 ft., See Note H	25 ft., See Note H	30 ft., See Note D	See Note A
Building Footprint - Maximum	40%	40%	40%	40%	Included as part of total maximum building coverage for principal use.
Impervious Lot Coverage - Maximum	65%	65%	65%	65%, See Note J	Included as part of total maximum impervious lot coverage for the principal use.
Vegetative Coverage - Minimum	20%	20%	20%	20%	Included as part of total minimum vegetative coverage for principal use.
Building Height / Structure Height - Maximum	35 ft. or 3 stories, whichever is greater	35 ft. or 3 stories, whichever is greater	35 ft. or 3 stories, whichever is greater	35 ft. or 3 stories, whichever is greater	25 ft. or 2 stories, whichever is more restrictive*

- Not Applicable

* Accessory uses or structures for non-residential uses shall have a maximum building height / structure height of 35 ft. or 3 stories, whichever is more restrictive.

Note A = The following exceptions to side and rear yards shall apply:

1. A 3 foot wide minimum side and rear setback shall apply for a permitted detached structure that is accessory to a dwelling, except:
 - a. In no case shall a vehicle garage be set back less than 5 feet from the cartway of an alley.
 - b. Structures shall not obstruct minimum sight clearance at intersections.
 - c. No setback is required for a structure that is accessory to a dwelling from a lot line along which 2 dwellings are attached (such as a lot line shared by single family semi-detached dwellings).
2. A residential porch or deck that is open along sides not attached to the principal building may extend into a required side or rear building setback. See Note I concerning front setbacks. However, if a deck or porch is covered by a roof or is raised an average of more than 5 feet above the ground level, then the deck or porch shall meet the minimum side yard and shall be setback a minimum of 15 feet from a rear lot line. A setback is not required where 2 buildings are attached to each other along a lot line. Space under an unenclosed porch may be used for household storage.

Note B = Except if 2 or more off-street parking spaces per dwelling for 2 or more motor vehicles are located within 20 feet of a public street, then the lot width per dwelling unit along such street shall be a minimum of 24 feet. An end unit townhouse shall have a minimum lot width of 24 feet.

- Note C = A canopy over gasoline pumps may have a front setback of 20 feet, provided that no sign is located on the canopy within 35 feet from the street right-of-way.
- Note D = Except a minimum of 40 feet for a new or expanded principal nonresidential building from a directly abutting primarily residential lot in a Residential Zoning District. From a portion of a building used for manufacturing operations or tractor-trailer loading docks, this setback shall be increased to a minimum of 70 feet.
- Note E = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot width of less than 60 feet, the minimum side setback shall be reduced to 5 feet, provided that the 2 side yards together include a minimum of 14 feet.
- Note F = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot depth of less than 125 feet, the minimum rear setback shall be reduced to 20 feet.
- Note G = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot width of less than 50 feet, the minimum side setback shall be reduced to 4 feet, provided that the 2 side yards together include a minimum of 10 feet.
- Note H = On a single family detached dwelling lot that existed prior to August 2, 1943, with a lot depth of less than 100 feet, the minimum rear setback shall be reduced to 15 feet.
- Note I = An unenclosed front porch may intrude into the front yard by up to a maximum of 10 feet. Such front porch may be covered by a roof.
- Note J = As a special exception use, the maximum impervious coverage may be increased up to 95%, provided that:
1. the applicant proves the stormwater will be able to be handled on the site without creating any increased hazards or damage to other properties and;
 2. the use will involve substantially greater amounts of landscaping than would otherwise be required, following a landscaping plan prepared by a qualified professional and submitted to the Zoning Hearing Board for approval. Where a zoning district is required to maintain a minimum percentage of a lot in trees, shrubs and other vegetative ground cover, that requirement may not be overturned by special exception.
- Note K = A maximum of 30% of the land area within the minimum front yard shall be paved or used for parking, unless a more restrictive requirement is established within the DCSO Zoning District.

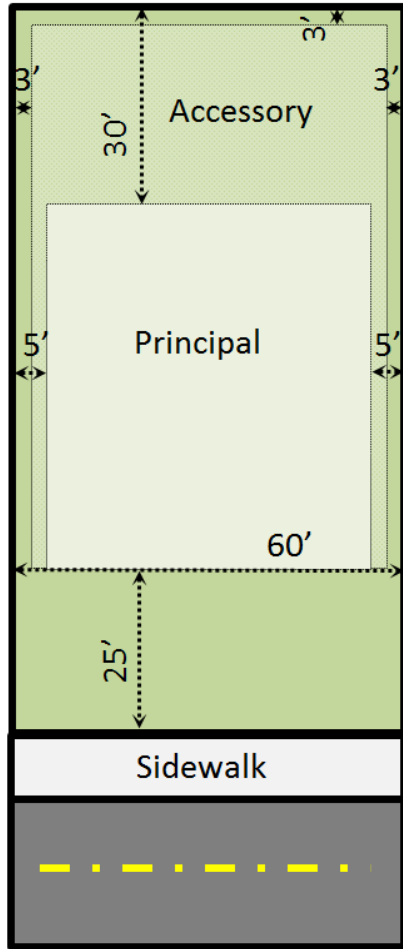


Figure 4.7
Typical CN Zoning District Area / Design Features - Single Family Detached Dwelling Example
(Abutting Lots Not Developed)
(Not Drawn to Scale)

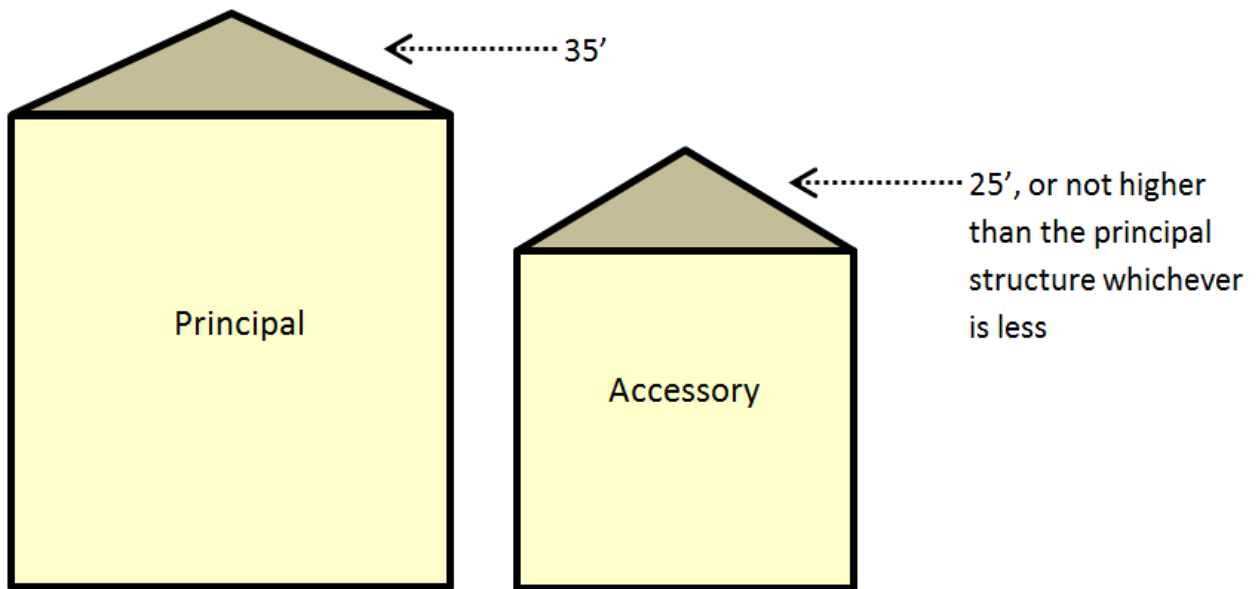


Figure 4.8
Typical CN Zoning District Building Height / Structure Height - Single Family Detached Dwelling Example
(Abutting Lots Not Developed) (Not Drawn to Scale)

- B. Additional Development Compatibility Standards. See Table 4-7 and the specific applicable sections of Part 6 of this Chapter relating to *Development Compatibility Standards Overlay Zoning District* for additional standards for development activities and uses:

**TABLE 4-7
 ADDITIONAL DEVELOPMENT COMPATIBILITY STANDARDS**

BUILDING AND DEVELOPMENT COMPATIBILITY DESIGN STANDARD	MIXED USE ZONING DISTRICTS			
	HIGH DENSITY RESIDENTIAL OFFICE ZONING DISTRICT (HDRO)	MEDIUM DENSITY RESIDENTIAL OFFICE ZONING DISTRICT (MDRO)	DOWNTOWN ZONING DISTRICT (DT)	COMMERCIAL NEIGHBORHOOD ZONING DISTRICT (CN)
	APPLICABILITY OF BUILDING AND DEVELOPMENT CAPABILITY DESIGN STANDARD			
Front Building Setback	N/A	See Section 604.F. of this Chapter	See Section 604.F. of this Chapter	N/A
Side Building Setback	N/A	See Section 604.G. of this Chapter	See Section 604.G. of this Chapter	N/A
Building Height	N/A	See Section 604.H. of this Chapter	See Section 604.H. of this Chapter	N/A
Building Orientation	N/A	See Section 604.I. of this Chapter	See Section 604.I. of this Chapter	N/A
Building Facade	N/A	See Section 604.J. of this Chapter	See Section 604.J. of this Chapter	N/A
Building Roof	N/A	See Section 604.K. of this Chapter	See Section 604.K. of this Chapter	N/A
Reuse of Existing or Formerly Residential Building	N/A	See Section 604.L. of this Chapter	See Section 604.L. of this Chapter	N/A
Building Footprint	N/A	See Section 604.M. of this Chapter	See Section 604.M. of this Chapter	N/A
Fire Escape	N/A	See Section 604.N. of this Chapter	See Section 604.N. of this Chapter	N/A
Lot Access and Parking	N/A	See Section 604.O. of this Chapter	See Section 604.O. of this Chapter	N/A

BUILDING AND DEVELOPMENT COMPATIBILITY DESIGN STANDARD	MIXED USE ZONING DISTRICTS			
	HIGH DENSITY RESIDENTIAL OFFICE ZONING DISTRICT (HDRO)	MEDIUM DENSITY RESIDENTIAL OFFICE ZONING DISTRICT (MDRO)	DOWNTOWN ZONING DISTRICT (DT)	COMMERCIAL NEIGHBORHOOD ZONING DISTRICT (CN)
	APPLICABILITY OF BUILDING AND DEVELOPMENT CAPABILITY DESIGN STANDARD			
Residential Garage Location & Design	N/A	See Section 604.P. of this Chapter	See Section 604.P. of this Chapter	N/A
Non-Residential Uses within an Enclosed Building	N/A	See Section 604.Q. of this Chapter	See Section 604.Q. of this Chapter	N/A
Demolition, Removal or Relocation of a Principal Building	N/A	See Section 604.R. of this Chapter	See Section 604.R. of this Chapter	N/A

Section 404. Compliance with General Regulations and Specific Standards.

Additionally all development activities and uses within the respective Mixed Use Zoning Districts shall comply with all applicable general standards of this Chapter including but not limited to:

- A. General Regulations of Part 7 of this Chapter;
- B. Sign Regulations of Part 8 of this Chapter; and
- C. Lot Access, Parking, and Loading Regulations of Part 9 of this Chapter.

Section 405. Overlay Zoning Districts.

If located within or affected by the following overlay zoning districts, see Table 4-8 herein this Section, then development activities or uses within the respective Mixed Use Zoning Districts shall comply with the requirements of the applicable overlay zoning district provisions set forth in Part 6 of this Chapter:

**TABLE 4-8
 OVERLAY ZONING DISTRICTS**

MIXED USE ZONING DISTRICT	OVERLAY ZONING DISTRICTS
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	FLOODPLAIN OVERLAY ZONING DISTRICT (FPO)	AIRPORT OVERLAY ZONING DISTRICT (APO)	DEVELOPMENT COMPATIBILITY STANDARDS OVERLAY ZONING DISTRICT (DCSO)	HERITAGE CONSERVATION OVERLAY ZONING DISTRICT (HCO)	NATURAL RESOURCES OVERLAY ZONING DISTRICT (NRO)
High Density Residential Office Zoning District (HDRO)	N/A	See Section 603 of this Chapter	N/A	N/A	See Section 606 of this Chapter
Medium Density Residential Office Zoning District (MDRO)	N/A	See Section 603 of this Chapter	See Section 604 of this Chapter	N/A	See Section 606 of this Chapter
Downtown Zoning District (DT)	N/A	See Section 603 of this Chapter	See Section 604 of this Chapter	See Section 605 of this Chapter	See Section 606 of this Chapter
Commercial Neighborhood Zoning District (CN)	N/A	See Section 603 of this Chapter	N/A	N/A	See Section 606 of this Chapter