

Article VI — Regulations for R-3 High-Density Residential District

§ 21-601	Purpose.	21-55
§ 21-602	In General.....	21-55
§ 21-603	Uses Permitted By Right.	21-55
§ 21-604	Conditional Uses.	21-56
§ 21-605	Special Exceptions.	21-56
§ 21-606	Accessory Uses.....	21-57
§ 21-607	Area and Height Regulations.	21-57
§ 21-608	Minimum Yard Requirements.....	21-58

Article VI — Regulations for R-3 High-Density Residential District

§ 21-601 Purpose.

The purpose of this district is to provide appropriate areas for dense multifamily development and compatible land uses in order to broaden the Borough's housing base and therefore serve a greater variety of housing needs. Standards are provided to prevent undue crowding of land, to regulate density of population, to avoid undue congestion in the streets, and to allow for development of apartments and other uses which are compatible with higher density residential development. Creating conditions conducive to carrying out the broad purposes of this Chapter is an additional reason for the establishment of this district.

§ 21-602 In General.

A building may be erected or used, and a lot may be used or occupied, for any of the following purposes and no other, subject to the applicable provisions of Article IX (relating to General Regulations).

§ 21-603 Uses Permitted By Right.

The following uses and their accessory uses are permitted by right by the Zoning Officer without further conditions and provided the use type, dimensional, and all other applicable requirements of this Chapter are satisfied:

- (a) Crop farming and tilling of the soil.
- (b) Forestry and wildlife preserve.

(c) Single-family detached dwelling, not a mobile home, but including a sectional or modular dwelling.

(d) Two-family detached dwelling.

(e) Non-intrusive home office or business, *provided* that the person(s) conducting the use obtains an annual permit therefor from the Zoning Officer upon payment of a fee of Ten Dollars (\$10.00) or such other amount as shall be provided by resolution of Council.

§ 21-604 Conditional Uses.

The following conditional uses and their accessory uses may be permitted following a review and recommendation by the Planning Commission in accordance with the provisions of Article XIII (relating to Conditional Uses and Special Exceptions), any other applicable provisions of this Chapter and approval by Council:

(a) Single-family attached dwelling (townhouses).

(b) Places of worship.

(c) Multifamily dwelling.

(d) Public and private educational institutions, except such uses as commercial dance and music studios, institutions of correction and detention, and trade schools.

(e) Public facility owned or operated by the Borough or other government.

(f) Nonprofit recreational or educational facility.

(g) Mid-rise multifamily dwelling for elderly housing.

(h) Conversion of existing single-family detached dwelling to a two-family detached dwelling or multifamily dwelling limited to three (3) dwelling units.

(i) Essential utilities, including accepted easements.

(j) Utility substation.

(k) Bed and breakfast facilities.

(l) Mobile home on individual lot.

(m) Commercial Communications Antenna.

(n) Commercial Communications Tower.

§ 21-605 Special Exceptions.

The following uses and their accessory uses may be permitted when authorized as a special exception by the Zoning Hearing Board, subject to the provisions of Articles XIII (relating to Conditional Uses and Special Exceptions) and XVIII (relating to Zoning Hearing Board):

- (a) Hospital or nursing home, not including animal hospital.
- (b) Intrusive home office or business.

§ 21-606 Accessory Uses.

Accessory uses on the same lot as, and customarily incidental to, the permitted use are permitted by right. The term “accessory use” shall not include a business, but may include the following uses, which shall comply with all yard regulations and applicable provisions listed below:

- (a) Any accessory uses permitted in the R-1 Low-Density Residential District (*see* § 21-406).

§ 21-607 Area and Height Regulations.

The following dimensional requirements in this section apply to each use permitted in the R-3 District by right, by condition, or by special exception, subject to further applicable provisions of this Article, Article IX (relating to General Regulations), and Article XIII (relating to Conditional Uses and Special Exceptions). The most restrictive dimensional requirements for each use shall apply. All uses in the R-3 District shall hook up with the existing public centralized water and sewerage systems.

Principal Use	Minimum Lot Area	Minimum Lot Width (feet)	Maximum Building Coverage (%)	Maximum Building Height (feet)
Single-family detached dwelling, sectional or modular house	5,000 ft ²	50	40	35
Single-family attached dwelling	<u>Tract:</u> 3 acres <u>Per dwelling:</u> 2,000 ft ² <u>Max. gross density:</u> 8 dwelling units per acre	<u>Tract:</u> 200 <u>Per indiv. lot:</u> 18	35	35
Two-family detached dwelling	4,000 ft ² per dwelling	40	35	35
Public and private institutions	2 acres	150	25	35
Places of worship	1 acre	100	25	35
Crop farming	1 acre	—	10	35

Principal Use	Minimum Lot Area	Minimum Lot Width (feet)	Maximum Building Coverage (%)	Maximum Building Height (feet)
Mid-rise multifamily residential for the elderly	2 acres <u>Max. gross density:</u> 20 dwelling units per acre	150	25	4 stories
Multifamily residential development	3 acres <u>Max. gross density:</u> 14 dwelling units per acre	200	35	35
Hospital or nursing home	2 acres	150	25	35
Utility substation	1 acre	100	25	35
All other uses	7,500 ft ²	75	25	35

§ 21-608 Minimum Yard Requirements.

(a) Except as provided in subsection (b), the following are the minimum yard requirements for principal uses in the R-3 District.

Principal Use	Front Yard (feet)	Side Yard (feet)		Rear Yard (feet)
		One	Both	
Single-family detached dwelling	25	6	12	25
Two-family detached dwelling	25	8	15	25
All other uses	25	10	20	25

(b) The minimum rear yard of a residential dwelling within a development described in subsection (c) may be reduced, as a conditional use, to the extent appropriate to satisfy the concerns described in subsection (c)(4), *provided* that the rear yard shall not be less than twenty-one (21) feet for at least eighty-five percent (85%) of the dwelling units in the development, and shall not be less than nineteen (19) feet for any dwelling unit in the development.

(c) A development qualifies for a conditional use under subsection (b) if Council determines—

(1) there are at least forty (40) dwelling units within the development;

(2) each dwelling unit is within two thousand (2,000) feet of the boundary of one or more tracts of public or private park, open space, or recreation land which may be utilized by residents of the dwelling unit, *and* the total area of such tracts of public or private park, open

space, or recreation land is at least fifty percent (50%) of the gross area of the residential portion of the development;

(3) each dwelling satisfies all of the other dimensional requirements of this Chapter without a variance; and

(4) due to the dimensions and/or configuration of the development tract (and also considering the locations of nearby public streets and the potential for future extensions of public streets over nearby property), the number of dwelling units which could reasonably be placed in the development if all dwelling units satisfied the rear yard requirements of subsection (a) and all other applicable requirements of this Chapter and Chapter 22 (relating to Subdivision and Land Development) *is less than* seventy-five percent (75%) of the number of dwelling units which could be placed in the development if a conditional use were granted under subsection (b).