

Article VII — Regulations for C-1 Commercial District

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Article VII — Regulations for C-1 Commercial District

§ 21-701 Purpose.

The purpose of this district is to provide areas that are readily accessible via major highways to Borough residents and others for a wide variety of retail and personal service uses. Development standards will be applied to help ensure compatibility with nearby residential uses and to help provide a desirable and safe center for commercial and related uses.

§ 21-702 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).

§ 21-703 Uses Permitted By Right.

The following uses and their accessory uses are permitted by right pursuant to site development plan review and report by the Planning Commission:

- (a) Crop farming and tilling of the soil.
- (b) Cultural facilities, including art galleries, auditoriums, libraries, or museums open to the public or connected with a permitted educational use.
- (c) Community center, adult education center, or similar facility operated by an educational, philanthropic, or religious institution.

(d) Private commercial educational institution, including schools for dance, music, art, drama, and other similar activities.

(e) Variety store, including department stores, five-and-ten cent stores, and the like.

(f) Eating and drinking places, including cafe, lounge, supper club or nightclub, and discotheque, but not including drive-in service places.

(g) Shops and stores for the retail sale of antiques, books, beverages, confections, drugs, dry goods, flowers, food-stuffs, gifts, garden supplies, hardware, household appliances, jewelry, notions, periodicals, stationery, tobacco, paint, wearing apparel, and other similar goods.

(h) Personal services, including barber, beautician, laundry and dry cleaning, shoe repair, tailor, photographer, caterer, health club, and travel agency.

(i) Repair services such as shops for appliances, watches, guns, bicycles, locks, etc.

(j) Professional services, including but not limited to offices of realtors, physicians, lawyers, clergymen, teachers, dentists, architects, engineers, insurance agents, opticians, and medical and related professionals.

(k) Bank or other financial institution.

(l) Business, administrative, or professional offices.

(m) Office or clinic for medical or dental examination or treatment of persons as outpatients, including laboratories incidental thereto.

(n) Non-intrusive home office or business associated with a residential use which is permitted by variance or as a lawful nonconforming use, *provided* that the person(s) conducting the office or business use registers the use with the Zoning Officer so that the Borough is aware that a non-residential activity is being conducted on the property.

(o) Intrusive home office or business associated with a residential use which is permitted by variance or as a lawful nonconforming use, *provided* that the office or business use is the type of use permitted by right under this § 21-703, and that the person(s) conducting the office or business use registers the use with the Zoning Officer so that the Borough is aware that a non-residential activity is being conducted on the property.

§ 21-704 Conditional Uses.

The following conditional uses and their accessory uses may be permitted following a site plan review and recommendation by the Planning Commission and 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) Planned shopping center.

(b) Planned medical and/or dental center.

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

- (d) Motel, hotel, or motor inn.
- (e) Automotive service station.
- (f) Drive-in service, banking, eating, drinking, or similar drive-in place.
- (g) Automobile, truck, mobile and modular home, boat, and recreational vehicle sales completely enclosed in buildings.
- (h) Wholesale and distribution activities, *provided* all materials are stored within buildings.
- (i) Membership club or private lodge.
- (j) Mortuary or funeral home.
- (k) Residential dwelling units may be in combination with a commercial use, so long as the commercial use occupies at least twenty-five percent (25%) of the total floor area of all commercial and residential uses.
- (l) [RESERVED]
- (m) Nursery or day-care center.
- (n) Places of worship.
- (o) Indoor theater.
- (p) Bus or taxi cab terminal.
- (q) Hospital or nursing home.
- (r) Commercial recreation, swimming pool, and other similar entertainment activities.
- (s) Bed and breakfast facilities.
- (t) Adult bookstores, adult motion picture theaters, cabarets, and massage parlors.
- (u) Drive-through and/or fast food restaurants.
- (v) Neighborhood convenience stores.
- (w) Intrusive home office or business associated with a residential use which is permitted by variance or as a lawful nonconforming use, *provided* that the office or business use is the type of use permitted as a conditional use under this § 21-704.
- (x) Commercial Communications Antenna.
- (y) Commercial Communications Tower.

§ 21-705 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) Any use of the same general character as those uses permitted by right and condition in this C-1 District. Evidence shall be submitted documenting the similarity and difference between the proposed use and the uses permitted by right or condition to which the proposed use is most similar.

(b) Intrusive home office or business associated with a residential use which is permitted by variance or as a lawful nonconforming use, *provided* that the office or business use is the type of use permitted by special exception under this § 21-705.

§ 21-706 Accessory uses.

Accessory uses on the same lot as and customarily incidental to the permitted uses are permitted by right. The term “accessory use” may include the following uses, which shall comply with all applicable provisions stated for them:

(a) Off-street parking and loading areas.

(b) Signs.

(c) Temporary structures or uses.

(d) Screened outdoor storage and sales areas.

(e) Fences not to exceed six (6) feet in height may be placed along the side and rear property lines no closer than one (1) foot from the property line, unless the owner(s) of the adjoining property file a notarized consent with the Borough to permit the fence to be placed on the property line or less than one (1) foot from the property line. No fences shall be placed in the front yard area between the building setback line and the front lot line.

§ 21-707 Area and Height Regulations.

The following dimensional requirements in this section apply to each use permitted in the C-1 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 C-1 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)
Crop farming	1 acre	200	20	35
Hotel, motel	2 acres	150	25	50
Planned shopping center	2 acres	150	25	50
Planned medical or dental center	1 acre	100	35	50
Automobile, truck, mobile and modular home, boat, etc., sales:				
With storage in buildings	1 acre	100	40	35
With storage outdoors	2 acres	150	30	35
Wholesale and distribution activities	1 acre	100	30	35
Places of worship	2 acres	150	35	35
Hospital	3 acres	150	30	50
All other uses	5,000 ft ²	100	35	50

§ 21-708 Minimum Yard Requirements.

The following are minimum yard requirements for principal uses in the C-1 District.

Principal Use	Front Yard (feet)	Side Yard (feet)		Rear Yard (feet)
		One	Both	
Planned shopping center	50	30	70	45
Hospital	50	30	70	45
Motel	50	30	70	45
All other uses	20	5	10	25