

ORDINANCE 2025-002

AN ORDINANCE AMENDING THE BOROUGH OF BRIDGEPORT CODE CHAPTER 560 ZONING AND ZONING MAP FOR THE PURPOSE OF UPDATING THE REQUIRED LANGUAGE FOR THIS PORTION OF THE BOROUGH OF BRIDGEPORT CODE

WHEREAS, the Borough Code authorizes the Borough Council for the Borough of Bridgeport (“Borough Council”) to make, amend, and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, organization, care, and control of the Borough and maintenance of peace, good government, health and welfare of the Borough of Bridgeport (“Borough”) and its citizens;

WHEREAS, Borough Council is entrusted with the duty to review the Borough Code to confirm it is updated and to confirm compliance with all applicable laws and requirements; and

WHEREAS, Borough Council has been informed of the need to update the language contained in the Borough Code’s Chapter 560 relating to Zoning and the Zoning map; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Bridgeport, Montgomery County, Pennsylvania, that the following amendment to the Borough Code be adopted and enacted upon passing and signing of this Ordinance, and shall read as follows:

Section 1. Amendment to CHAPTER 560 ZONING AND ZONING MAP AMENDMENT – SEE ATTACHED EXHIBIT A.

Section 2. Repealer. All Ordinances or parts of Ordinances inconsistent herewith Or in conflict with any of the terms hereof are to the extent of said inconsistencies or conflicts hereby specifically repealed.

Section 3. Severability. In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclosure enforcement of any of the remaining portions of this Ordinance.

ORDAINED AND ENACTED by Borough Council of the Borough of Bridgeport this 11th day of November, A.D., 2025.

ATTEST:

**BOROUGH OF BRIDGEPORT
BOROUGH COUNCIL**



KEITH S. TRUMAN, SECRETARY



SABA AL-ZAID, PRESIDENT

Approved by the Mayor of the Borough of Bridgeport, this 11th day of November, A.D.,
2025.



BETH JACKSIER, MAYOR

Bridgeport Zoning Ordinance
November 2025

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Article I. Administration

§ 560-101 Title and Scope.

This chapter, herein entitled "Bridgeport Borough Zoning Ordinance of 2024," regulates the uses of land; the size, height, bulk, location, erection, alteration, removal and use of structures; the areas and dimensions of land to be occupied by uses and structures, as well as yards, and other open spaces and distances to be left unoccupied by uses and structures; the density of population and intensity of land use; the provision of parking for motor vehicles; the erection of signs; and the protection and preservation of natural and historic resources; in all portions of the Borough of Bridgeport. The Borough's decision to revise and amend its zoning code does not discriminate against any person or groups of persons on the grounds of race, color, national origin, disability, gender, age, or any other protected class as defined and recognized by Federal, State, or local law. The code revision was undertaken and executed through full compliance with all Federal, State, and Local anti-discrimination laws, including, but not limited to, those laws pertaining to civil rights, human relations, housing, age, and equal opportunity.

§ 560-102 Short Title.

This chapter shall be known as and may be cited as the "Zoning Ordinance."

§ 560-103 Effective Date and Repealer.

This chapter shall become effective immediately upon adoption or as soon thereafter as permissible by law. This chapter shall replace and repeal the existing Bridgeport Zoning Ordinance and all of its supplements and amendments. All repeals adopted by prior Zoning Amendments except as otherwise provided herein are still repealed.

§ 560-104 Purposes and Community Development Objectives.

This chapter is hereby adopted:

- A. In accordance with the requirements and purposes of the Pennsylvania Municipalities Planning Code, as amended;
- B. In accordance with goals and objectives of the *Bridgeport Borough 2040 Comprehensive Plan*; and
- C. To carry out the following community development objectives:
 - (1) Promote and protect the health, safety, and general welfare of the inhabitants of the Borough; secure safety from fire, panic, and other dangers; provide adequate light and air; prevent the overcrowding of land; and avoid undue concentration of population;
 - (2) To meet the purposes of each zoning district, as listed in Articles V through XV;
 - (3) To strengthen and stabilize residential neighborhoods and protect homes from incompatible or overly dense development;
 - (4) To meet obligations under state law to provide for all types of housing, while emphasizing types that are most likely to involve owner occupancy;
 - (5) To promote new business investment in appropriate locations, particularly to strengthen the downtown and reuse older industrial buildings;
 - (6) To make the best use of the limited amount of buildable land within Bridgeport and encourage redevelopment where appropriate;

- (7) To carefully control the types and intensities of new business development near neighborhoods;
- (8) To work to minimize parking shortages;
- (9) To protect flood-prone areas, wetlands and the banks of the Schuylkill River from inappropriate development;
- (10) To work to improve the visual attractiveness of the Borough, which can help attract business development and residents;
- (11) To promote the use of walking, bicycling and mass transit;
- (12) To minimize regulations upon routine changes, particularly to avoid the need for zoning variances on matters that were commonly approved under the previous zoning ordinance; and
- (13) To recognize that all land areas in Bridgeport are within close proximity to homes or the Schuylkill River, which limits the Borough's ability to provide for the heaviest uses.

§ 560-105 Separability.

It is hereby declared to be the intent of the Borough Council that:

- A. If a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.
- B. If a court of competent jurisdiction finds the application of any provision or provisions of this Ordinance to any use, lot, building, tract of land, or other structure to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy and application of any such provision to other persons, property, or situations shall not be affected.

§ 560-106 Permits and Certificates.

- A. General Provisions.
 - (1) Hereafter, no land shall be used or occupied, and no building or structure shall be erected, altered, used, or occupied, except in conformity with the regulations established in this Ordinance.
 - (2) Administrative processes and procedures for determining compliance with the provisions of this Ordinance are established in this Article.
 - (3) Advertising requirements for zoning text or map amendments, adoption of comprehensive plans or official maps, notice of conditional use and other public hearings, and all other matters regulated by PA Act 247, "The Municipalities Planning Code", shall be undertaken in conformance with said Act.
- B. Zoning Permit
 - (1) Requirements for Permits: It shall be unlawful for any person to make any use of any building or other structure, or land until the appropriate permit has been

duly issued by the Borough. Permits shall be required prior to any of the following:

- (a) Use of any building or other structure hereinafter erected, altered, or enlarged for which a building permit is required. In this case, the issuance of a building permit shall not require a separate use permit;
 - (b) Change in use or occupancy of any building or structure;
 - (c) Use of land or change in the use thereof, except that the placing of vacant land under cultivation shall not require a use or certificate of occupancy;
 - (d) Change in use or expansion of a nonconforming use;
 - (e) Temporary uses of land or structures permitted herein;
 - (f) Demolition of a building.
- (2) Applications for Permits: All applications for permits shall be made to the local zoning official, in writing, on forms furnished by the Borough, and shall include all fees and information necessary to enable the zoning officer to ascertain compliance with this Ordinance.
- (a) The application shall be signed and authorized by the landowner or lessee of the landowner with written permission of the landowner.
 - (b) The applicant shall submit a minimum of two paper copies of a site plan and a PDF version with the application if the application involves a new principal building, expansion of a principal building or addition of three or more parking spaces. The site plan shall show all information stated on the application materials plus any additional information that the Zoning Officer states is necessary to determine compliance with this chapter.
- (3) Issuance of Permits: No permit shall be issued until the zoning officer has certified that the proposed building or structure complies with the provisions of the applicable district and other provisions of this Ordinance. Issuance of a use or building permit does not permit occupancy; a certificate of occupancy is also required.
- (a) The Borough may, at its option, issue combined or separate building permits and zoning permits and/or may utilize single or separate applications for the permits.

C. Certificate of Use and Occupancy

- (1) It shall be unlawful for any person to occupy any building, use, or other structure or land under any of the conditions listed below until a certificate of occupancy has been duly issued therefor. A certificate of occupancy shall be required prior to any of the following:
- (a) First occupancy of any building or other structure hereinafter erected, altered, or enlarged, for which a building permit is required;
 - (b) Change in use of any building or structure;
 - (c) Change in occupancy of any building or structure in any nonresidential, commercial or industrial district;
 - (d) Change in use or expansion of a nonconforming use.
 - (e) See Chapter 425 Rental Property.

- (2) All applications for a certificate of occupancy shall be made to the zoning officer in writing, on forms furnished by the Borough, and shall include all information necessary to enable the local zoning official to ascertain compliance with this Ordinance. When use of premises involves a new building or structure, application for a use permit, then a building permit, shall be made prior to application for a certificate of occupancy. When no construction or alteration is involved, application for a use permit and a certificate of occupancy may be made simultaneously at any time.
- (3) No land, building, or structure, erected pursuant to obtaining a use permit and/or a building permit shall be occupied until inspected and certified as to compliance with all zoning, erosion and sedimentation control, final grading, construction, safety, and sanitary ordinances, codes, and regulations, and until an certificate of occupancy has been issued by the zoning officer. Prior to, and as a condition of the issuance of a certificate of occupancy for new residential construction, the zoning officer shall require that all easements and restrictions shown on the final subdivision plan for the property in question are recorded against the property.
- (4) A temporary use or certificate of occupancy may be granted prior to the completion of construction, for a period not to exceed 90 days; provided that all structural work is completed, all permits relating to sewage and water have been obtained and filed with the Borough and all permit fees have been paid, and provided further that the person seeking the temporary use and certificate of occupancy posts with the Borough pursuant to an Escrow Agreement in a form satisfactory to the municipal solicitor sufficient funds to complete the construction, grading, or other items which may be incomplete.
- (5) A copy of the certificate of occupancy must be kept available for inspection.

§ 560-107 General Procedure for Permits.

- A. After receiving a proper application, the Zoning Officer shall either issue the applicable permit(s) or deny the application(s) as submitted within 30 days, indicating one or more reasons.
- B. After the permit under this chapter has been issued, the applicant may undertake the action specified by the permit, in compliance with other Borough ordinances. However, it is recommended that applicants wait 30 days to begin construction if there is a possibility of an appeal by another party to have the permit revoked. Any commencement of construction or a use within this thirty-day appeal period shall be at the risk of the applicant.

§ 560-108 Zoning Officer.

- A. Appointment: The Zoning Officer shall be appointed by Borough Council. The Zoning Officer may designate other Borough staff persons to serve as Assistant Zoning Officer(s). Such designations shall be subject to concurrence by Borough Council. Assistant Zoning Officers may serve with the same authority and duties as the Zoning

Officer. The Zoning Officer shall not hold any elective office within the Borough but may hold other appointed offices.

- B. Duties and powers: The Zoning Officer's duties and powers shall include the following:
- (1) Administer the Zoning Ordinance in accordance with its literal terms, including to receive and examine all applications required under the terms of this chapter, and issue or refuse permits within the provisions of this chapter;
 - (2) Conduct inspections to determine compliance and receive complaints of violation of this chapter;
 - (3) Keep records of applications, permits, certificates, written decisions and variances granted by the Board and of enforcement orders, with all such records being the property of the Borough and being available for public inspection;
 - (4) Review proposed subdivisions and land developments for compliance with this chapter; and
 - (5) Take enforcement actions as provided by the State Municipalities Planning Code, as amended.

§ 560-109 Zoning Hearing Board.

- A. Membership of Board: The Zoning Hearing Board shall consist of three residents of the Borough appointed by Borough Council. The existing terms of office shall continue, with terms of office being three years, and with the terms being so fixed that the term of office of one member shall expire each year. Members of the Board shall hold no other office in the Borough.
- (1) Alternate members: Borough Council shall appoint alternate members of the Zoning Hearing Board within the applicable provisions of the State Municipalities Planning Code. (Note: As of the adoption date of this chapter, such provisions were in Section 903(b) of such Act.)
- B. Vacancies: Appointments to fill vacancies shall be only for the unexpired portion of a term.
- C. Organization: The applicable provisions of the State Municipalities Planning Code, as amended, shall apply. (As of the adoption date of this chapter, these provisions were in Sections 906(a) and (b) of such Act.)
- D. Zoning Hearing Board jurisdiction and functions: The Zoning Hearing Board shall be responsible for the following.
- (1) Appeal of a decision by the Zoning Officer.
 - (a) The Board shall hear and decide appeals where it is alleged by an affected person, entity or Borough Council that the Zoning Officer has improperly acted under the requirements and procedures of this chapter.
 - (b) See time limitations for appeals in § 560-110.
 - (2) Challenge to the validity of the Ordinance or Map: The applicable provisions of the State Municipalities Planning Code, as amended, shall apply. (Note: As of the adoption date of this chapter, these provisions were primarily in Sections 909.1 and 916 of such Act.)
 - (3) Variance:

- (a) The Board shall hear requests for variances filed with the Borough staff in writing.
 - (b) Standards: The Board may grant a variance only within the limitations of state law. As of the adoption date of this chapter, the Municipalities Planning Code provided that all of the following findings must be made, where relevant:
 - [1] There are unique physical circumstances or conditions (including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property) and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this chapter in the neighborhood or district in which the property is located;
 - [2] Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance, and a variance is therefore necessary to enable the reasonable use of the property;
 - [3] Such unnecessary hardship has not been created by the appellant;
 - [4] The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and
 - [5] The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
 - (c) In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this chapter.
- (4) Special exception:
- (a) The Board shall hear and decide requests for all special exceptions filed with the Borough staff in writing. The Board shall only permit a special exception that is authorized by this chapter.
 - (b) Consideration of special exception applications: When special exceptions are provided for in this chapter, the Board shall hear and decide requests for such special exceptions in accordance with stated standards and criteria. The Board may grant approval of a special exception, provided that the applicant complies with the following standards for special exceptions. The burden of proof shall rest with the applicant.
 - (c) Compliance with this chapter: The applicant shall establish by credible evidence that the use will comply with the requirements of this chapter.
 - [1] The Zoning Officer should provide a review to the Board regarding the compliance of the application with this chapter.

- (d) Traffic: The applicant shall establish by credible evidence that the proposed activity shall be properly serviced by the street system. The peak traffic generated by the subject of the application shall be accommodated in a safe and efficient manner, after consideration of any improvements proposed to be constructed or funded by the applicant.
 - (e) Site planning: The applicant shall establish by credible evidence that the proposed special exception shall be properly designed with regard to internal circulation, parking, buffering so as to be compatible with adjacent land uses and adjacent streets and sidewalks.
 - (f) Neighborhood: The proposed special exception shall not substantially injure or detract from the use of neighboring property or from the desirable character of the neighborhood. The proposed use shall not cause significant nuisances to adjacent properties.
 - (g) Safety: The applicant shall establish by credible evidence that the proposed use will not create a significant hazard to the public health and safety, such as fire, toxic or explosive hazards.
 - (h) Conditions: In granting a special exception, the Board may require such reasonable conditions and safeguards (in addition to those expressed in this chapter) as it determines are necessary to implement the purposes of this chapter. Conditions imposed by the Zoning Hearing Board shall automatically become conditions of the building permit issued pursuant thereto, and any failure to comply with said conditions shall be a violation of this chapter.
 - (i) Any special exception approval may be conditioned upon compliance with all applicable Borough, state and federal ordinances, statutes and regulations.
- (5) Persons with disabilities. After the Zoning Officer receives a complete written application, the Zoning Hearing Board shall grant a special exception allowing modifications to specific requirements of this chapter that the applicant proves to the satisfaction of the Zoning Hearing Board are necessary to provide a "reasonable accommodation" under applicable federal law to serve persons who the applicant proves have "disabilities" as defined in and protected by such laws.
- (a) Such reasonable accommodations shall be requested in accordance with the United States Fair Housing Amendments Act of 1988, 42 U.S.C. § 3601 et seq., or the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., and the federal regulations adopted pursuant to such statutes, as amended.
 - (b) If the applicant is requesting a reasonable accommodation under the United States Fair Housing Amendments Act of 1988 or the Americans with Disabilities Act, the applicant shall identify the disability which is protected by such statutes, the extent of the modification of the provisions of this chapter necessary for a reasonable accommodation, and the manner by which the reasonable accommodation requested may be removed when

such person with a protected disability no longer will be present on the property.

- (6) The Zoning Hearing Board shall also hear any other matters as set forth in the State Municipalities Planning Code, as amended.
- E. Time limits for appeals. The applicable provisions of the State Municipalities Planning Code, as amended, shall apply.
- F. Stay of proceedings. The stay of proceedings provisions of the State Municipalities Planning Code, as amended, shall apply.
- G. Applications to the Zoning Hearing Board.
- (1) All appeals from a decision of the Zoning Officer and applications to the Zoning Hearing Board shall be in writing on forms provided by the Borough. The applicant is responsible to identify sections of this chapter that apply.
 - (2) Every appeal or application shall include the following and be submitted with a total of seven copies (which may include the original) and a PDF version:
 - (a) The name and address of the applicant or appellant.
 - (b) The name and address of the owner of the property to be affected by such proposed change or appeal (if not the same as above).
 - (c) A brief description and location of the property to be affected by such proposed change or appeal.
 - (d) A statement of the present zoning classification of the property in question, the improvements thereon and the present use thereof.
 - (e) A statement of the section of this chapter under which the appeal is made and reasons why it should be granted, or a statement of the section of this chapter governing the situation in which the alleged erroneous ruling is being appealed and the reasons for this appeal.
 - (f) A reasonably accurate description of the additions or changes intended to be made under this application, indicating the size, material, and general construction of such proposed improvements. Seven copies of a plot plan of the property to be affected, indicating the location and size of the lot and the size of existing and intended improvements, shall be attached to the description.
 - (g) All other information listed on the official Borough application form.
- H. Time limits on permits and approvals.
- (1) After a variance is approved, a Zoning Hearing Board decision is issued or other zoning approval is officially authorized, then any applicable zoning and building permits shall be secured by the applicant within 12 months after the date of such approval, decision or authorization. The work authorized by such permits shall then be completed within 12 months after the issuance of the permits.
 - (2) Extension: In response to an applicant stating good cause in writing, the Zoning Officer may extend in writing the time limit for completion of work to a maximum total of 36 months after permits are issued.
 - (3) If an applicant fails to obtain the necessary permits or begin construction within the above time periods, or allows interruptions in substantial construction of

longer than 12 months, the Zoning Officer may conclusively presume that the applicant has waived, withdrawn or abandoned approvals and permits under this chapter and may consider all such approvals and permits to have become null and void.

- I. Notice of hearings: Notice of all hearings of the Board shall be given as follows:
 - (1) Ad: Public notice (as defined by Section 107 of the State Municipalities Planning Code) shall be published. The notice shall state the time and place of the hearing and the particular nature of the matter to be considered.
 - (2) Posting: Notice of such hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing. The Borough staff shall post the property. It is the responsibility of the applicant to make sure that such notice remains posted until the hearing.
 - (3) Persons given notice: The Borough shall provide written notice to the applicant of the time and place of the hearing. The Borough should also provide notice to the President of Borough Council. In addition, the Borough should provide notice to the last known address of the last known principal owner of record of each property that is immediately adjacent to or immediately across a street or within 100 feet from the subject property. However, failure to provide such notice shall not be grounds for an appeal. Also, such notice shall be given to any other person or group (including civic or community organizations) who has made a written timely request for such notice. Any such notices should be mailed or delivered to the last known address.
- J. Initiation of hearings: A hearing required under this chapter shall be initiated within 60 days of the date of an applicant's request for a hearing, unless the applicant has agreed in writing to an extension of time.
- K. Decision/findings:
 - (1) The Board shall render a written decision on each application within 45 days after the last hearing on that application before the Board, unless the applicant has agreed in writing to an extension of time.
 - (2) The decision shall be accompanied by findings of fact and conclusions based thereon, together with the reasons for such conclusions.
 - (3) References shall be provided to the most pertinent section(s) of this chapter and/or the State Municipalities Planning Code.
- L. Notice of decision: A copy of the final decision shall be personally delivered or mailed to the applicant or his/her representative or their last known address not later than the time limit established by the State Municipalities Planning Code, as amended.
- M. State law: See also Section 908 of the State Municipalities Planning Code.
- N. Appeals to Court. The provisions for appeals to court that are stated in the State Municipalities Planning Code, as amended, shall apply.

§ 560-110 Appeals to Court.

The provisions for appeals to court that are stated in the State Municipalities Planning Code, as amended, shall apply.

§ 560-111 Borough, municipal, state, federal, and public utility exemption.

- A. This chapter shall not apply to uses, buildings, or structures owned or operated by Bridgeport Borough or by a municipal authority created solely by Bridgeport Borough for uses, buildings, and structures that are intended for a public utility, stormwater, public recreation, or public health and safety purpose.
- B. Federal and state property is subject to the provisions of this chapter only insofar as permitted by the Constitution and laws of the United States and the Commonwealth of Pennsylvania.
- C. In accordance with 53 P.S. § 10619, this chapter shall not apply to any existing or proposed building or extension thereof or to any land used or to be used by a public utility corporation if, upon petition of the corporation, the Public Utility Commission shall, after a public hearing, decide that the present or proposed situation or use of the building or land in question is reasonably necessary for the convenience or welfare of the public.

§ 560-112 Fees.

A Borough fee schedule for permits and applications may be established and amended by written resolution of Borough Council. No application or appeal shall be considered filed until all fees are paid and all required information and plans have been received by the Zoning Officer.

§ 560-113 Enforcement, Violations, and Penalties.

All of the enforcement, violations and penalty provisions of the State Municipalities Planning Code, as amended, are hereby incorporated into this chapter by reference.

- A. Violations: Any person who shall commit or who shall permit any of the following actions violates this chapter:
 - (1) Failure to secure a zoning permit prior to a change in use of land or structure, or the erection, construction or alteration of any structure or portion thereof, or the excavation of land to prepare for the erection, construction or alteration of any structure or portion thereof.
 - (2) Placement of false statements on or omitting relevant information from an application for a zoning permit.
 - (3) Undertaking any action in a manner which does not comply with a zoning permit.
 - (4) Violation of any condition imposed by a decision of the Zoning Hearing Board in granting a variance or special exception or other approval.
- B. Enforcement notice: If the Zoning Officer has reason to believe that a violation of a provision of the Zoning Ordinance has occurred, the Zoning Officer shall initiate enforcement proceedings by sending an enforcement notice as provided in Section 616.1 of the State Municipalities Planning Code. Prior to sending an official enforcement notice, the Zoning Officer may at his/her option informally request compliance.
- C. Time limits: An official enforcement notice shall state the deadline to complete bringing the property into compliance with this chapter and shall state that the applicant has 30 days from the receipt of the notice to appeal to the Zoning Hearing Board.

D. Causes of action; enforcement remedies: The causes of action and enforcement remedies provisions of the State Municipalities Planning Code, as amended, are hereby incorporated by reference. (Note: As of the adoption date of this chapter, such provisions were in Section 617 of such law.)

- (1) Enforcement action. If the enforcement notice is not complied with promptly, the Zoning Officer shall notify Borough Council. Borough Council may request the Borough Solicitor to institute in the name of the Borough any appropriate action or proceeding at law or in equity to prevent, restrain, correct or abate such violation or to require the removal or termination of the unlawful use of the structure, building, sign, landscaping or land in violation of the provisions of this chapter or the order or direction made pursuant thereto. Borough Council may also direct the Zoning Officer or Borough Solicitor to institute a civil enforcement proceeding before a Magisterial District Judge.
- (2) Violations and penalties. Any person who has violated or permitted the violation of the provisions of this chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Borough, pay a judgment of not more than \$500 plus all court costs, including the reasonable attorney's fees incurred by the Borough as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the Magisterial District Judge. If the defendant neither pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless a Magisterial District Judge determining that there has been a violation further determines that there was a good faith basis for the person violating this chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the Magisterial District Judge, and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney's fees collected for the violation of this chapter shall be paid over to the Borough for the general use of the Borough.
- (3) Remedies: In case any building, structure, sign or landscaping is erected, constructed, reconstructed, altered, repaired, converted or maintained; or any building, structure, sign or land is used; or any hedge, shrub, tree or other growth is maintained in violation of this chapter or of any of the regulations made pursuant thereto or any of the permits or certificates of use and occupancy issued under this chapter or any conditions imposed upon the grant of a special exception or variance by the Zoning Hearing Board, then, in addition to any other remedies provided by law, any appropriate action or proceeding may be instituted or taken to prevent or restrain such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use or to prevent any illegal act, conduct, business or use in and about such premises.

- E. Enforcement evidence: In any appeal of an enforcement notice to the Zoning Hearing Board, the Borough shall have the responsibility of presenting its evidence first.

§ 560-114 Conditional Use Process.

A. Procedure.

- (1) Where conditional uses are requested, Borough Council shall schedule a public hearing to decide such requests within 60 days from the date of filing the completed application, or as extended by consent of the applicant. The hearing shall be conducted by Borough Council, and all findings shall be made by Borough Council. The decision or, where no decision is called for, the findings shall be made by Council.
- (2) Borough Council shall request a review of the application for conditional use by the Planning Commission prior to the publicly scheduled public hearing to determine whether the standards of this chapter have been met and any recommendations for conditions of approval. Final approval and determination of these conditions shall be made by Borough Council.
- (3) Borough Council shall render a written decision or, when no decision is called for, make written findings on the conditional use application within 45 days after the last hearing before Borough Council. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons thereof.
- (4) Standards for conditional use approval. In addition to the requirements of the Pennsylvania Municipalities Planning Code and the use-specific standards set forth in Article III, Use Regulations, the following standards shall be considered by the Borough Council:
 - (a) The conditional use shall be consistent with the goals, objectives, and recommendations of the Borough's Comprehensive Plan and any of its implementing or supporting plans or policies.
 - (b) The conditional use shall be in compliance with all requirements and additional standards enumerated in the provision which gives the right to seek a conditional use.
 - (c) The conditional use shall comply with the zoning code requirements of the underlying district in which the property is located.
 - (d) The conditional use shall not be detrimental to the character of the community. The scale and design of development shall be architecturally compatible with the existing community.
 - (e) The conditional use shall not be detrimental to nor adversely affect other uses of property in the vicinity of the subject property.
 - (f) The conditional use shall not generate excessive noise, noxious odors, air pollution, or lighting that could be a nuisance or safety hazard to the general public. The layout of vehicle and pedestrian facilities shall be safe for all users.

- (g) The conditional uses shall be served by adequate public facilities, including streets, water, sanitary sewage, fire protection, stormwater control, parks and recreation uses and other public facilities and services.
- (5) Conditions. Borough Council may require adjustments to the proposal as a condition of approval. Examples of conditions may include, but are not limited to:
- (a) Alternate site layouts.
 - (b) Alternate circulation patterns for vehicles, bicyclists, and pedestrians.
 - (c) Increased setbacks, if it will reduce impacts on adjacent property owners or screen view from the public right-of-way.
 - (d) Landscape buffers or fences, if the provision of such will reduce impacts on adjacent property owners or screen view from the public right-of-way.
 - (e) Limitation on the permitted hours-of-operation so as to minimize impacts on the surrounding community.
 - (f) Other changes deemed necessary by Borough Council to meet the goals and objectives of this Chapter.
- B. An application for conditional use shall contain the following information:
- (1) The name of the legal owner, equitable owner, tenant and intended developer.
 - (2) The deed to the property and, where applicable to the applicant, the agreement of sale or lease authorizing the applicant to seek conditional use approval.
 - (3) Existing and proposed buildings and other structures, as shown on a plan prepared under seal by a Pennsylvania-licensed professional surveyor, engineer or architect, as well as facade and elevation views showing the entire exterior of all buildings. Site plans shall show locations of all utilities, heat pumps, compressors, etc. Site plans shall identify and describe proposed surface materials. Elevation views must show all new structures in context with existing buildings on the lot and adjoining properties.
 - (4) The name, address of all adjoining property owners and the tax parcel numbers of the adjoining properties.
 - (5) A key map showing the location of the proposed development within the Borough and its relationship to major streets and political boundaries.
 - (6) Other existing and proposed improvements.
 - (7) References to the Code provision(s) permitting the application for conditional use, and all information necessary to demonstrate compliance with the applicable conditional use criteria and standards for approval.
 - (8) The appropriate fee for the conditional use application.

§ 560-115 Liability.

- A. Any review of activity within the floodplain, site plan review, subdivision or land development approval, erosion control review, wetland delineation review, stormwater runoff review, review of activity on steep slopes, consideration of possible environmental contamination, or any other review, approval or permit under this chapter by an officer, employee, board, commission, solicitor, consultant or agency of the Borough shall not

constitute a representation, guarantee or warranty of any kind by the Borough, or its employees, officials, boards, solicitor(s), consultants or agencies of the practicality or safety of any structure, use or subdivision, and shall create no liability upon nor a cause of action against such entity or person for any damage that may result pursuant thereto.

- B. If the Zoning Officer mistakenly issues a permit under this chapter, the Borough shall not be liable for any later lawful withdrawal of such permit.

§ 560-116 Amendments to this Chapter.

Within the requirements of the State Municipalities Planning Code, Borough Council may amend or repeal any or all portions of this chapter on its own motion or after agreeing to hear a written request of any person, entity, landowner or the Planning Commission.

Article II. Definitions

§ 560-201 General interpretation.

For the purposes of this chapter, words and terms used herein shall be interpreted as follows:

- A. Words in the present tense shall include the future tense.
- B. "Used" or "occupied" as applied to any land or building includes the words "intended, arranged, or designed to be used or occupied."
- C. "The words "shall" and "will" are always to be construed as mandatory; the words "may" "should" and "are encouraged" are always to be construed as optional.
- D. "Sale" shall also include rental.
- E. The word "lot" shall be interchangeable with the words "plot," "parcel," "premises," "tract," or "site."
- F. The word "person" shall include an individual as well as a corporation, partnership, association, or other legal entity.
- G. Unless stated otherwise, the singular shall also regulate the plural, and the masculine shall include the feminine and vice versa.
- H. If a term is not defined in this chapter, but is defined in the Subdivision and Land Development Ordinance (SALDO), then the definition in the SALDO shall also apply to the Zoning Ordinance. If a word or term not defined in this chapter nor the SALDO, then the word or term shall have its plain and ordinary meaning within the context of the section. A standard reference dictionary should be consulted.
- I. The words "such as," "includes," "including" and "specifically" shall provide examples. These examples shall not, by themselves, limit a provision to the examples specifically mentioned if other examples would otherwise comply with the provision.
- J. The word "person" includes a firm, company, corporation, partnership, trust, organization or association, as well as an individual.

§ 560-202 Terms defined.

Unless otherwise expressly stated, the following words shall, for the purpose of this chapter, have the meanings herein indicated (for specific use definitions, see § 560-305):

ABANDONED SIGN

A sign which has not identified or advertised a current business, service, owner, product, or activity for a period of at least 180 days, in the case of off-premises signs, or at least 360 days in the case of on-premises signs.

ABUT or ABUTTING

Areas of contiguous lots that share a common lot line, except not including lots entirely separated by a street or a perennial waterway. See definition of "adjacent."

ACCESSORY BUILDING

A subordinate, uninhabitable building, located on the same lot as the principal building and clearly incidental and subordinate to that principal building. Any portion of a principal building devoted or intended to be devoted to an accessory use is not an accessory building. Examples of accessory

buildings include, but are not limited to, detached garages, sheds, greenhouses, gazebos, carports and covered decks, patios, or terraces.

ACCESSORY STRUCTURE

A subordinate, uninhabitable structure, located on the same lot as the principal building and clearly incidental and subordinate to that principal building. Examples of accessory structures include, but are not limited to, swimming pools, pergolas, fences or walls, signs, walkways, driveways, parking areas and uncovered decks, patios, or terraces.

ACCESSORY USE

A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use.

ADDRESS SIGN

A sign that designates the street number and/or street name for identification purposes, as designated by the United States Postal Service (Also known as: nameplate sign).

ADJACENT

Two or more lots that share a common lot line or that are separated only by a street or waterway from each other.

ADULT BOOKSTORE

A use with a significant portion of the market value of, or over 15 square feet of total floor area occupied by, items for sale or rent being books, films, magazines, videotapes, coin- or token-operated films or videotapes, paraphernalia, novelties or other periodicals which are distinguished or characterized by a clear emphasis on matter depicting, displaying, describing or relating to uncovered male or female genitals or specified sexual activities. This shall include but not be limited to materials that would be illegal to sell to persons under age 18 under state law.

ADULT LIVE ENTERTAINMENT FACILITY

A use including live entertainment involving persons (which may include, but not be limited to, waiters, waitresses, dancers, clerks, bartenders, contractors or others) displaying uncovered male or female genitals or nude or almost nude female breasts or engaging in simulated or actual specified sexual activities related to some form of monetary compensation paid to a person, company or organization operating the use or to persons involved in such activity.

ADULT MOVIE THEATER

A use involving the presentation to three or more persons at one time in a room of motion pictures, videotapes or similarly reproduced images distinguished or characterized by an emphasis on depiction of specified sexual activities for observation by such persons and that is related to some form of monetary compensation paid by the persons viewing such matter.

ALLEY

Land over which there is a right-of-way, municipally or privately owned, on which no dwelling or stores may front, serving as a secondary means of access to two or more lots.

ANIMATED SIGN

A sign depicting action, motion, or light or color changes through electrical or mechanical means.

ANTENNA, STANDARD

A device, partially or wholly exterior to a building, that is used for receiving electronic signals (other than a satellite dish antenna which is treated separately) or for transmitting short-wave or citizens band radio frequencies. This shall include antennas used by an amateur ham radio operator or by a contracting business or utility to communicate with its employees but shall not include a commercial communications antenna. This term includes any accessory supporting structures.

APPLICANT

A landowner or developer, as hereinafter defined, who has filed an application for development, including their heirs, successors and assigns.

AWNING

A cloth, plastic, or other nonstructural covering that projects from a wall for the purpose of shielding a doorway or window. An awning is either permanently attached to a building or can be raised or retracted to a position against the building when not in use.

AWNING SIGN

Any sign painted on, or applied to, an awning.

BALLOON SIGN

A lighter-than-air, gas-filled balloon, tethered in a fixed location, which contains an advertisement message on its surface or attached to the balloon in any manner.

BANNER

Any cloth, bunting, plastic, paper, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on two or more edges or at all four corners. Banners are temporary in nature and do not include flags.

BASE FLOOD

A flood having a 1% chance of being equaled or exceeded in any given year. This is the regulatory standard also referred to as the "100-year flood".

BASE FLOOD ELEVATION (BFE)

The elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, A1-30 that indicates the water surface elevation resulting from a flood that has a one-percent or greater chance of being equaled or exceeded in any given year. The BFE is also shown on the FIS profile and can be determined from Zone A Floodplains.

BASEMENT

An enclosed floor area partly or wholly underground. A basement shall be considered a "story" if the majority of the basement has a clearance from floor to ceiling of 6.5 feet or greater and the top of the ceiling of the basement is an average of five or more feet above the finished grade along the majority of the front side of the building that faces onto a street.

BEACON LIGHTING

Any source of electric light, whether portable or fixed, the primary purpose of which is to cast a concentrated beam of light generally skyward as a means of attracting attention to its location rather than to illuminate any particular sign, structure, or other object.

BOROUGH

Borough of Bridgeport, Montgomery County, Pennsylvania.

BUFFER YARD

A strip of land that separates one use from another use or feature and is not occupied by any building, parking, outdoor storage or any use other than open space or approved pedestrian pathways. A buffer yard may be a part of the minimum setback distance, but land within an existing or future street right-of-way shall not be used to meet a buffer yard requirement. See § 560-1905.

BUILD-TO LINE

A build-to line is a line parallel to the street along which a front facade must be set. It is measured as a perpendicular distance from the curblines to the nearest point of the building facade.

BUILDING

A structure under a roof, used for the shelter or enclosure of persons, animals or property, and including covered or uncovered porches, steps and ramps, bay windows and chimneys. The word "building" shall include any part thereof. Any structure involving a permanent roof (such as a covered porch or a carport) that is attached to a principal building shall be considered to be part of that principal building.

BUILDING COVERAGE

The percentage obtained by dividing the maximum horizontal area in square feet of all principal and accessory buildings and attached structures covered by a permanent roof on a lot by the total lot area of the lot upon which the buildings are located.

BUILDING FRONTAGE

The maximum linear width of a building measured in a single straight line parallel with the adjacent public street or parking lot.

BUILDING WIDTH

The horizontal measurement between two vertical structural walls that are generally parallel of one building, measured in one direction that is most closely parallel to the required lot width. For attached housing, this width shall be the width of each dwelling unit, measured from the center of each interior party wall and from the outside of any exterior wall. For detached buildings, this width shall be measured from the outside of exterior walls.

CANOPY

A structure other than an awning made of fabric, metal, or other material that is supported by columns or posts affixed to the ground and may also be connected to a building.

CANOPY SIGN

Any sign that is part of, or attached to a canopy.

CARTWAY

The paved portion of a street, alley, or highway designed for vehicular traffic (this does not include paved shoulders).

CHANGEABLE COPY SIGN

A sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means, or manually through placement of letters or symbols on a panel mounted in or on a track system. The two types of changeable-copy signs are manual changeable copy signs and electronic changeable copy signs, which include: message center signs, digital displays, and Tri-Vision Boards.

CHANNEL LETTER SIGN

A sign consisting of fabricated or formed three-dimensional letters, individually applied to a wall, which may accommodate a light source.

CHARGING

The act of an electric vehicle being parked at an electric vehicle charging station and connected to a functioning electric vehicle supply equipment port and actively being charged.

CLEARANCE

The distance above the walkway, or other surface if specified, to the bottom edge of a sign. This term can also refer to a horizontal distance between two objects.

CO-LOCATION

The mounting of one or more communications antennas on an existing communications tower, or on any structure that has been approved by the Borough to support at least one communications antenna.

COMMERCIAL DISTRICTS

The NC and GC Zoning Districts.

COMMERCIAL USE

This term includes uses listed in Section 560-305B.

COMMON SPACE

Outside space with seating to be used for gathering and events. Common space can be used for the residents of a development or dedicated as public space.

COMMUNICATIONS APPLICANT ("APPLICANT")

Any entity or person that applies for a communications facility building permit, zoning approval and/or permission to use the public right-of-way, Borough-owned land, or other property for the placement, modification, construction, or siting of wireless communications facilities.

COMMUNICATIONS TOWER

Any structure, other than a building, that is constructed for the primary purpose of supporting one or more communications antennas, including, but not limited to, self-supporting lattice towers, guy towers and monopoles.

CONDITIONAL USE

A form of permitted use, authorized by this chapter and by Section 603(c)(2) of the Municipalities Planning Code, under the jurisdiction of the Borough Council following recommendation by the Borough Planning Commission. The Borough Council is empowered to grant permission for conditional uses, consistent with the public interest, in compliance with the standards and procedures established in this chapter, following thorough examination of the proposal and hearing and under any reasonable safeguards necessary to implement the purposes and intent of this chapter and to protect the general welfare.

CONDOMINIUM

Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions, created under the Pennsylvania Uniform Condominium Act of 1980 or Uniform Planned Community Act of 1996, as amended.

CONSERVATION EASEMENT

A legal agreement granted by a property owner that strictly limits the types and amounts of development that may take place on such property. Such easement shall restrict the original and all subsequent property owners, lessees and all other users of the land.

CURATIVE AMENDMENT, MUNICIPAL

A process provided in the Pennsylvania Municipalities Planning Code that permits a municipality to address the potential invalidity of portions or all of its own zoning ordinance.

DENSITY

The number of dwelling units per developable acre.

DEP

The Pennsylvania Department of Environmental Protection and its relevant bureaus.

DEPARTMENT OF HEALTH (DOH)

The Department of Health of the Commonwealth of Pennsylvania or any agency successor thereto.

DEVELOPMENT

Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

DEVELOPMENTAL DISABILITY

- A. In general. The term “developmental disability” means a severe, chronic disability of an individual that—
- (1) Is attributable to a mental or physical impairment or combination of mental and physical impairments;
 - (2) Is likely to continue indefinitely;
 - (3) Results in substantial functional limitations in 3 or more of the following areas of major life activity:
 - (a) Self-care
 - (b) Receptive and expressive language
 - (c) Learning.
 - (d) Mobility.
 - (e) Self-direction.
 - (f) Capacity for independent living.
 - (g) Economic self-sufficiency; and
 - (h) Reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.
- B. Infants and young children. An individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting 3 or more of the criteria described in clauses (1) through (3) of subparagraph (A) if the individual, without services and supports, has a high probability of meeting those criteria later in life.

DIGITAL DISPLAY

The portion of a sign message made up of internally illuminated components capable of changing the message periodically. Digital displays may include but are not limited to LCD, LED, or plasma displays.

DIRECTIONAL SIGN

Signs designed to provide direction to pedestrian and vehicular traffic into and out of, or within a site.

DISTRICT (or ZONING DISTRICT)

A land area within the Borough within which certain uniform regulations and requirements apply under the provisions of this chapter.

DRIVEWAY

A private way for vehicular and pedestrian access between a public street and a parking area within a lot or property.

DWELLING

A building or structure designed, arranged, intended to and used as the living quarters for one or more families living independently of each upon the premises, as applicable by individual dwelling arrangement further defined below. The term “dwelling” shall not be construed to include short-

term transient lodging, vacation rental, hotel/inn, motel, or bed-and-breakfast (the last except as expressly permitted in conformance with § 560-305F(3)).

DWELLING TYPES

This chapter categorizes dwellings into the following types:

A. MULTIFAMILY BUILDING/UNIT

A multifamily dwelling is a single, detached, residential use or building containing at least three separate dwelling units, with units arranged in a variety of combinations, including side-by-side, over-and-under, or back-to-back with another dwelling unit. When contained in **Mixed-Use Building, Multifamily Building/Unit** shall refer to at least one dwelling unit contained in a single building containing other uses.

B. SECTIONAL OR MODULAR HOME

A type of dwelling that meets a definition of single-family detached dwelling, single-family semidetached dwelling, townhouse or low-rise **Multifamily Building/Unit** that is substantially but not wholly produced in two or more major sections off the site and then is assembled and completed on the site, and that does not meet the definition of a "mobile/manufactured home" and that is supported structurally by its exterior walls and that rests on a permanent foundation.

C. SINGLE-FAMILY DETACHED DWELLING

A dwelling unit designed and used exclusively as the residence for only one family unit, that is the only dwelling unit located on the parcel it is situated on, and that is not attached to any other structures or dwelling units, except accessory structures permitted in this chapter. A single-family detached dwelling may be a mobile/manufactured home.

(1) MOBILE/MANUFACTURED HOME

A type of single-family detached dwelling that meets all of the following requirements: a) is transportable in a single piece, or two substantial pieces designed to be joined into one integral unit capable of again being separated for towing; b) is designed for permanent occupancy; c) which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations; d) is constructed so that it may be used with or without a permanent foundation; and e) is not a recreation vehicle. The terms "mobile home" and "manufactured home" have the same meaning. This term is different from a "sectional home," which is defined above.

E. SINGLE-FAMILY SEMI-DETACHED DWELLING (TWIN)

A dwelling unit in which one side wall is a vertical unpierced fire-resistant wall in common with a neighboring dwelling unit designed so that the vertical party wall separates two families, and acts as the lot line dividing the properties, but it is otherwise surrounded by required yard areas.

F. TWO-FAMILY DETACHED DWELLING (DUPLEX)

A building having two separate dwelling units one over the other so that each unit shares one and only one common partition. Both dwelling units are located on a single parcel and are under common ownership.

G. SINGLE-FAMILY ATTACHED DWELLING (TOWNHOUSE)

One dwelling unit that is attached to one or two other dwelling units, in a row of three or more attached units, with each dwelling unit being completely separated from and attached

to each other by unpierced vertical fire-resistant walls. Each dwelling unit shall have its own outside access. Side yards shall be adjacent to each end unit.

DWELLING UNIT

A single habitable living unit occupied by only one family. See definition of "family." Each dwelling unit shall have its own toilet, bath or shower, sink, sleeping and cooking facilities and separate access to the outside or to a common hallway or balcony that connects to outside access at ground level. A dwelling unit shall not include either or both of the following: two or more separate living areas that are completely separated by interior walls so as to prevent interior access from one living area to another or two separate and distinct sets of kitchen facilities.

ELECTRIC VEHICLE (EV)

Any vehicle that operates, either partially or exclusively, on electrical energy that is stored on board for motive purposes. This may include, but is not limited to, a battery-operated vehicle or a plug-in hybrid vehicle.

ELECTRIC VEHICLE CHARGING STATION (EVCS)

Battery charging station equipment with an associated parking space that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an EV.

ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE)

Any device that enables the safe transfer of energy between the local power supply grid and an electric vehicle. EVSE includes, but is not limited, to all the components for EV charging stations, including: the conductors; the ungrounded, grounded, and equipment grounding conductors; EV connectors; attachment plugs, software and all other fittings, devices, power outlets, induction plates or apparatus installed specifically for the purpose of delivering energy from the electric supply grid to an EV. EVSE may deliver either alternating current or direct current electricity (consistent with fast-charging equipment standard). EVSE may also include alternative charging utilities, such as solar photovoltaic systems, to generate supplemental power for the EVSE/EVCS.

ELECTRIC VEHICLE SUPPLY EQUIPMENT, LEVEL 1

An EVCS that operates through a 120-volt AC circuit, with typical power output of 1 kW

ELECTRIC VEHICLE SUPPLY EQUIPMENT, LEVEL 2

An EVCS that operates through a 208- or 240-volt AC circuit, with typical power output of 7 to 19 kW.

ELECTRIC VEHICLE SUPPLY EQUIPMENT, LEVEL 3

An EVCS that operates through a 400- to 1000-volt three-phase AC circuit, with typical power output of 50 to 350 kW. Level 3 chargers are also known as Direct Current Fast Chargers or DCFC.

EMPLOYEES

The highest number of workers (including both part-time and full-time, both compensated and volunteer, and both employees and contractors) present on a lot at any one time, other than clearly temporary and occasional persons working on physical improvements to the site.

FAMILY

One or more persons occupying the same dwelling unit and living and cooking as a single housekeeping unit; said unit consisting only of individuals who are related by blood, marriage or otherwise by law, except that such unit may also consist of foster children and one other individual not related to others in the housekeeping unit.

- A. Except as provided in Subsection C below, a "family" as herein defined, specifically excludes individuals and groups occupying a boarding- or rooming house, lodging house, club, group home, fraternity, hotel or similar living environment.
- B. The term "family" also specifically excludes group homes for persons with current, illegal use of or addiction to a controlled substance (as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. § 802), alcoholism or drug addiction, work-release facilities for convicts or ex-convicts, or other housing facilities serving as an alternative to incarceration and any persons whose residency in the home would constitute a direct threat to the health or safety of other individuals, except to the extent that such groups constitute "handicapped" persons, within the meaning of the Fair Housing Act.
- C. A family includes a group of three to six unrelated persons, each of whom is handicapped within the meaning of the Fair Housing Act, 42 U.S.C. § 3601, et seq., living together, long-term, as a single, nontransient housekeeping unit, with such nonresident staff as may be needed to assist the residents with their daily life activities; provided, however, that the Bridgeport Borough Zoning Hearing Board, as a special exception, may allow an increase in the occupancy of a group home for the handicapped within the meaning of the Fair Housing Act if the dwelling otherwise complies with the minimum area requirements of the Bridgeport Borough Property Maintenance Code, but in no event, more than 12 unrelated persons. To be considered a single, nontransient housekeeping unit, all residents must have common use of and access to all living areas, eating areas, bathrooms and food preparation and serving areas.
- D. In order to integrate group homes into a neighborhood and create a deinstitutionalized setting for the residents of group homes, no group home may be located within 1,000 feet of another group home.

FCC

Federal Communications Commission.

FESTOON LIGHTING

A type of illumination comprised of either: (a) a group of incandescent light bulbs hung or strung overhead or on a building or other structure, or (b) light bulbs not shaded or hooded or otherwise screened to prevent direct rays of light from shining on adjacent properties or rights-of-way.

FLAG

Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners.

FLASHING SIGN

A sign whose artificial illumination is not kept constant in intensity at all times when in use and which exhibits changes in light, color, direction, or animation. This definition does not include electronic message centers signs or digital displays that meet the requirements set forth herein.

FLOOD

- A. A general and temporary condition of partial or complete inundation of two or more acres of normally dry land area or of two or more properties (at least one of which is the policyholder's property) from:
 - 1. Overflow of inland or tidal waters; or
 - 2. Unusual and rapid accumulation or runoff of surface waters from any source; or
 - 3. Mudslides (i.e., mudflows) which are proximately caused by flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current; or
 - 4. Collapse or subsidence of land along the shore of a lake or similar body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels that result in a flood as defined above.
- B. A flood inundates a floodplain. Most floods fall into three major categories: riverine flooding, coastal flooding, and shallow flooding.

FLOOD INSURANCE RATE MAP (FIRM)

Official map of a community on which FEMA has delineated the Special Flood Hazard Areas (SFHAs), the Base Flood Elevations (BFEs) and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS)

The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

FLOODPLAIN

Any land area susceptible to being inundated by floodwaters from any source.

FLOODPROOFING

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

FLOOR AREA, TOTAL

The total floor space within building(s) measured from the exterior faces of exterior walls or from the center lines of walls separating buildings. Floor area shall specifically include, but not be limited to, fully enclosed porches and basement or cellar or attic space that is potentially habitable and has a minimum head clearance of at least 6.5 feet. Floor area shall not include unenclosed porches, decks or breezeways.

FLOOR AREA, GROSS. The sum of all floor area of a building capable of being used or devoted to a principal or accessory use of an occupant or tenant, but not including floor areas of the building devoted to:

- A. Basement or crawl space utilized strictly as storage space.
- B. Mechanical and building utility spaces such as elevator shafts, water closets, and building equipment rooms.
- C. Permanent common hallways and stairways.
- D. Permanent, aesthetic lobbies used for architectural enhancement or the general public utilizing the building.
- E. Mezzanines devoted exclusively to storage use.
- F. Garage area, utilized in the required space count for the principal building use, provided it is not devoted to storage use (in a single-family dwelling, the garage area shall always be excluded from the gross floor area, no matter its use).
- G. Design elements for handicapped accessibility.

FOOT-CANDLE

A unit of incident light (on a surface) stated in lumens per square foot and measurable with an illuminance meter, a.k.a. footcandle or light meter. One (1) footcandle is equal to one (1) lumen per square foot.

FOOT-LAMBERT

A unit of emitted light (from a surface) stated in lumens per square foot and measurable with an illuminance meter, a.k.a. footcandle or light meter. One (1) foot-lambert is equal to one (1) lumen per square foot.

FREESTANDING SIGN

A sign supported by structures or supports that are placed on, or anchored in, the ground; and that is independent and detached from any building or other structure. The following are subtypes of freestanding signs:

A. **GROUND SIGN**

A sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or attached to any part of a building. (Also known as monument sign)

B. **POLE SIGN**

A freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure.

FRONTAGE OCCUPATION

The percentage of the building that fronts a public street. This measurement helps to determine the shape of the building and the relationship between the building and the public streets.

GAS STATION CANOPY

A freestanding, open-air structure constructed for the purpose of shielding service station islands from the elements.

GAS STATION CANOPY SIGN

Any sign that is part of, or attached to, the vertical sides of the gas station canopy roof structure. For the purposes of this ordinance, gas station canopy signs shall be considered wall signs.

GLARE

The sensation produced by light within the visual field that is sufficiently greater than the light to which the eyes are adapted and which cause annoyance, discomfort, or loss in visual performance or visibility, for any period of time, no matter how short in duration.

GOVERNMENT/REGULATORY SIGN

Any sign for the control of traffic or for identification purposes, street signs, warning signs, railroad crossing signs, and signs of public service companies indicating danger or construction, which are erected by or at the order of a public officer, employee or agent thereof, in the discharge of official duties.

GREEN ROOF

A roof of a building that is partially or completely covered with vegetation and a growing medium. Requires a high-quality water-proofing cover, drainage system, and filter cloth. Green roof vegetation can vary from small shrubs to trees. Basic maintenance involves watering, weeding, and plant care.

HAZARDOUS SUBSTANCES

A product or waste or combination of substances that because of the quantity, concentration, physical or infectious characteristics, if not properly treated, stored, transported, used or disposed of, or otherwise managed, would create a potential threat to public health through direct or indirect introduction into groundwater resources and the subsurface environment, which includes the soil and all subsequent materials located below. Such hazardous material includes, but is not limited to, materials which are included on the latest edition of one or more of the following lists:

- A. "Hazardous substances" as defined pursuant to Section 311 of the Federal Clean Water Act or its successor provisions.
- B. "Hazardous substances" as defined pursuant to the Federal Comprehensive Environmental Response, Compensation and Liability Act or its successor provisions.

HAZARDOUS SUBSTANCES, EXTREMELY

Hazardous substances included on the list of extremely hazardous substances in 29 CFR 1910 or its successor provisions.

HEIGHT

The vertical distance measured from the average elevation of the proposed ground level along the front of the building to the highest point of a structure. For a building with a defined and pitched roof, an area equal to 20% of the building coverage may exceed the maximum height to provide for the roof peak, provided such 20% is not occupied by persons. See exemptions for certain types of structures in § 560-1904. A maximum of one more story may be exposed in the rear of a building compared to what is visible in the front of a building. For height of signs, see Article XVIII, Signs.

HIGHEST ADJACENT GRADE

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE

Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states which have been approved by the Secretary of the Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

HOLIDAY DECORATIONS

Signs or displays including lighting which are a non-permanent installation celebrating national, state, and local holidays, religious or cultural holidays, or other holiday seasons. (Also known as seasonal decorations)

ILLUMINATION

A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source.

A. EXTERNAL ILLUMINATION

Artificial light, located away from the sign, which lights the sign, the source of which may or may not be visible to persons viewing the sign from any street, sidewalk, or adjacent property.

B. INTERNAL ILLUMINATION

A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Message center signs, digital displays, and signs incorporating neon lighting shall not be considered internal illumination for the purposes of this ordinance.

C. HALO ILLUMINATION

A sign using a 3-dimensional message, logo, etc., which is lit in such a way as to produce a halo effect (Also known as back-lit illumination).

ILLUMINATED SIGN

A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by a light source aimed at its surface.

IMPERVIOUS COVERAGE

The percentage of the lot area covered by man-made surfaces that have a coefficient of runoff of 0.85 or greater. For the purposes of determining compliance with this Zoning Ordinance, any stone surfaces that may be permitted for vehicle parking and movement shall be considered to be impervious.

INCIDENTAL SIGN

A sign that displays general site information, instructions, directives, or restrictions that are primarily oriented to pedestrians and motor vehicle operators who have entered a property from a public street. These signs shall not contain any commercial advertising.

INCIDENTAL WINDOW SIGN

Signs displayed in the window displaying information such as the business' hours of operation, credit institutions accepted, commercial and civic affiliations, and similar information. These signs shall be informational only and shall not contain a commercial message.

INDUSTRIAL DISTRICTS

The LIC and GIC Zoning Districts.

INDUSTRIAL USE

This term includes uses listed in Section 560-305E.

INFLATABLE SIGN

A sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device.

INTERACTIVE SIGN

An electronic or animated sign that reacts to the behavior or electronic signals of motor vehicle drivers.

JUNK

Any discarded, unusable, scrap or abandoned man-made or man-processed material or articles, such as the following types: metal, furniture, appliances, motor vehicle parts, aircraft, glass, plastics, machinery, equipment, containers and building materials. Junk shall not include: a) solid waste that is temporarily stored as is customary in an appropriate container that is routinely awaiting collection and disposed of in a manner consistent with state regulations; b) toxic wastes;

c) grass clippings, leaves, tree limbs or similar yard waste materials; or d) items clearly awaiting imminent recycling at an approved recycling facility.

JUNK VEHICLE

Includes any vehicle or trailer that meets any of the following conditions:

- A. Cannot be moved under its own power, in regards to a vehicle designed to move under its own power, other than a vehicle clearly needing only minor repairs;
- B. Cannot be towed, in regards to a trailer designed to be towed;
- C. Has been demolished beyond repair;
- D. Has been separated from its axles, engine, body or chassis; and/or
- E. Includes only the axle, engine, body parts and/or chassis, separated from the remainder of the vehicle. See also the definition of "unregistered vehicle."

LANDOWNER

The owner of a legal or equitable interest in land, including the holder of a written, signed and active option or contract to purchase or a person leasing the property (if authorized under the lease to exercise the right of the landowner), or authorized officers of a partnership, incorporated organization or corporation that is a landowner.

LEGIBILITY

The physical attributes of a sign that allow for an observer's differentiation of its letters, words, numbers, or graphics.

LIGHT TRESPASS

Light emitted by a lighting installation, which extends beyond the boundaries of the property on which the installation is sited.

LIGHTING, DIFFUSED

Illumination that passes from the source through a translucent cover or shade.

LIMITED DURATION SIGN

A non-permanent sign that is displayed on private property for more than 30 days, but not intended to be displayed for an indefinite period.

LOT

A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. A "lot" may or may not coincide with a lot of record and includes one or more adjacent pieces, parcels or plots of land of record held in single and separate ownership, including adjacent pieces, parcels or plots bisected by public or private streets. The area and depth of a lot shall be measured to the legal right-of-way line of the street, and all lots shall front on public or private streets.

LOT CORNER

A lot abutting on two or more intersecting streets which has an interior angle of less than 135° at the intersection of right-of-way lines of two streets. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangent to the curve at the points beginning within the lot or

at the points of intersection of the side lot lines with the street lines intersect at an angle of less than 135°.

LOT AREA

The horizontal land area contained within the lot lines of a lot (measured in acres or square feet). For the purposes of determining compliance with the minimum lot area, the following shall be excluded:

- A. Areas within the designated future" or existing legal rights-of-way of any proposed or existing public streets or alleys or any proposed or existing commonly maintained private streets that serve more than one lot. (Note: Other sections of this chapter may specifically permit proposed streets to be included in determining density for a specific use.)
- B. Areas that are currently or will be required to be dedicated as common open space on a separate lot. (Note: Other sections of this chapter may specifically permit proposed common open spaces to be included in determining density for a specific use.)

LOT LINES

The property lines bounding the lot. Wherever a property line borders a public street, for the purposes of determining setbacks, the lot line shall be considered to be the street right-of-way line that will exist at the time of completion of a subdivision or development. Every lot shall have a front yard, two side yards and one rear yard, except a side yard is not required where buildings are lawfully attached, and except a triangular shaped lot, where permitted, shall only have one side yard.

A. FRONT LOT LINE (STREET LINE)

A lot line separating the lot from the existing street right-of-way.

B. REAR LOT LINE

Any lot line which is parallel to or within 45° of being parallel to a front street right-of-way line. In the case of a lot having no street frontage, or a lot of an odd shape, or a flag lot, only the one lot line furthest from any street shall be considered a rear lot line.

C. SIDE LOT LINE

Any lot line other than a front or rear lot line.

LOT WIDTH

The horizontal distance between the side lot lines measured at the minimum prescribed front yard setback line, unless otherwise stated. In the event of a curved lot line, such lot width at the minimum prescribed front yard setback line shall be measured along the curve. Where buildings are permitted to be attached, the lot width shall be measured from the center of the party wall.

LOWEST FLOOR

The lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood-resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable nonelevation design requirements of this section.

LUMINANCE

An objective measurement of the brightness of illumination, including illumination emitted by an electronic sign, measured in candles per square foot (cd/ft²).

MANUAL CHANGEABLE COPY SIGN

A sign or portion thereof on which the copy or symbols are changed manually through placement or drawing of letters or symbols on a sign face.

MARQUEE

A permanent structure, other than a roof or canopy, attached to, supported by, and projecting from a building and providing protection from the elements.

MARQUEE SIGN

Any sign attached to a marquee for the purpose of identifying a use or product. If attached to a theater, performing arts center, cinema, or other similar use, it may also advertise films or productions.

MECHANICAL MOVEMENT SIGN

A sign having parts that physically move rather than merely appear to move as might be found in a digital display. The physical movement may be activated electronically or by another means, but shall not include wind-activated movement such as used for banners or flags. Mechanical movement signs do not include digital signs that have changeable, programmable displays.

MEDICAL MARIJUANA

Shall be defined consistent with the definition of "medical marijuana" contained in the Medical Marijuana Act.

MEDICAL MARIJUANA ACT

The Pennsylvania Medical Marijuana Act, 35 P.S. § 10231.101 et seq., as amended.

MEMORIAL SIGN

A memorial plaque or tablet, including grave markers or other remembrances of persons or events, which is not used for a commercial message.

MENU SIGN

A permanent sign for displaying the bill of fare available at a restaurant, or other use serving food, or beverages.

MESSAGE CENTER SIGN

A type of illuminated, changeable copy sign that consists of electronically changing alphanumeric text often used for gas price display signs and athletic scoreboards.

MESSAGE SEQUENCING

The spreading of one message across more than one sign structure.

MINOR REPAIR

The replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

MOBILE/MANUFACTURED HOME

See definition under "dwelling types."

MOBILE FOOD UNIT or MOBILE FOOD TRUCK

Any motorized or nonmotorized vehicle, including, but not limited to, carts, stands, kiosks, any other device designed to be portable and not permanently attached to the ground and ancillary equipment from which food products are intended to be prepared and/or sold or distributed. Such use also includes the distribution of prepackaged foods.

MOTOR VEHICLE

An automobile, recreational vehicle, truck, bus, motorcycle, all-terrain vehicle or similar means of transportation designed to operate to carry persons or cargo on roads and that is powered by mechanized means.

MULTIFAMILY BUILDING/UNIT

See definition under "dwelling types."

MULTI-TENANT SIGN

A freestanding sign used to advertise businesses that occupy a shopping center or complex with multiple tenants.

MUNICIPALITIES PLANNING CODE or STATE PLANNING CODE

The Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 58, No. 247, as reenacted and amended.

MURAL (OR MURAL SIGN)

A large picture/image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a vertical building wall, which may or may not contain text, logos, and/or symbols.

NEON SIGN

A sign illuminated by a neon tube, or other visible light-emitting gas tube, that is bent to form letters, symbols, or other graphics.

NEW CONSTRUCTION

Structures for which the start of construction commenced on or after February 9, 2016, and includes any subsequent improvements to such structures. Any construction started after the effective date of the community's first floodplain management ordinance and before the effective

date of this floodplain management ordinance is subject to the ordinance that was in effect at the time that the permit was issued, provided that the start of construction was within 180 days of permit issuance.

NIT

A term used to describe a metric unit of luminance defined as candela per square meter (cd/m²). The unit is based on the candela, the modern metric unit of luminous intensity; and the square meter.

NONCONFORMING BUILDING OR STRUCTURE

Any existing lawful building or structure that does not conform with the applicable lot coverage, height, location, size, bulk, or other dimensional provisions in this chapter, or its amendment(s), where such building or structure existed prior to the enactment of such ordinance or applicable amendment(s). Such nonconforming structures include, but are not limited to, signs.

NONCONFORMING LOT

A lot which does not conform with the minimum lot width or area dimensions specified for the district where such lot is situated but was lawfully in existence prior to the effective date of this chapter or amendments hereinafter enacted.

NONCONFORMING SIGN

Any lawful sign, signboard, billboard, or advertising device existing at the time of the passing of this Chapter that does not conform in use, location, height, or size, with the regulations of this Chapter shall be considered a nonconforming sign.

NONCONFORMING STATUS

Any building, structure, use of land, use of buildings, lot, and sign which does not conform to all of the applicable regulations of the district in which it is located or does not conform to other applicable requirements of this chapter or its amendment(s) shall be considered as nonconforming if it meets one or more of the following:

- A. It lawfully existed on the date of passage of this chapter or its amendment(s)
- B. It lawfully existed on the date of passage of a text or map amendment to this chapter, which amendment caused the nonconforming status.

NONCONFORMING USE

The existing lawful use of land, building(s), or structure(s), which does not comply with the applicable provisions in this chapter or its amendment(s). A use granted by variance is not a nonconforming use.

OFF-PREMISES SIGN

An outdoor sign whose message directs attention to a specific business, product, service, event or activity, or other commercial or noncommercial activity, or contains a non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted on the premises upon which the sign is located.

- A. **LOCAL DIRECTIONAL OFF-PREMISES SIGN**

A type of off-premises sign designed to provide direction to pedestrian and vehicular traffic to a specific commercial property, not located on the premises upon which the sign is located.

B. OFF-PREMISES BILLBOARD SIGN (BILLBOARD)

A type of off-premises sign designed to be viewed on expressways or other high-traffic roadways.

OFFICE USE

This term includes uses listed in Section 560-305D.

OFFICIAL TRAFFIC SIGN

Official highway route number signs, street name signs, directional signs and other traffic signs erected and maintained on public highways and roads in the interest of public safety or for the regulation of traffic.

OFFICIAL ZONING MAP

The Map, as adopted by Borough Council, which designates the location and boundaries of zoning districts.

ON-PREMISES SIGN

A sign whose message and design relate to an individual business, profession, product, service, event, point of view, or other commercial or non-commercial activity sold, offered, or conducted on the same property where the sign is located.

ORDINANCE, THIS

The Bridgeport Borough Zoning Ordinance, including the Official Zoning Map, as amended.

PA

The Commonwealth of Pennsylvania.

PARKING

Off-street parking and aisles for vehicle movement unless otherwise stated.

PENNANT

A triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

PENNDOT

The Pennsylvania Department of Transportation, or its successor, and its subparts.

PERMANENT SIGN

A sign attached or affixed to a building, window, or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

PERMITTED BY RIGHT USES

Allowed uses in which zoning matters may be approved by the Zoning Officer, provided the application complies with all requirements of the Zoning Ordinance. A nonconforming use shall not be considered to be a permitted by right use, a special exception use or a conditional use.

PERSON

An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

PERSONAL EXPRESSION SIGN

An on-premises sign that expresses an opinion, interest, position, or other non-commercial message.

PORTABLE SIGN

A sign designed to be transported or moved and not permanently attached to the ground, a building, or other structure.

A. SANDWICH BOARD SIGN

A type of freestanding, portable, temporary sign consisting of two faces connected and hinged at the top and whose message is targeted to pedestrians (Also known as A-frame sign)

B. VEHICULAR SIGN

A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits or is otherwise not incidental to the vehicle's primary purpose.

PRINCIPAL BUILDING

A principal structure which is also a building.

PRINCIPAL STRUCTURE

The structure in which the principal use of a lot is conducted. Any structure that is physically attached to a principal structure shall be considered part of that principal structure.

PRINCIPAL USE

A dominant use(s) or main use on a lot, as opposed to an accessory use.

PRIVATE DRIVE SIGN

A sign indicating a street or drive which is not publicly owned and maintained and used only for access by the occupants of the development and their guests.

PROJECTING SIGN

A building-mounted, double-sided sign with the two faces generally perpendicular to the building wall, not to include signs located on a canopy, awning, or marquee. (Also known as blade sign)

PUBLIC NOTICE

Notice required by the Pennsylvania Municipalities Planning Code. (Note: As of the adoption date of this chapter, for a Zoning Hearing Board hearing or an amendment to this chapter, such Act

generally required a legal advertisement published once each week for two successive weeks in a newspaper of general circulation in the Borough, which states that time and place of a meeting/hearing and the particular nature of the matter to be considered. The first publication shall not be more than 30 days and the second publication not less than seven days from the meeting/hearing date.)

PUBLIC SIGN

A sign erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification signs for public facilities.

RECREATION

The offering of leisure-time activities to unrelated persons. This term shall not include any adult use. For the purposes of this chapter, recreation facilities shall be permitted by right as an accessory use when clearly limited to residents of a development and their occasional invited guests.

RECREATIONAL VEHICLE

A vehicle built on a single chassis; 400 square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light duty truck; designed primarily not for use a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REFLECTIVE SIGN

A sign containing any material or device which has the effect of intensifying reflected light.

REGULATORY FLOOD ELEVATION

The base flood elevation (BFE) plus a freeboard safety factor of 1 1/2 feet.

RELATED EQUIPMENT OR BASE STATION

Any structure or equipment at a fixed location, not including a tower, that enables FCC-licensed communications between a user and a wireless network.

RELATED or RELATIVE

Persons who are related by blood, marriage, adoption or formal foster relationship to result in one of the following relationships: spouse, brother, sister, parent, child, grandparent, great-grandparent, grandchild, great-grandchild, uncle, aunt, niece, nephew, sister-in-law, brother-in-law, parent-in-law or first cousin. This term specifically shall not include relationships such as second, third or more distant cousins. See definition of "dwelling unit."

REPAIR SERVICE

Shops for the repair of appliances, watches, guns, bicycles and other household items.

REPETITIVE LOSS

Flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25% of the market value of the structure before the damages occurred.

RESIDENTIAL DISTRICTS

The R1, R2 and R3 Zoning Districts.

RESIDENTIAL LOT LINES

The lot line of a lot that contains an existing primarily residential use or is undeveloped and zoned as a residential district.

RESIDENTIAL USE

This term includes uses listed in Section 560-305A.

REVOLVING SIGN

A sign which revolves in a circular motion; rather than remaining stationary on its supporting structure.

RIGHT-OF-WAY

An area or strip of land which is reserved for use by or as a street or by one or more utilities or by the public or by others. The term "right-of-way" by itself shall mean the street right-of-way that will exist after completion of a subdivision or development, unless another meaning is otherwise stated or clearly implied from the context in which it is used.

- A. **STREET RIGHT-OF-WAY, EXISTING OR LEGAL.** The official established street right-of-way that either the Borough or the state presently owns or holds another interest in the land, or will own after the completion of any proposed subdivision, land development or development of a use under this chapter, whether by dedication or otherwise.

ROOF SIGN

A building-mounted sign erected upon, against, or over the roof of a building.

SCOREBOARD

A sign contained within an athletic venue and intended solely to provide information to the attendees of an athletic event.

SCREENING

Year-round plant material of substantial height and density designed to provide a buffer.

SECTIONAL DWELLING

See definition under "dwelling units."

SECURITY SIGN

An on-premises sign regulating the use of the premises, such as a "no trespassing," "no hunting," or "no soliciting" sign (Also known as warning sign).

SETBACK LINE

- A. The line within a lot defining the required minimum distance between any structure to be erected or use to be developed and the adjacent future street right-of-way or exterior lot line (when the property is not abutted by a right-of-way). Such line shall be measured at right angles from and parallel to the front lot line.

- B. Any building setbacks shall be measured from the foundation, exterior wall or other component of a structure that is closest to the right-of-way line or lot line from which the setback is being measured. See exceptions for eaves and cornices in § 560-1905B.
- C. Unless otherwise stated, setback distances are for both accessory and principal structures.
- D. Private streets: For a building setback measured from a private street, the setback shall be measured from the existing right-of-way of such a street, if a right-of-way exists. If a private street does not have a right-of-way, the setback shall be measured from the edge of the cartway.

SHIELDED

The description of a luminaire from which no direct glare is visible at normal viewing angles, by virtue of its being properly aimed, oriented, and located and properly fitted with such devices as shields, barn doors, baffles, louvers, skirts, or visors.

SHORT-TERM

The rental or exchange of any dwelling or dwelling unit for a duration of six months or less.

SHORT-TERM TRANSIENT LODGING

Any use of a dwelling or dwelling unit rented or exchanged as a short-term transient or recurrent lodging, regardless of whether there is concurrent or partial occupancy or full occupancy by the owner or another when not in use as a short-term transient lodging.

SIGN

Any device, structure, fixture, painting, emblem, or visual that uses words, graphics, colors, illumination, symbols, numbers, or letters for the purpose of communicating a message. Sign includes the sign faces as well as any sign supporting structure.

SIGN AREA

The total dimensions of a sign surface used to display information, messages, advertising, logos, or symbols. See § 560-1806C for standards for measuring sign area.

SIGN FACE

The part of the sign that is or can be used for the sign area. The sign area could be smaller than the sign face.

SIGN HEIGHT

The vertical dimension of a sign as measured using the standards in § 560-1806D.

SIGN SUPPORTING STRUCTURE

Poles, posts, walls, frames, brackets, or other supports holding a sign in place.

SINGLE AND SEPARATE OWNERSHIP

The ownership of a lot by one or more persons, partnerships or corporations, which ownership is separate and distinct from that of any abutting or adjoining lot.

SNIPE SIGN

A sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property or in the public right-of-way or on any private property without the permission of the property owner (Also known as bandit sign).

SPECIAL EXCEPTION

A use for which the Zoning Hearing Board may grant permission following a public hearing and findings of fact consistent with this chapter, provided the use complies with the conditions and standards required by this chapter. See § 560-109D(4).

SPECIAL FLOOD HAZARD AREA (SFHA)

An area in the floodplain subject to a one-percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1-A30, AE, A99, or AH.

SPECIAL PERMIT

A special approval which is required for hospitals, nursing homes, jails, and new manufactured home parks and subdivisions and substantial improvements to such existing parks when such development is located in all or a designated portion of a floodplain.

START OF CONSTRUCTION

Includes substantial improvement and other proposed new development and means the date the permit was issued, provided that the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit and shall be completed within 12 months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STATE

The Commonwealth of Pennsylvania and its agencies.

STEALTH TECHNOLOGY

Camouflaging methods applied to wireless communications facilities which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, alternative mounting structures, such as architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure and facilities constructed to resemble trees, shrubs, flagpoles, and light poles.

STEPBACK

Sometimes referred to as tiered setbacks or wedding-cake style setbacks. The dimensional requirement that taller buildings be set back further from the curb, or along the side of the building, to reduce shadow and cavernous feeling between multiple taller buildings.

STOREFRONT

The exterior facade of a building housing a commercial use visible from a street, sidewalk, or other pedestrian way accessible to the public and containing the primary entrance to the commercial establishment.

STORY

That part of any building comprised between any floor and the floor or roof next above. The "first story" of a wall is the lowest story which is 75% or more above the average level of the ground adjacent to said wall.

STREAMERS

A display made of lightweight, flexible materials, consisting of long, narrow, wavy strips hung individually or in a series, with or without a logo or advertising message printed or painted on them and typically designed to move in the wind.

STREET

A public or private thoroughfare which provides the principal means of vehicle access to three or more lots or that is an expressway, but not including an alley or a driveway. The terms "street," "highway" and "road" have the same meaning and are used interchangeably.

STREET FRONTAGE

The linear edge of a lot adjacent to the lot line abutting a street or public right-of-way. (Also known as "lot frontage.")

STREET POLE BANNER

A banner suspended above a public sidewalk and attached to a single street pole. These signs shall not contain any commercial advertising.

STRUCTURE

Any form or arrangement of building materials, excluding fences, involving the necessity of providing proper support, bracing, tying, anchoring or other protection against the forces of the elements, whether or not affixed to the land.

SUBDIVISION

The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines, for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs, or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SUBDIVISION ORDINANCE or SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

The Bridgeport Borough Subdivision and Land Development Ordinance, as amended.

SUBSTANTIAL DAMAGE

Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% or more of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT

Any repair reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to ensure safe living conditions; or any alteration of a structure listed on the National Register of Historic Places or the Pennsylvania Inventory of Historic Places.

SUBSTANTIALLY CHANGE OR SUBSTANTIAL CHANGE

A modification to an existing wireless communications facility that changes the physical dimensions of a communications tower or base station if it meets any of the criteria enumerated in the FCC's October 2014 Order and Report, as amended.

TEMPORARY SIGN

A type of non-permanent, sign that is located on private property that can be displayed for no more than 30 consecutive days at one time.

TOWNHOUSE

See definition of "dwelling types."

TRADESPERSON

A person involved with building trades, such as but not limited to: plumbing, electrical work, building construction, building remodeling, and roofing.

TRI-VISION BOARDS

An outdoor unit with a slatted face that allows three different copy messages to revolve at intermittent intervals.

UNDERGROUND INJECTION WELL

A bored, drilled, driven or dug well for the emplacement of fluids into the ground. This term shall not include drilling muds or similar materials used in water supply well construction.

UNREGISTERED VEHICLE

Any motor vehicle or trailer that does not display a license plate with a current registration sticker and does not have a valid state safety inspection sticker. This term shall not apply to vehicles (such as licensed antique cars) for which state regulations do not require an inspection sticker. The term also shall not include motor vehicles displaying a license and inspection stickers that have each expired less than 90 days previously. This term also shall not include vehicles in operable condition owned by a licensed vehicle dealer.

USE

The purpose, activity, occupation, business or operation for which land or a structure is designed, arranged, intended, occupied or maintained. Uses specifically include but are not limited to the following: activity within a structure, activity outside of a structure, any structure, recreational vehicle storage or parking of commercial vehicles on a lot.

VARIANCE

The granting of specific permission by the Zoning Hearing Board to use, construct, expand or alter land or structures in such a way that compliance is not required with a specific requirement of the Zoning Ordinance. Any variance shall only be granted within the limitations of the Pennsylvania Municipalities Planning Code. See § 560-109D(3).

VENDING MACHINE SIGN

A sign displayed on a vending machine indicating the name of the product being sold and/or the price of such product.

VERGE

A strip of grass or plants (also known as a green verge) or decorative pavers (also known as a paved verge) located along the curb between the road right-of-way and sidewalk. A verge may have alternating green and paved sections.

WALKWAYS

Pedestrian connections internal to the development; not along public roads.

WALL

See "Fences, Walls, and Berms."

WALL SIGN

A building-mounted sign which is either attached to, displayed on, or painted on an exterior wall in a manner parallel with the wall surface. A sign installed on a false or mansard roof is also considered a wall sign. (Also known as: fascia sign, parallel wall sign, or band sign)

WBCA

Pennsylvania Wireless Broadband Collocation Act (53 P.S. § 11702.1 et seq.).

WETLANDS

Those areas that are inundated or saturated by surface- or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation

typically adapted for life in saturated soil conditions; includes swamps, marshes, bogs and similar areas. Development in wetlands is regulated by the U.S. Army Corps of Engineers and the Pennsylvania Department of Environmental Protection. Identification of wetlands should be based upon the "1987 Corps of Engineers Wetlands Delineation Manual."

WINDOW SIGN

Any sign that is applied, painted, or affixed to a window, or placed inside a window, within three (3) feet of the glass, facing the outside of the building, and easily seen from the outside. Customary displays of merchandise or objects and material without lettering behind a store window are not considered signs.

WIRELESS SUPPORT STRUCTURE

A freestanding structure, such as a communications tower or any other support structure that could support the placement or installation of a wireless communications facility if approved by the Borough.

YARD

An area not covered by buildings and that is on the same lot as the subject structure or use and which is measured inward from a lot line. Regulations of specific districts prohibit principal and accessory structures within specified required minimum yard setbacks.

YARD, FRONT or MINIMUM FRONT SETBACK

A yard measured from along the front lot line (which is the existing street right-of-way line where it abuts a street) and that extends the full width of the lot from side lot line to side lot line.

- A. The front yard shall be on a side that faces towards a public street, whenever one public street abuts the lot.
- B. See § 560-1905 concerning yards along corner lots.
- C. No accessory or principal structure shall extend into the required front yard, except as provided in this chapter. See special front yard provisions, including regarding corner lots, through lots and front yard exceptions, in § 560-1905.
- D. Every lot shall include at least one front lot line.

YARD REAR or MINIMUM REAR SETBACK

- A. A yard extending the full width of the lot, and which is always measured from along the rear line, and which establishes the minimum setback for the subject structure, and which stretches between the side lot lines parallel to the rear lot line.
- B. A principal building shall not extend into the required rear yard setback for a principal building, and an accessory structure shall not extend into the required rear yard for an accessory structure, except as provided in this chapter.
- C. Every lot shall include a rear lot line.

YARD, SIDE or MINIMUM SIDE SETBACK

- A. A yard which establishes the minimum setback for the closest portion of the subject structure, and which is measured from along the entire length of the side lot line, and which extends from the front lot line to the rear lot line.

- B. A structure shall not extend into the applicable minimum side yard setback, except as provided for in this chapter.
- C. See corner lot provision in § 560-1905B.
- D. Every lot shall include at least one side lot line, except where buildings are lawfully attached along a lot line and except for an approved triangular lot.

ZONING MAP

The Official Zoning Map of Bridgeport Borough, Montgomery County, Pennsylvania.

ZONING OFFICER

The person charged with the duty of enforcing the provisions of the Zoning Ordinance and any officially designated assistant.

ZONING ORDINANCE

The Bridgeport Borough Zoning Ordinance, as amended.

Article III – Use Regulations

§ 560-301 Regulation of uses.

Except as provided for by law, no building, structure, land, lot or premises shall be used for any purposes other than as permitted in this Chapter.

§ 560-302 Purpose.

It is the intent of this Article to provide clear and specific standards for uses permitted within the various Bridgeport Borough zoning districts, including design standards for uses permitted in more than one district.

§ 560-303 Applicability and interpretation.

- A. When a use is proposed, the Zoning Officer shall make the final determination on which use classification described herein best or most closely defines or matches the use being proposed. If a proposed use meets the definition of more than one use classification, as defined herein, the most specific use classification which matches most precisely the proposed use shall be used.
- B. When a proposed use does not precisely match a use classification defined herein, the Zoning Officer shall determine which described use it most closely matches. If the principal use proposed is similar in most respects to a given described use, as determined by the Zoning Officer, then the proposed use shall be classified according to the use defined herein.
- C. All uses permitted by right, by conditional use or by special exception, shall be subject to the use regulations herein, as well as any applicable district regulations, and any other applicable provisions as are specified in this Chapter. If there is a conflict between the use regulations herein and any other applicable regulations, the more restrictive regulation shall apply, unless otherwise noted.
- D. A building, structure, lot, or premises shall be permitted only one principal use, except as may be provided for in this Chapter. See § 560-1902 Number of principal uses and principal buildings per lot.
- E. A building, structure, lot, premises, or use shall not be altered, partitioned or subdivided in any manner for the purpose of creating an additional principal use, or additional accessory use, except as may be provided for in this Chapter.

§ 560-304 Permitted uses.

- A. Use by Right. In any given district, a use is permitted by right, provided it is listed as such in the district regulations, provided it can comply with the applicable use regulations stated herein, and provided a use and occupancy permit has been duly issued by Bridgeport Borough, as specified in this Chapter.
- B. Use by Conditional Use Approval. In any district, a use is permitted by Conditional Use Approval, provided it is listed as such and meets the conditions in the district regulations, and provided it can comply with the applicable use regulations stated herein. In addition, the use is subject to approval or denial by the Borough Council. If approved, the Borough Council may impose further conditions to ensure the protection of adjacent uses and the health, safety and general welfare of the residents. Following approval and conditions of the Borough Council, the use is subject to all other applicable codes, permits, regulations, and standards expressed in this Ordinance.
- C. Use by Special Exception. In any district, a use is permitted by Special Exception, provided it is listed as such in the district regulations, and provided it can comply with

the applicable use regulations stated herein. In addition, the use is subject to approval or denial by the Borough Zoning Hearing board. If approved, the Zoning Hearing Board may impose further conditions to insure the protection of adjacent uses and the health, safety and general welfare of the residents. Following approval and conditions of the Zoning Hearing Board, the use is subject to all other applicable codes, permits, regulations, and standards expressed in this Ordinance.

D. Accessory Uses Permitted.

(1) An accessory use is permitted if it is listed as a permitted accessory use in the district use provisions. Accessory uses not listed as such are not permitted, except when the Zoning Officer determines a use qualifies as "subordinate and customarily incidental to" the principal use of the subject tract.

(2) Accessory uses, when permitted, are subject to the district regulations, the provisions of the uses regulations established herein, and all other applicable sections of this Chapter.

(3) Accessory uses must be subordinate to a principal permitted use on the lot and may not in any case be a principal use.

(4) Any proposed use that is accessory to a use that is permitted by conditional use, special exception, or variance shall require the same type of approval.

E. Uses Not Permitted. Any use not listed in the district in question as explained above is not permitted.

F. Use by Variance. Any use not permitted in the district regulations or conforming to the use regulations or applicable provisions of this Chapter may be permitted if a variance for relief of those requirements is granted by the Borough Zoning Hearing Board. If approved, the Board may impose further conditions to ensure the protection of adjacent uses, and the health, safety and general welfare of the residents. Following approval and conditions of the Board, the use is subject to all other applicable codes, permits, regulations, and standards expressed in this Chapter.

§ 560-305 Categories of permitted uses.

A. *Residential uses.*

(1) **Boardinghouse.** A residential use in which a maximum of 12 rooms that do not meet the definition of a lawful dwelling unit are rented for habitation or a dwelling unit includes greater than the permitted maximum number of unrelated persons. A boardinghouse shall not include a use that meets the definition of **Hotel/Motel, Residential Care Facility, Bed-and-Breakfast Home, or Group Home.** A college fraternity or sorority house used as a residence shall be considered a type of boardinghouse. A boardinghouse may either involve or not involve the providing of meals to residents but shall not include a **Restaurant, Dine-In** open to the public unless the use also meets the requirements for a **Restaurant, Dine-In.** A boardinghouse shall primarily serve persons residing on site for five or more consecutive days. The following additional standards must be satisfied:

(a) Minimum lot area: 10,000 square feet.

(b) Minimum side yard building setback: 20 feet per side.

(c) Minimum lot width: 40 feet.

(d) Each bedroom shall be limited to two adults each.

- (e) A buffer yard with screening meeting § 560-1905D shall be provided between any boardinghouse building and any abutting dwelling.
 - (f) Signs shall be limited to two wall signs with a maximum of two square feet each.
 - (g) Rooms shall be rented for a minimum period of five consecutive days.
- (2) **Multifamily Building/Unit.** A multifamily dwelling is a single, detached, residential use or building containing at least three separate dwelling units, with units arranged in a variety of combinations, including side-by-side, over-and-under, or back-to-back with another dwelling unit. When contained in **Mixed-Use Building, Multifamily Building/Unit** shall refer to at least one dwelling unit contained in a single building containing other uses. The following additional regulations must be satisfied:
- (a) The dwelling units may share outside access and internal hallways, lobbies and similar facilities.
 - (b) The dwelling units cannot be individually lotted, but shall share a lot or parcel on which the building is located; except under condominium law.
 - (c) Multiple buildings permitted. When two or more multifamily buildings are proposed, they shall be separated by a minimum distance of 15 feet, in addition to required zoning district setbacks.
 - (d) In order to mitigate potential impacts from the proposed development, any multifamily development with three (3) or more units must also satisfy the following requirements:
 - [1] Landscape buffer required. A landscaped screen buffer 15 feet in width shall be provided along the side and rear property lines in order to screen the development from neighboring properties.
 - [2] Refuse collection facilities required. A refuse collection area that is convenient for access by residents and meeting the requirements of **Refuse Collection Facilities** shall be provided on-site.
 - [3] Centralized postal service hub(s) required. In order to ensure efficient and secure postal service, a central location where residents' mail and parcels/packages may be delivered shall be provided on-site. Each building in a multifamily development must either offer a single mailroom where all residents may receive mail, or an exterior cluster of mailboxes that limits the number of delivery locations for postal workers.
 - (f) Accessory uses. Any accessory use on the same lot with and that is determined to be customarily incidental to this use by the Zoning Officer is permitted. Such accessory use(s) may include but is not limited to any administrative offices, laundry facilities, refuse collection facilities, or recreation facilities that are used exclusively by residents, their visitors, or employees.
 - (g) Transportation impact study required. In order to analyze and mitigate potential traffic impacts associated with the proposed development, a transportation impact study shall be required for any Multifamily Development with 25 or more dwelling units. Transportation impact studies shall be prepared pursuant to § 560-1912.

- (3) **Single-Family Detached Dwelling.** A dwelling unit designed and used exclusively as the residence for only one family unit, that is the only dwelling unit located on the parcel it is situated on, and that is not attached to any other structures or dwelling units, except accessory structures permitted in this Ordinance. A single-family detached dwelling may be a mobile/manufactured home.
- (4) **Single-Family Semi-Detached Dwelling (Twin).** A dwelling unit in which one side wall is a vertical unpierced fire-resistant wall in common with a neighboring dwelling unit designed so that the vertical party wall separates two families, and acts as the lot line dividing the properties, but it is otherwise surrounded by required yard areas.
- (5) **Two-Family Detached Dwelling (Duplex).** A building having two separate dwelling units where each unit shares one and only one common partition. Both dwelling units are located on a single parcel and are under common ownership.
 - (a) The duplex must be located entirely on one (1) lot, with front, rear, and two (2) side yards of the required depth for the district in which it is located.
 - (b) Separate ingress and egress must be provided to each unit.
- (6) **Single-Family Attached Dwelling (Townhouse).** One dwelling unit that is attached to two or more dwelling units, and with each dwelling unit being completely separated from and attached to each other by unpierced vertical fire-resistant walls. Each dwelling unit shall have its own outside access. Side yards shall be adjacent to each end unit.
 - (a) Maximum number of townhouses attached in any manner: eight.
 - (b) Paved area setback: All off-street parking spaces, except spaces on driveways immediately in front of a carport or garage entrance, shall be set back a minimum of 10 feet from any dwelling.
 - (c) Garages: See Article IX of the Subdivision and Land Development Ordinance.
 - (d) Mailboxes: Any mailboxes provided within the street right-of-way should be clustered together in an orderly and attractive arrangement or structure. Individual freestanding mailboxes of noncoordinated types at the curbside are specifically discouraged.
 - (e) Access: Vehicular access points onto all arterial and collector streets shall be minimized to the lowest reasonable number. No townhouse dwelling within a tract of five or more dwelling units shall have its own driveway entering onto an arterial or collector street.
 - (f) Common garbage and recycling facilities shall be provided if the townhouse dwellings are not rear loaded in order to prevent front yard storage of garbage and recycling bins.
 - (g) To the extent possible, varied architectural elements should be utilized to articulate the building façade while forming a cohesive building. This may include different entrances, window treatments, varied colors, garage doors, dormers, offset façades, and a mix of building materials.
- (7) **Group Home.** A dwelling unit operated by an individual, family or organization with a program to provide a supportive living arrangement for

individuals where special care is needed by the individual served due to age, emotional, mental or physical handicap. This definition shall expressly include facilities for the supervised care of developmentally disabled persons and all persons subject to protection under the Federal Fair Housing Act Amendments of 1988.* Group homes must be licensed where required by any appropriate government agencies, and a copy of any such license must be delivered to the Zoning Officer prior to the initiation of the use.

- (a) Group homes shall be subject to the same limitations and regulations by the Borough as the type of dwelling unit they occupy.
- (b) It is the express intent of the Borough to comply with all provisions of the Federal Fair Housing Act, as amended, and regulations promulgated thereunder, in the construction of this term.
- (c) A group home shall not include any use meeting the definition of **Substance Abuse Treatment and Rehabilitation Facility**.
- (d) Accommodations in a group home shall be provided for no more than the maximum number of occupants or residents as permitted by the applicable building code, fire code, and any other similar code that sets forth a maximum occupancy limit for a dwelling or building. Applications for group homes shall specify the maximum number of residents or occupants to be housed or cared for at the facility.
- (e) The facility shall have adequate trained staff supervision for the number and type of residents. Where Zoning Hearing Board approval or accommodation is required, the Board may require that twenty-four-hour on-site staffing shall be provided, if the Board determines it is necessary.
- (f) The applicant shall provide evidence of any applicable federal, state or county licensing or certification to the Zoning Officer. In the event an applicant is not subject to any such licensing and certification requirements, the applicant shall provide evidence that the applicant would be in compliance if subject to the same health, safety and welfare standards as required by the applicable federal, state and/or county agency.
- (g) Sewage and water facilities shall be sufficient to handle the anticipated loading created by the proposed facility and shall meet all requirements of the Pennsylvania Department of Environmental Protection and/or the applicable public or community Sewer and Water Boards or Authorities.
- (h) Arrangements for the collection, storage and disposal of solid waste generated by the facility shall be made by the applicant and submitted to the Borough for approval as part the application for such a use.
- (i) Notwithstanding any provisions of the Bridgeport Borough Building Code, the group home shall have the following installed throughout the building and any attached accessory building(s):

[1] A fire sprinkler system which complies with NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two- Family Dwellings and Manufactured Homes, or the current corresponding section of the NFPA as may be amended from time to time; and

- [2] A fire alarm system which complies with Chapter 11 of NFPA 72, National Fire Alarm and Signaling Code, or the current corresponding section of the NFPA as may be amended from time to time.
- (j) The group home must comply with the Bridgeport Borough Building Code, and an applicant seeking group home use shall provide with its application evidence that the building size and layout are in compliance with the applicable building codes for maximum number of individuals intended to be housed in the building. To satisfy this requirement, the Zoning Officer may request that an applicant provide a dimensioned floor plan indicating the size of each room, including sleeping rooms, and identifying the maximum number of residents who will occupy each sleeping room, to demonstrate that the group home will not be overcrowded.
 - (k) The group home shall register in writing its location, general type of treatment/care, maximum number of residents and sponsoring agency with the Zoning Officer.
 - (l) Any medical or counseling services shall be limited to a maximum of three nonresidents per day. Any staff meetings shall be limited to a maximum of five persons at one time.
 - (m) A minimum of one off-street parking space shall be provided per on-site employee, plus one space for every two residents with a valid driver's license.
 - (n) An appearance shall be maintained that is closely similar to nearby dwellings, and no sign shall identify the use.
 - (o) The persons living on-site shall function as a common household unit.
 - (p) Inspections. The owner, operator or agent of a group home shall permit inspections thereof by the Code Enforcement Officer annually. If the owner, operator or agent does not permit such inspection by the Code Enforcement Officer, the Borough may seek any appropriate legal or equitable relief to compel access to such property for such inspection.
 - (q) Proof of Staff Licensure, Certification and Criminal Background Clearances.
 - [1] All caretakers, administrators and staff must be duly licensed and/or certified by, the Department of Public Welfare, Department of Health and other federal, state or county agency, as may be required for the particular type of care provided and the nature of the employee's responsibilities. Every employee of the group home must have valid criminal background clearances, licensure and/or certification with the issuing agency or agencies while in employed by the group home.
 - [2] The owner, operator or agent of any group home shall provide the Borough with a register of all employees and furnish proof of all required licenses, certifications and criminal background clearances for each employee prior to commencing operation in the Borough. Thereafter, an updated register and proof of licensure, certifications and criminal background clearances shall be provided on at least an annual basis.

[3] For every new person employed by the group home, the name of the employee, along with proof of all required licenses, certifications and criminal background clearances, shall be submitted to the Borough prior to the commencement of the employment.

*NOTE: The Federal Fair Housing Act Amendments defined "handicap" as follows: "1) a physical or mental impairment which substantially limits one or more of such person's major life activities; 2) a record of having such an impairment; or 3) being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance as defined in Section 802 of Title 21." This definition was subsequently adjusted by Section 512 of the Americans With Disabilities Act to address certain situations related to substance abuse treatment.

- (8) **Mobile Home Park.** A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more lots, improved with the necessary utility connections and other appurtenances necessary for the placement thereon of mobile homes. A mobile home park is permitted only by conditional use, where such use is permitted. The burden of providing compliance with these standards shall be on the applicant.
- (a) Maximum permissible density. The maximum permitted residential density shall be eight (8) dwelling units per acre.
 - (b) Distance between mobile home units. The minimum distance between mobile home units shall be 25 feet.
 - (c) Recreation and open space. A minimum of 20% of the total lot area occupied by a mobile home park shall be provided as common open space for use by the residents of the development for active or passive recreation.
 - [1] No less than 25% of this area shall be maintained as open space usable for recreation and leisure activities of residents of the development.
 - [2] No more than 25% of this area may be required buffer area(s).
 - (d) Nonresidential units. No part of a mobile home park shall be used for nonresidential purposes, except such uses that are required for the direct servicing, recreation and well-being of the residents and for the management and maintenance of the park (such as a store, laundromat or office not exceeding 2,000 square feet).
 - (e) Lighting facilities. Lighting facilities shall be required for the safety and convenience of residents. These facilities shall be arranged in a manner which will protect streets and neighboring properties from unreasonable glare or hazardous interference of any kind.
 - (f) Accessory uses and structures customarily incidental to the maintenance, servicing and well-being of mobile home park residents shall be permitted only as part of an approved development plan for the site.
 - (g) Construction: Any mobile home placed on any lot after the adoption of this chapter shall be constructed in accordance with 1976 or later Safety and Construction Standards of the U.S. Department of Housing and Urban Development. (Note: These federal standards supersede any BOCA Code for the actual construction of the home itself.)
 - (h) Each site shall be graded to provide a stable and well-drained area.

- (i) Each home shall have hitch and wheels removed.
- (j) Anchoring: A mobile/manufactured home on an individual lot or mobile/manufactured home park shall include a system that secures the home to the ground to prevent shifting, overturning or uneven settling of the home, with a secure base for the tie-downs.
- (k) Foundation treatment: The space between the bottom of the home and the ground and/or home pad shall be enclosed using a durable material that has the appearance of a foundation of a site-built home, such as material with a concrete-type facing. Metal skirting shall only be permitted within a manufactured/mobile home park. Provisions shall be provided as necessary for access to utility connections.
- (l) The front door of the home shall face onto a public street.
- (m) The home shall have a roof with a minimum pitch of 3.5:1.

B. *Commercial uses.*

- (1) **Adult Use.** A building or portion thereof that includes an adult bookstore, adult live entertainment facility, adult movie theater, or similar use where specified sexual activities are performed or where specified anatomical areas are viewed by persons other than the artist and one other person with the consent of the client.
 - (a) No such use shall be located within 500 lineal feet of the lot line of any library, public park, existing dwelling nor 1,000 lineal feet of the lot line of any primary or secondary school, place of worship, day care center or child nursery.
 - (b) Any adult use shall comply with any separate Borough ordinance regulating such uses.
 - (c) A buffer yard with screening meeting § 560-1905D shall be provided between any **Adult Use** and any abutting use.
 - (d) No pornographic material, displays or words shall be placed in view of persons who are not inside of the establishment. Definite precautions shall be made to prohibit minors from entering the premises.
 - (e) No such use shall be used for any purpose that violates any federal, state or municipal law.
 - (f) See § 560-1804, Prohibited signs.
 - (g) The use shall not include the sale or display of "obscene" materials, as defined by state law, as may be amended by applicable court decisions.
 - (h) For public health reasons, private or semiprivate viewing booths of any kind are prohibited. This specifically includes, but is not limited to, booths for viewing adult movies or nude dancers.
 - (i) No use may include live actual or simulated sex acts or any sexual contact between entertainers or between entertainers and customers.
 - (j) Only lawful massages, as defined by state court decisions, shall be performed in a massage parlor.
 - (k) All persons within any adult use shall wear nontransparent garments that cover their genitals and the female areola, except within a permitted lawful "adult live entertainment use."

- (l) Any application for such use shall state the names and home addresses of all individuals intended to have more than a five-percent ownership in such use or in a corporation owning such use and an on-site manager responsible to ensure compliance with this chapter on a daily basis. Such information shall be updated at the beginning of each year in writing to the Zoning Officer.
 - (m) As specific conditions of approval under this chapter, the applicant shall prove compliance with related state laws, as amended. Note: Such laws include, but are not limited to, the Pennsylvania Liquor Code, Act 219 of 1990 (which pertains to sale or consumption of alcohol between 2:00 a.m. and 8:00 a.m.); Act 207 of 1990 (which pertains to obscenity); and Act 120 of 1996 (which pertains to adult-oriented establishments and which limits enclosed viewing booths, among other matters).
- (2) **After-Hours Club.** A commercial use that permits the consumption of alcoholic beverages between the hours of 2:00 a.m. and 6:00 a.m. and that involves some form of monetary compensation paid by such persons for the alcohol or for the use of the premises, provided the applicant proves compliance with State Act 219 of 1990.
 - (3) **Athletic/Health Club.** A building, facility or structure, which, through membership and/or compensation, offers facilities and programs operated by a nongovernmental agency for athletic, health or recreational workout and training, including, but not limited to, gymnasiums, exercise and weight rooms, game courts, locker rooms, jacuzzi and sauna, reduction and tanning salons, weight control programs, classes, group instruction, and accessory pro and health food snack shops:
 - (a) If outdoor courts are provided, they shall comply with approved playing size standards exclusive of any required buffer areas.
 - (b) If outdoor playing courts are provided, a screening buffer is required to surround the playing area, which shall be landscaped according to the standards of this chapter.
 - (4) **Bank.** A building or portion thereof where the primary use is the processing of credit or monetary transactions, including a savings and loan association, credit union, and other financial establishment.
 - (a) **Drive-thru facility** may be established as an accessory use to a Bank provided that all requirements of the use are met.
 - (5) **Brewery/Distillery/Winery.** A facility for the production, packaging and sampling of alcoholic beverages — including beer, wine, cider and distilled liquors — for retail or wholesale distribution, for sale or consumption on- or off-premises, and which produces 100,000 gallons or more of such beverages per year.
 - (6) **Car Wash.** A building, structure or area of land with machine or hand-operated facilities used principally for the cleaning, detailing, polishing, washing or waxing of motor vehicles:
 - (a) All washing and drying facilities shall be located entirely within an enclosed building or roofed structure, with the exception of manual towel-drying of customers' automobiles by car wash employees.

- (b) Automatic car washes shall provide sufficient stacking lanes to accommodate a minimum of eight off-street vehicles. Self-service car washes shall provide sufficient stacking lanes to accommodate four vehicles per washing bay.
 - (c) Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets. On-lot traffic circulation channels and parking areas shall be clearly marked.
 - (d) No less than one trash receptacle per washing lane, in addition to required dumpster, shall be located near the washing or vacuuming area.
 - (e) On-site drainage systems shall be provided to prevent water runoff and freezing on streets and adjoining properties.
 - (f) All water used for cleaning of vehicles shall be collected and recycled and/or treated according to industry standards of the International Car Wash Association.
 - (g) Any car wash that is located within 250 feet of an existing dwelling shall not operate between the hours of 10:00 p.m. and 7:00 a.m.
- (7) **Convenience Store.** A building or portion thereof where retail trade that is not specialized in a particular product occurs. An array of different items, including but not limited to take-out coffee, tobacco and tobacco-related products, dairy products, delicatessen, dry goods, prepared foods for eat-in or carry-out, prepackaged food, grocery items, newspaper items, and similar product lines may be present. A convenience store involving the sale of gasoline shall be regulated as an **Auto Service Station**. Such use shall be distinct from **Retail Establishment** when the following criteria are met:
- (a) The gross leasable area is less than 10,000 square feet;
 - (b) The facility operates 12 or more hours per day; and
 - (c) The facility is involved in the sale of tobacco products or lottery tickets.
- (8) **Dry Cleaners or Laundromat.** A business specializing in or providing on-site processing for laundry, dry-cleaning, and/or clothes pressing. Self-service (coin or card operated) facilities are included in this category.
- (9) **Event Facility.** A location, building, site or structure which is used as a place for the purpose of accommodating a group of diners, patrons, guests, or other attendees for functions such as banquets, wedding receptions, parties, entertainment, meetings, conferences, performances, and/or similar gatherings.
- (10) **Firing Range.** A parcel of land used for the purpose of discharging firearms at fixed and/or moving targets or flying targets. The following standards shall be met:
- (a) All firing must occur within a completely enclosed sound-resistant building. The applicant shall provide evidence that the noise limits listed in this chapter will be met.
 - (b) All such uses shall have a barrier behind the target area which is of sufficient height and thickness to adequately protect the public safety.
 - (c) All such uses shall comply with any applicable published standards of the National Rifle Association and other applicable federal, state and local regulations.

- (d) An indoor firing range shall be adequately ventilated and/or air-conditioned to allow the building to remain completely enclosed.
- (11) **Funeral Home.** A building or portion thereof used for human funeral services or wakes. Such facilities may contain provisions for chapel, embalming, viewing, and other services used in preparation of the deceased, including the storage of caskets, supplies, and funeral vehicles.
- (12) **Hotel/Motel.** Overnight lodging including hotels, motels, inns, and similar uses where guests may rent a room on a nightly basis for a fee. The following additional standards shall be satisfied:
 - (a) No guest shall stay for more than 30 consecutive days.
 - (b) The owner or manager shall maintain a current guest register.
 - (c) No cooking facilities shall be permitted in guest rooms.
 - (d) If meal service is provided, owners shall comply with all federal, state and local requirements for the preparation, handling and serving of food.
 - (e) Each overnight lodging facility shall be equipped with smoke detectors, fire extinguishers and shall be structured in accordance with requirements of the Pennsylvania Department of Labor and Industry and the Building Code of the Borough of Bridgeport. Guests shall be provided with information regarding the floor plan of the building and the location of emergency exits.
 - (f) A telephone shall be provided in each guest room or, where infeasible, guests shall be provided information on the location of a telephone that is accessible to all guests at any time.
 - (g) All overnight lodging facilities will be licensed annually and shall be inspected annually by the borough's building inspectors.
 - (h) Accessory uses other than a restaurant located on the ground floor, shall be limited in use to paying guests of the hotel.
- (13) **Massage Therapy Establishment.** Any place in the Borough where massage therapy is administered for the payment of a fee or other compensation or consideration, but not including a hospital, nursing home, medical clinic or the office of a physician, surgeon, physical therapist, chiropractor, or osteopath currently licensed as such by the Commonwealth of Pennsylvania, and including barbershops or practices licensed by the Department of Cosmetology, or any athletic program of accredited junior and senior high schools or colleges in which a massage is administered by a trainer within the scope of such athletic program. The following additional standards shall be satisfied:
 - (a) All requirements in Chapter 331 License, Permits and General Business Regulations Article 1 Massage Parlors shall be met.
- (14) **Medical Marijuana Dispensary.** A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit issued by the Pennsylvania Department of Health (DOH) to dispense medical marijuana. The term includes the facility from which medical marijuana is dispensed.

- (a) The facility shall hold a valid permit from the DOH to dispense medical marijuana. A copy of such valid permit and all appropriate documentation shall be submitted to the Borough.
 - (b) The facility shall comply with the requirements for a dispensary under the Medical Marijuana Act and any applicable state regulations promulgated thereunder. Proof of such compliance shall be provided to the Borough.
 - (c) The facility is only permitted to dispense medical marijuana in an indoor, enclosed, permanent, and secure building, and shall not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other motor vehicle.
 - (d) The facility is not permitted to operate on the same site as a facility used for growing and processing medical marijuana.
 - (e) The facility is not permitted to have a drive-through service.
 - (f) The facility shall have a single, secure public entrance and shall implement appropriate security measures to deter and prevent the theft of medical marijuana and unauthorized entrance into areas containing medical marijuana.
 - (g) Permitted daily hours of operation of a medical marijuana dispensary shall be 8:00 a.m. to 8:00 p.m.
 - (h) The facility is only permitted to dispense medical marijuana to certified patients and medical marijuana caregivers and shall comply with all lawful, applicable state and local health regulations.
 - (i) This use shall comply with the separation requirements set forth in the Medical Marijuana Act. The separation distance shall be measured using a pedestrian route continually accessible to the public, measured from lot line to lot line, regardless of municipality in which it is located.
 - (j) Parking requirements will follow the standards for retail as specified in Article XVII, Parking Standards.
 - (k) Vehicular ingress and egress to and from a medical marijuana dispensary site shall be designed to accommodate the anticipated vehicles used to service the facility.
- (15) **Microbrewery/Microdistillery/Microwinery.** A facility for the production, packaging and sampling of alcoholic beverages — including beer, wine, cider and distilled liquors — for retail or wholesale distribution, for sale or consumption on- or off-premises, and which produces a combined total volume less than 100,000 gallons of such beverages per year. This shall include "nanobreweries."
- (16) **Mixed-Use Building.** A building which contains both residential dwelling unit(s) and at least one nonresidential use. The following additional standards must be satisfied:
- (a) Dwelling units shall not be located on the ground floor or any **Mixed-Use Building**. This shall not preclude incidental pedestrian entrances on the ground floor that lead to a dwelling elsewhere in the building.

- (b) Regardless of the number of residential dwelling units proposed, the use regulations for **Multifamily Building/Unit** as set forth in § 560-305A(2) shall apply to all **Mixed-Use Buildings**.
 - (c) Only uses permitted in the respective zoning district may be permitted within **Mixed-Use Building**.
- (17) **Parking Structure.** A building or structure designed and used for the parking of motor vehicles open to customers, patrons or tenants of a business or residence, all or parts of which may be above or below ground. Parking structures shall be constructed to the following minimum standards indicated below:
- (a) On major collector or higher classification highways, it is required that 80% of the façade length at a depth of 40 feet be retail storefronts or other business uses on the street level.
 - (b) For structures not on a major collector or higher classification highway, parking structures shall have a minimum setback of 30 feet from the public right-of-way and shall comply with any more restrictive setback or other yard requirements for the zoning district in which it is located. A minimum twenty-foot wide planting strip shall be provided between the face of the parking structure and the public right-of-way and shall contain landscaping as required in § 495-63 of the Subdivision and Land Development Ordinance.
 - (c) Side(s) of a parking garage visible from the street or abutting an adjacent single-family residential district shall be screened to minimize or obscure the visibility of parked cars. Grills, lattice, mock windows, false facades, louvers, or similar treatments may be used.
 - (d) Underground parking structures. Underground parking structures are permitted within any required setback, side yard, and rear yard, on any lot in any nonresidential zoning district, provided no portion of the underground structure extends above grade more than three feet at any point. A parapet or railing may extend above the permitted structure height, provided it is not greater than 36 inches in height; is set back from the property line at least three feet; and has openings equal to at least 50% of its surface along each side. Along any lot line abutting a street, "grade" means the elevation at the center line of the street. Along any lot line not abutting a street, "grade" means ground elevation at the property line. Such structures shall conform to any corner sight distance requirement. An underground parking structure may encroach upon any area set aside for the buffer, screening, or other planting requirements, so long as there is at least four feet of soil between the aboveground surface and the top of the underground parking structure.
 - (e) Parking structures shall be monitored with a commercial security service at all times, provided at the sole expense of the parking structure owner or operator.
 - (f) Underground parking structures are permitted as an accessory use to **Multifamily Building/Unit** in districts in which it is permitted.

- (18) **Personal Care Business.** A personal care business requires direct, physical contact with the customer in the performance of a personal service. Such uses generally require a license from the Commonwealth Department of Professional Occupations. Personal care businesses may include: barbers, beauticians, nail manicurists, estheticians, tanning salons, and tattoo parlors. See **Massage Therapy Establishment**.
- (19) **Professional Service Business.** Such use shall include businesses which typically offer service in conjunction with the sale of goods. Such uses differ from retail or office business in that the customer area is usually separated from the service area, and some form of laboratory, fabrication area or processing area is necessary. Such use includes, but is not limited to, shoe repair shops, household appliance repair shops, tailor, photography studio, copying service, eyeglass labs, and other similar uses, unless otherwise provide for in this chapter. This use does not include **Auto Repair Garage**.
- (20) **Recreation, Indoor.** A building or portion thereof providing private or public walk-in or regularly scheduled recreation-oriented activities in an indoor setting. Examples of such facilities include, but are not limited to: arcade, billiard hall, bowling alley, and skating rink.
- (21) **Recreation, Outdoor.** Land or facilities providing daily or regularly scheduled recreation-oriented activities in an outdoor setting. Examples of such facilities include, but are not limited to: golf course or driving range; and sports or athletic fields and stadiums. Does not include outdoor or drive-in theaters or automobile or animal racing tracks.
- (a) Any outdoor activity area shall be located no closer to any lot line than the required front yard depth and shall be screened and, if necessary, sound insulation shall be provided to protect the neighborhood from any possible noise.
 - (b) A twenty-foot-wide buffer yard in accordance with § 560-1905 shall be required.
 - (c) A buffer yard with screening meeting § 560-1905D and § 560-1906 shall be provided between any **Recreation, Outdoor** use and any abutting use.
 - (d) Any swimming pool shall meet the requirements for such use, as stated in this article.
 - (e) Lighting, noise and glare control: See Article XVI.
- (22) **Restaurant, Dine-In.** A building or portion thereof where food and beverages are sold for direct consumption on the premises to persons seated within the building. Customers are normally served by a restaurant employee while seated at the table or counter at which said items are consumed. A Dine-In Restaurant may include carry-out services, but shall not include establishments where food service is subordinate or incidental to the consumption of alcoholic beverages, entertainment, or to the sale of merchandise or non-food-related services. See also **Restaurant, Take-Out** and **Microbrewery/Microdistillery/Microwinery**.
- (a) **Outdoor Dining** may be established as an accessory use to a Dine-In Restaurant provided that all requirements of the use are met.

- (23) **Restaurant, Take-Out.** A building or portion thereof where food and beverages are sold primarily in containers for take-out and where the food/beverages are primarily consumed off-site. Customers generally pay for their food/beverage prior to consumption either at a counter or by paying ahead of time via computer/phone. Limited sit-down service may be provided when it is incidental to the take-out function and does not occupy more than 20% of the gross leasable floor area of the use. See also **Restaurant, Dine-In** and **Microbrewery/ Microdistillery/ Microwinery.**
- (a) **Drive-Thru Facility** may be established as an accessory use to a Take-Out Restaurant provided that all requirements of the use are met.
 - (b) **Outdoor Dining** may be established as an accessory use to a Take-Out Restaurant provided that all requirements of the use are met.
- (24) **Retail Establishment.** A building or portion thereof involved in the sale, lease, or rental of new or used products, not including vehicle or machinery sales/rental. The following additional standards must be satisfied:
- (a) There shall be no outdoor display or storage unless permitted by district regulations.
 - (b) The making or selling of cooked food shall not be permitted as an accessory use.
- (25) **Storage Facility (Self-Service).** A building, structure or group of buildings and structures consisting of or containing varying sizes of individual, compartmentalized, and controlled access stalls or spaces, for the storage of business, private, or household goods.
- (a) All storage shall be contained within a permanent building. Temporary storage containers are not permitted.
- (26) **Studio.** The workshop and/or gallery of an artist, sculptor, photographer, or performance artist (musician, actor, dancer, etc.). Such use may be open to the public and offer educational events, private lessons, and may include the retail sale of artist work. Such use shall also include a martial arts studio or similar use.
- (5) **Supermarket.** A retail store devoted to the sale of food goods and associated household products customarily incidental to food shopping activity. The following additional standards must be satisfied:
- (a) There shall be no outdoor display or storage unless permitted by district regulations.
 - (b) The making or selling of cooked food shall not be permitted as an accessory use.
- (6) **Tavern/Bar/Nightclub.** Any building or portion thereof wherein alcoholic beverages are served or sold at retail for consumption on the premises, of which the principal business is the sale of such beverages, and where the sale of such beverages comprises at least 75% or more of gross receipts.
- (a) The facility shall be licensed by the Pennsylvania Liquor Control Board.
- (7) **Theater.** Any building or portion thereof that is used primarily for the screening of films or for the viewing of live performances such as dance, dramatic, oratorical, musical, or similar performance art. Theaters generally have a stage or dais that is distinct from the area where the general audience is

located; tickets are generally required for entry to events. Such use may include associated offices, ticket windows, and limited food/beverage service when licensed by the appropriate agency.

C. *Community service, institutional, and utility uses.*

- (1) **Cemetery.** An area of land used or intended to be used for the burial of the dead, dedicated for such purposes and licensed by the state authority having jurisdiction. The following additional standards must be satisfied:
 - (a) No more than 10 percent of the area, to a maximum of 1 acre, may be devoted to accessory buildings not serving as burial markers or memorials.
 - (b) A 40 foot screening or opaque buffer strip, unoccupied except for landscaping and walkways, shall be provided between any building or burial site and the cemetery property line.
 - (c) Any entrance features such as gates or columns shall not exceed 14 feet in height.
- (2) **Conservation/Recreation.** An area of land which is dedicated or deed-restricted for open space, forest, stream, or wildlife preservation, or for some other general conservation purpose. Such use shall also include a publicly owned or publicly operated recreational facility or park.
- (3) **Day Care Facility.** A day nursery, nursery school, kindergarten, or other agency giving day care to children, senior citizens, or disabled persons. The following additional standards must be satisfied:
 - (a) **Registration and Licensing.** Such use shall have all the required certifications and licenses from the State Department of Human Services (DHS) to operate. In addition, day care facilities shall comply with all applicable DHS regulations including those standards governing adequate indoor space, accessible outdoor play space, and any applicable state or Borough building and fire safety codes.
 - (b) **General Safety.** No portion of a child day care facility shall be located within a 300 foot distance from any potentially hazardous land use or activity which could pose a threat to the safety and welfare of the children, staff, and other occupants at the facility. Hazardous land uses or activities include, but shall not be limited to gas stations, heavy industrial operations, storage of flammable or high pressure underground pipelines, truck or rail loading areas, etc.
 - (c) Such a use shall have a minimum lot area of 10,000 square feet and a minimum setback of 10 feet from an abutting residential lot line.
 - (d) **Fencing of outdoor play area.** In order to physically contain the activity of children in the outdoor play area, there shall be fencing of adequate height (four-foot minimum) and sufficient design to retain children, along the perimeter of the outdoor play area. When applicable, the fence may be located along property lines.
 - (e) **Minimum Separation.** A minimum distance of 500 feet is required between any two Daycare Centers.
 - (f) **Outdoor play areas of a day care center involving the care of 25 or more children at any one time shall be set back a minimum of 25 feet from the exterior walls of an abutting existing dwelling.**

- (g) In residential districts, any permitted day care use shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood.
 - (h) The applicant shall prove that the facility will include proper design of drop-off and pickup areas to provide reasonable safety for children. In cases where the existing driveway cannot function as a drop-off area, new on-site drop-off spaces shall be provided.
- (4) **Educational Institution.** A facility, building, lot, parcel, use, or group of facilities, buildings, and uses that provides a broad educational curriculum to individuals enrolled therein, and is licensed by the State Department of Education, including private and public kindergartens, elementary, junior and senior high schools, colleges, universities, theological schools, and trade schools. The following additional standards must be satisfied:
- (a) Where abutting the property line of residential use or the boundary of a residential zoning district, a landscaped buffer shall be provided to screen outdoor play or recreation areas from said residential use or districts.
- (5) **Emergency Services.** A facility, building, lot, parcel, use, or group of facilities, buildings, and uses that provide for ambulance, fire, police, rescue, and other emergency services of a municipal or volunteer nature. May include a supporting social club building or facility. The following additional standards must be satisfied:
- (a) Emergency service shall have direct access onto a primary or secondary street.
 - (b) The space for parking and maneuvering for volunteers and emergency equipment shall be provided based upon the number or size of the vehicles anticipated. The parking space requirements of Article XVII Off-Street Parking and Loading shall apply.
 - (c) All emergency vehicles, except those immediately available for use, shall be stored at all times in a fully enclosed building.
 - (d) Outdoor lighting shall be regulated to eliminate glare on surrounding properties. See § 560-1606.
 - (e) Signage shall be limited to that permitted in the underlying zoning district. See Article XVIII.
 - (f) If located in the R3, INS, or NC zoning districts:
 - [1] The building shall be designed in terms of mass and appearance to conform to the area in which it is located.
 - [2] Improvements based upon a traffic study acceptable to Borough Council shall be constructed to ensure safe ingress and egress from the property.
 - [3] No motor repair or body work may be performed at the site. Routine maintenance is permitted and may only be performed within a fully enclosed building.
 - [4] A twenty-foot screening buffer shall be provided if adjacent to the R1 or R2 zoning districts. Borough Council may also require fencing if required for public safety or to avoid a public nuisance. Access drives may penetrate this buffer.

- (6) **Government Facility.** A use owned by a government, government agency or government authority for valid public health, public safety, mail distribution or similar governmental purpose, and which is not owned by Bridgeport Borough. This term shall not include uses listed separately in this section. This term shall not include a prison or a recycling center.
- (7) **Hospital.** A use involving the diagnosis, treatment or other medical care of humans that includes, but is not limited to, care requiring stays overnight. For a medical care use that does not involve any stays overnight, see **Medical Office or Clinic.** A hospital may involve care and rehabilitation for medical, dental or mental health, but shall not primarily include housing or treatment of the criminally insane or persons actively serving an official sentence after being convicted of a felony. A hospital may also involve medical research and training for health care professionals.
- (8) **Library, Museum, or Community Center.** A facility, building, lot, parcel, use, or group of facilities, buildings, and uses that is open to the general public or a subset thereof (e.g., senior citizens) for educational, social or recreational programs and other community uses, and owned and operated by a civic, educational, municipal, philanthropic, religious, or tax-exempt entity.
- (9) **Membership Club.** A building or portion thereof that houses the headquarters or meeting place of members of a non-profit organization where educational, recreational, civic, social, fraternal, religious, political, or labor union activities take place. Only members of the organization or authorized guests shall attend events at the club. The following additional standards must be satisfied:
- (a) This use shall not include a **Firing Range, Boardinghouse, Tavern, Restaurant or Retail Establishment** unless that particular use is permitted in that district and the requirements of that use are met.
 - (b) Any active outdoor play areas shall be set back at least 30 feet from any abutting residential lot line.
- (10) **Place of Worship.** A church, synagogue, temple, mosque, or other place of religious worship, including any accessory use or structure, such as administrative facilities, education or day care facilities or dwelling(s) located on the same lot. The following additional standards must be satisfied:
- (a) Weekly religious education rooms and meeting rooms are permitted accessory uses, provided that such uses are of such a character and intensity that they would be clearly customary and incidental to the place of worship.
 - (b) A primary or secondary school and/or a day care center are permitted on the same lot as a place of worship, provided that the requirements for such uses are also met.
 - (c) Noncommercial buses used primarily to transport persons to and from religious services or a permitted school on the lot may be parked on the lot.
 - (d) Other uses shall only be permitted if all of the requirements for such uses are also met, including being permitted in the applicable district.

- (e) Two dwelling units may be accessory to a place of worship on the same lot, provided that they are only used to house full-time religious leaders and their families.
 - (f) If the place of worship is located on a parcel of property in conjunction with **Education Institution** as defined in this article, the minimum lot size shall be 5 acres and use conditions associated with said use shall also apply.
- (11) **Plant Nursery.** The outdoor raising of plants, shrubs and trees for sale and transplantation.
- (12) **Residential Care Facility.** A facility in which residents that are elderly, ailing, or recovering from illness/injury reside within rentable rooms or dwelling units and where they have access to skilled medical care and are provided supervision or assistance with activities of daily living. The following additional standards must be satisfied:
- (a) Such use shall be licensed by the Commonwealth of Pennsylvania for the housing and intermediate or fully skilled nursing care of three or more persons.
 - (b) Leasable dwelling units may contain kitchen facilities and any other facility that a traditional dwelling unit may contain.
 - (c) Any accessory use on the same lot with and customarily incidental to this use is permitted, including any accessory retail, personal care business, office or cafeteria use that is used exclusively by residents, their visitors, or employees.
 - (d) A minimum of 20% of the lot shall be suitable and developed for passive recreation. This area shall include outdoor sitting areas and pedestrian walks.
- (13) **Substance Abuse Treatment and Rehabilitation Facility.** Such a use shall include a building, structure, or use in which the treatment of persons for substance abuse or addiction to drugs or alcohol is performed. Included in this definition is the dispensing of an agent in decreasing doses to an individual to alleviate adverse physiological or psychological effects incident to withdrawal from the continuous or sustained use of an opiate and for assisting patients in reaching and maintaining a narcotic drug-free state of detoxification.
- (a) Such use shall not abut a residential property, school, or child-care facility.
 - (b) Such use shall involve adequate on-site supervision and security measures to protect public safety.
 - (c) If the use involves five or more residents, a suitable on-lot outdoor recreation area shall be provided that is supervised by staff.
- (14) **Swimming Pool, Non-Household.** A man-made area with walls of man-made materials intended to enclose water in which the depth exceeds 24 inches for bathing or swimming and that does not meet the definition of a "household swimming pool." The following additional standards must be satisfied:
- (a) The water surface shall be set back at least 50 feet from any existing dwelling.
 - (b) Minimum lot area: one acre.

- (c) A buffer yard with screening meeting § 560-1905D shall be provided between any **Swimming Pool, Non-Household** and any abutting use.
- (d) The water surface shall be surrounded by a secure, well-maintained fence at least six feet in height.
- (e) Drainage: A proper method shall be provided for drainage of the water from the pool that will not flood other property.

D. *Office uses.*

- (1) **Co-Working Space.** A building or portion thereof consisting containing desks or other workspaces and facilities that involves a shared working environment for people who are usually not employed by the same organization. Co-working Sites typically operate on a membership basis, though Co-working Sites may host classes or events which are open to the public or to prospective members. Common facilities such as a kitchen, meeting rooms, and the like shall be permitted.
- (2) **Office, Business/Professional.** A building or portion thereof consisting of facilities for the conducting of business by employees and which may involve public access or appointment-only customer/client interaction.
 - (a) Such use shall not include the offices of medical or dental professionals, which are defined as **Medical Office or Clinic**.
 - (b) **Multifamily Units** are not permitted in office tenant spaces.
- (3) **Medical Office or Clinic.** An office which offers scheduled appointments or walk-in service for the examination, diagnosis and/or treatment of medical or dental concerns for outpatients. Such facilities may include a reception/waiting area, examination rooms, X-ray or other imaging facilities, employee breakrooms, and pharmacy facilities. Patients may remain on the premises overnight when medically necessary.
- (4) **Research Facility.** A building or portion thereof wherein consisting of facilities for the conducting of scientific or medical research, investigation, experimentation or testing takes place. Such facilities shall not include the manufacture, production, or sale of products.

E. *Industrial uses.*

- (1) **Animal Care.** A business dedicated to the care of dogs, cats, or other common household pet. Such use may include veterinary care and the overnight boarding, breeding, grooming, sale, training, and the like for household pets. The following additional standards must be satisfied:
 - (a) Proof of appropriate licensure shall be provided to the borough.
 - (b) Minimum lot area: 15,000 square feet.
 - (c) Any structure in which animals are treated or housed shall be a minimum of 50 feet from any residential lot line.
 - (d) Buildings shall be adequately soundproofed so that sounds generated within the buildings cannot routinely be perceived within any adjacent dwellings.
 - (e) Outdoor enclosures may be provided for small animals for use between 8:00 a.m. and 8:00 p.m., provided the runs are setback at least 150 feet from any existing dwelling and setback a minimum of 100 feet from all lot lines.

- (f) Although animals may be kept as an accessory use, a commercial kennel shall only be allowed if a kennel is permitted in that district and if the applicable requirements are met.
- (2) **Artisan Manufacturing.** A business specializing in the manufacture and production of goods created on-site by a craftsman using hand tools and/or small-scale, light mechanical equipment. Examples of such work include pottery, fiber crafts, sculpture, leathercraft, jewelry, soaps, metalwork, cabinetry, stained glass, textile production, candle-making, and hand-made food products. Artisan Manufacturing may also include display and retail sale of such goods produced on site. Artisan Manufacturing may also include demonstration of and instruction in the production processes.
 - (a) Artisan manufacturing shall not include any activity that causes noise, odor, or vibration to be detectable on a neighboring property.
 - (b) Artisan manufacturing shall occupy a maximum of 5,000 square feet; any use meeting the standards of **Artisan Manufacturing** but which exceeds 5,000 square feet shall be considered **Manufacturing, Processing, and Production**.
- (3) **Assembly Plant.** A building, structure, or use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, and distribution of such products, but excluding fundamental industrial processing.
 - (a) All assembly activities shall be contained entirely within a building.
 - (b) Any permitted use under this definition shall comply with all Borough Ordinances regarding noise and other nuisances, such as light, heat, smoke, and odor.
- (4) **Auto, Boat and/or Mobile/Manufactured Home Sales.** A business specializing in the retail sale or rental of new or used automobiles, trucks, and the like.
 - (a) This use may involve the sale or rental of one or more of the following in operable condition: motor vehicles, recreation vehicles, boat trailers, farm machinery, motorcycles, trucks, utility trailers, construction vehicles, boats, or transportable mobile/manufactured homes in a livable condition.
 - (b) This use may include **Auto Repair Garage** as an accessory use, provided that all requirements of such use are complied with.
 - (c) This use shall not include a mobile/manufactured home park (unless the requirements for that use are also met) or a junkyard.
 - (d) No vehicle, boat or home on display shall occupy any part of the existing or future street right-of-way or required customer parking area.
 - (e) A buffer yard with screening meeting § 560-1905D shall be provided between any **Auto, Boat and/or Mobile/Manufactured Home Sales** use and any abutting use.
 - (f) See light and glare standards in § 560-1606.
 - (g) See parking requirements in Article XVII.
 - (h) Any mobile/manufactured homes on a sales site shall meet the required principal building setbacks from the perimeter lot lines.

- (5) **Auto Repair Garage.** An area where repairs, improvements and installation of parts and accessories for motor vehicles and/or boats are conducted that involves work that is more intense in character than work permitted under the definition of **Auto Service Station**.
- (a) An auto repair garage shall include, but not be limited to, a use that involves any of the following work: major mechanical or bodywork, straightening of body parts, painting, welding or rebuilding of transmissions. Any activity permitted as part of an auto service station is also permitted as part of an auto repair garage.
 - (b) All repair work must be performed within a building.
 - (c) The storage of parts, tires, and fluids must be within an enclosed area.
 - (d) All paint work shall be performed within a building, with a fume collection and ventilation system that directs fumes away from any adjacent dwellings. Outdoor major repairs (such as bodywork and grinding) and outdoor welding shall not occur within 250 feet of a residential lot line.
 - (e) All reasonable efforts shall be made to prevent or minimize noise, odor, vibration, light or electrical interference to adjacent lots. See standards in Article XVI.
 - (f) A buffer yard with screening meeting § 560-1905D shall be provided between any **Auto Repair Garage** and any abutting use.
 - (g) Outdoor storage of motor vehicles shall not be within any required buffer yard or street right-of-way.
 - (h) Overnight outdoor storage of junk other than permitted junk vehicles shall be prohibited within view of a public street or a dwelling.
 - (i) Any "junk vehicle" (as defined by Article II) shall not be stored for more than 20 days within view of a public street or a dwelling. A maximum of six junk vehicles may be parked on a lot outside of an enclosed building at any one time. Any junk vehicle stored outside overnight shall be screened from view of adjacent dwellings.
 - (j) Service bay doors shall not face directly towards an abutting dwelling (not including a dwelling separated from the garage by a street) if another reasonable alternative exists.
 - (k) This use shall not include activity meeting the definition of a "truck stop."
- (6) **Auto Service Station.** An area where gasoline is dispensed into motor vehicles and where no repairs are conducted, except work that may be conducted that is closely similar in character to the following: sale and installation of oil, lubricants, batteries and belts and similar accessories and safety and emission inspections, and sale of pre-packaged propane.
- (a) A business that maintains an accessory use of providing motor fuel only for use by vehicles operated by that business shall not, by itself, be considered to be an auto service station.
 - (b) This use shall not include activity meeting the definition of a "truck stop."
 - (c) All activities except those to be performed at the fuel or air pumps shall be performed within a building. The use shall not include spray painting.

- (d) Fuel pumps shall be at least 25 feet from the existing street right-of-way and shall meet side yard principal building setback requirements.
 - (e) Overnight outdoor storage of junk shall be prohibited within view of a public street or dwelling. Any junk vehicle stored outside overnight shall be screened from view of adjacent dwellings.
 - (f) Any junk vehicle (as defined by Article II) shall not be stored more than 20 days within view of a public street or a dwelling. No junk vehicles shall be stored within 20 feet of an existing street right-of-way. No more than six junk vehicles shall be stored on the lot outside of an enclosed building at any point in time.
 - (g) The use may include a **Convenience Store** if the requirements for such use are also met.
- (7) **Building Supply or Lumber Yard.** A business involved in the retail sale or wholesale of building supplies such as bricks, concrete, lumber, plumbing, roofing materials, doors, windows, and similar products typically purchased for construction and repair of buildings.
- (a) **Outdoor Storage and Waste Disposal** may be established as an accessory use to a **Building Supply or Lumber Yard** facility provided that all requirements of the use are met.
- (8) **Communications Facility.** The antennas, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics and other equipment used for the purpose of transmitting, receiving, distributing, providing, or accommodating wireless communications services. Such equipment must comply with the regulations of Section § 560-1911 Requirements and Standards for Communications Facilities.
- (9) **Contractor's Office/Storage.** A facility, building, lot, parcel, use, or group of facilities, buildings, and uses including offices, workshops, and/or storage of materials for services rendered in the building trades, including, carpentry, cement, electric, furniture-making, heating, painting, plumbing, roofing, landscaping, and the like. The following additional standards must be satisfied:
- (a) All operations, other than deliveries, shall be conducted within a completely enclosed building
 - (b) No shipping or receiving shall be permitted between the hours of 10:00 p.m. and 7:00 a.m.
 - (c) **Outdoor Storage and Waste Disposal** may be established as accessory uses to a **Contractor's Office/Storage** facility provided that all requirements of the use are met.
- (10) **Junkyard.** Land or a structure used for the collection, storage, dismantling, processing and/or sale, other than within a completely enclosed building, of material of one or more of the following types: "Junk" (see definition in Article II); three or more junk vehicles that are partly or fully visible from an exterior lot line, dwelling and/or public street (this shall not apply to such vehicles allowed to be stored within the requirements for an **Auto Repair Garage** or **Auto Service Station**); and one or more mobile/manufactured homes that are not in a habitable condition.

- (a) Junk stored within a completely enclosed building for business purposes shall be considered a warehouse.
 - (b) A junkyard specifically shall include, but not be limited to, any metal scrap yard or auto salvage yard.
 - (c) Storage of garbage or biodegradable material is prohibited, other than what is customarily generated on site and routinely awaiting pickup.
 - (d) Outdoor storage of junk shall be at least 100 feet from any residential lot line and 50 feet from any other lot line and the existing right-of-way of any public street.
 - (e) The site shall contain a minimum of two exterior points of access, each of which is not less than 20 feet in width. One of these accesses may be limited to emergency vehicles. Cleared driveways shall be provided throughout the entire use to allow access by emergency vehicles. Adequate off-street parking areas shall be provided for customers.
 - (f) Outdoor storage shall be completely enclosed (except at approved driveway entrances) by a forty-foot-wide buffer yard which complies with § 560-1905, unless such storage is not visible from an exterior lot line or street. The initial height of the evergreen planting shall be six feet. Secure fencing with a minimum height of eight feet shall be provided and well maintained around all outdoor storage areas. Such fencing shall be provided inside of the evergreen screening.
- (11) **Kennel.** An establishment licensed by the commonwealth to operate and house cats, dogs, or other permitted household pets, and where grooming, breeding, boarding, training or selling of animals is conducted for profit:
- (a) A minimum lot size of 1/2 acre shall be required for interior pens.
 - (b) Interior pens shall be soundproofed so that animal noises will not be heard off-premises.
 - (c) If outdoor boarding of animals, outdoor pens, or animal runways are provided, the minimum lot size shall be one acre.
 - (d) Accessory pens and runways shall be kept a minimum of 200 feet from any property line, and are not to be used for the boarding of animals.
 - (e) Length of stay for any animal shall not exceed two weeks.
- (12) **Manufacturing, Processing, and Production.** A facility, building, lot, parcel, use, or group of facilities, buildings, and uses engaged in the manufacture or assembly of products, parts, or materials. The processing, fabrication, assembly, treatment, packaging, incidental storage, and distribution of such products is included under this use. The following additional standards must be satisfied:
- (a) All activity must be contained entirely within a building or structure.
 - (b) All use permits shall be accompanied by an application signed by a registered architect or engineer certifying that no dust, vibration, odors, or fumes will be detectable at the property line.
 - (c) The following uses and activities are specifically prohibited:
 1. Abattoir, meat-packing, tanning, curing or storage of leather, rawhides or skins; manufacture or processing of fertilizer, wood pulp, disinfectants, or soap.
 2. Lime kilns, flour mills, manufacture of cement.

3. Foundries, manufacture or processing of asphalt.
 4. Incineration, reduction, distillation, storage, or dumping of slaughterhouse refuse, rancid fats, garbage, dead animals, or offal (other than within an approved solid waste facility).
 5. Any other use which is determined by the Borough Council and the Borough Engineer as noxious or offensive by reason of odor, dust, fumes, smoke, gas, vibration, illumination or noise, or which may be dangerous to the public health, welfare or safety.
- (12) **Medical Marijuana Grower/Processor.** A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit from the department under this act to grow and process medical marijuana, subject to the following express standards and criteria:
- (d) The facility shall hold a valid permit from the Department of Health to grow and process medical marijuana. A copy of such valid permit and all appropriate documentation shall be submitted to the Borough.
 - (e) The facility shall comply with the requirements for a grower/processor under the Medical Marijuana Act and any applicable state regulations promulgated thereunder. Proof of such compliance shall be provided to the Borough.
- (13) **Mineral Extraction.** The removal from the surface or beneath the surface of the land of bulk mineral resources using significant machinery. This use also includes accessory stockpiling and processing of mineral resources. "Mineral extraction" includes but is not limited to the extraction of sand, gravel, topsoil, limestone, sandstone, oil, coal, clay, shale and iron ore. The routine movement of and replacement of topsoil during construction shall not by itself be considered to be mineral extraction.
- (a) Application requirements: A copy of all site plan information that will be required by the Pennsylvania Department of Environmental Protection shall also be submitted to the Borough as part of the zoning application.
 - (b) A detailed and appropriate land reclamation and reuse plan of the area to be excavated shall be submitted.
 - (c) After areas are used for mineral extraction, those areas shall be reclaimed in phases to a nonhazardous and environmentally sound state permitting some productive or beneficial future use.
 - (d) A seventy-five-foot-wide yard covered by natural vegetative ground cover (except at approved driveway crossings) shall be required along all exterior lot lines that are within 250 feet of an area of excavation. This yard shall include an earth berm with a minimum average height of six feet and an average of one shade tree for each 50 feet of distance along the lot lines. Such shade trees shall be planted outside of any berm and any fence.
 - (e) The following minimum setbacks shall apply for the excavated area of a mineral extraction use from property that is not part of the mineral extraction use:
 1. One hundred feet from the existing right-of-way of public streets and from all exterior lot lines of the property;

2. One-hundred-fifty feet from a commercial or industrial building, unless released by the owner thereof;
 3. Two-hundred-fifty feet from a residential lot line, other than an abandoned dwelling; and
 4. One-hundred-fifty feet from the lot line of a publicly owned recreation area that existed at time of the application for the use or expansion.
- (f) The excavated area of a mineral extraction use shall be set back 150 feet from the average waterline of a perennial stream or the edge of a natural wetland of more than two acres.
 - (g) Truck access to the use shall be located to reasonably minimize hazards on public streets and dust and noise nuisances to residences.
 - (h) Fencing: Borough Council may require secure fencing in locations where needed to protect public safety. As an alternative, Borough Council may approve the use of thorny vegetation to discourage public access. Also, warning signs shall be placed at intervals of not less than 100 feet around the outer edge of the use.
 - (i) Noise: See Chapter 353.
 - (j) County Conservation District: A soil erosion and sedimentation plan shall be prepared by the applicant and found to be acceptable to the County Conservation District.
 - (k) Hours of operation: Borough Council, as a condition of approval, may reasonably limit the hours of operation of the use and of related trucking and blasting operations to protect the character of adjacent residential areas.
 - (l) The activities and residual effects shall not create conditions that are significantly hazardous to the health and safety of neighboring residents.
- (13) **Recycling Center.** A use involving the bulk commercial collection, separation and/or processing of types of waste materials found in the typical household or office for some productive reuse, but which does not involve the actual processing or recycling of hazardous or toxic substances, and which does not primarily involve the processing of nonrecycled solid waste unless the use also meets the applicable requirements for a **Solid Waste Transfer Facility**. This definition shall not include a junkyard.
- (a) All materials shall be kept in appropriate containers, with appropriate sanitary measures and frequent enough emptying to prevent the attraction of insects or rodents and to avoid fire hazards.
 - (b) Adequate provision shall be made for movement of trucks if needed and for off-street parking.
 - (c) A buffer yard with screening meeting § 560-1905D shall be provided between any **Recycling Center** use and any abutting dwelling.
 - (d) This use may be a principal or accessory use, including being an accessory use to a commercial use, an industrial use, a public or private primary or secondary school, a place of worship or a Borough-owned use, subject to the limitations of this section.

- (e) Materials to be collected shall be of the same character as the following materials: paper, fabric, cardboard, plastic, metal, aluminum and glass. No garbage shall be stored as part of the use, except for that generated on site and that accidentally collected with the recyclables. Only materials clearly being actively collected for recycling may be stored on site.
 - (f) The use shall only include the following operations: collection, sorting, baling, loading, weighing, routine cleaning and closely similar work. No burning or landfilling shall occur. No mechanical operations shall routinely occur at the site other than operations such as baling of cardboard.
 - (g) The use shall not include the collection or processing of pieces of metal that have a weight greater than 50 pounds, except within an industrial district.
 - (h) The use shall include the storage of a maximum of 50 tons of materials on the site if the use is within a residential district and within 500 feet of an existing dwelling.
- (14) **Solid Waste Transfer Facility.** A type of solid waste disposal facility which receives and temporarily stores solid waste at a location other than the generation site, and which facilitates the bulk transfer of accumulated solid waste to a facility for further processing or disposal, and which may or may not involve the separation of recyclables from solid waste.
- (a) All solid waste processing and storage shall be kept a minimum of 150 feet from all of the following features: public street right-of-way, exterior lot line or creek or river.
 - (b) All solid waste processing and storage shall be kept a minimum of 300 feet from any dwelling that the operator of the facility does not own.
 - (c) The use shall have adequate access for fire-fighting purposes, and will not routinely create noxious odors detectable off of the site.
 - (d) The use shall not include any waste incineration or burning, except for state-approved indoor incineration.
 - (e) All solid waste processing and storage shall occur within enclosed buildings or enclosed containers. All unloading and loading of solid waste shall occur within an enclosed building and over an impervious surface that drains to a holding tank that is adequately treated.
 - (f) The use shall be surrounded by a secure fence and gates with a minimum height of eight feet.
 - (g) The use shall have a minimum lot area of five acres, which may include land extending into another municipality.
 - (h) The use shall be operated in a manner that prevents the attraction, harborage or breeding of insects, rodents or other vectors.
 - (i) An attendant shall be on duty during all times of operation and unloading.
 - (j) The hours of operation shall be limited to between 8:00 a.m. and 6:00 p.m., and no solid waste operations shall occur on Saturday and Sunday.
 - (k) No radioactive, chemotherapeutic, infectious or toxic materials shall be permitted on site.

- (l) No exterior storage of trash dumpsters, receptacles, containers or trash vehicles shall be permitted, regardless of whether such are filled or empty.
 - (m) No storage of processed or raw waste shall be permitted for a period in excess of 48 hours.
 - (n) All vehicles delivering or removing materials shall be completely enclosed or covered when arriving at or departing from the facility.
 - (o) Trucks and trailers delivering solid waste to the facility or removing materials from the facility or returning after a delivery shall not utilize Borough-owned streets or alleys.
- (15) **Warehouse.** A facility, building, lot, parcel, use, or group of facilities, buildings, and uses engaged in the storage, wholesale, and/or distribution of manufactured equipment, goods, materials, products, or supplies. The bulk storage of chemicals and materials that are explosive, inflammable or hazardous are strictly prohibited.
- (a) A buffer yard with screening meeting § 560-1905D shall be provided between any **Warehouse** use and any abutting use.
- (16) **Wholesale Sales.** The sale of goods in large amounts to retailers or supply companies, rather than to consumers directly.
- (17) **Other Uses Not Expressly Permitted.** Any one individual use not specifically prohibited that complies with Article XIX General Regulations and all other applicable sections of this ordinance.

F. *Accessory Uses*

- (1) **Accessory Structure, Residential.** A building or structure erected for the private use of the owner or occupant of a single-family dwelling unit, which is situated on the same lot as the residence, and used for common household purposes, storage or vehicular parking, including but not limited to a detached garage, storage shed, gazebo, deck, barn, private greenhouse, carport, or shelter for pets. Residential swing sets shall not be considered structures. The following additional regulations must be satisfied:
- (a) All residential accessory structures shall require a zoning permit.
 - (b) The total ground floor area of all accessory structures on any one lot shall not exceed 1,000 square feet.
 - (c) Setbacks:
 - [1] No accessory structure may be erected or placed within the required front yard setback or between the front façade of the primary building and the right-of-way, whichever is greater.
 - [2] A residential accessory structure shall be required to meet the principal building setbacks for the district in which it is located.
 - (d) Residential accessory structures may not be occupied or contain bedrooms or kitchens.
- (2) **Accessory Structure, Nonresidential.** A building or structure erected for uses customarily incidental to a non-residential use permitted in non-residential zoning districts and legally established as a principal use of the premises. The following additional regulations must be satisfied:
- (a) A trailer, freezer, or shipping container, whether or not removed from its wheels, shall not be used as an accessory building.

- (b) An accessory building shall not be used to establish a new or unrelated use on the premises.
 - (c) An accessory building or structure shall not be located closer than fifteen (15) feet from any other building or property line and shall not be located within the front yard area.
- (3) **Bed-and-Breakfast Home.** A home occupation that offers up to four rooms for rent by paying guests on an overnight basis for periods not to exceed 14 days. A bed-and-breakfast home is permitted only as accessory to an owner-occupied single-family detached dwelling. The following additional regulations must be satisfied:
- (a) A bed-and-breakfast home is allowable only in a building originally constructed as a single-family detached dwelling.
 - (b) A bed-and-breakfast home shall not have more than four guest rooms.
 - (c) One off-street parking space for each guest bedroom shall be provided in a side or rear yard, in addition to any other required parking. There shall be no parking allowed in the front yard.
 - (d) Meal service for guests is limited to breakfast and shall not include the sale of alcoholic beverages. Owners shall comply with all federal, state and local requirements for the preparation, handling and serving of food.
 - (e) Owner shall maintain a current guest register.
 - (f) Any modifications, additions, alternations, fire escapes, etc., are allowed only to the side and rear of the structure. The structure's facade shall be maintained to appear as a single-family dwelling.
 - (g) Each bed-and-breakfast facility shall be equipped with smoke detectors and fire extinguishers in accordance with the requirements of the Pennsylvania Department of Labor and Industry and with the Borough Property Maintenance Code. Guests shall be provided with information regarding the floor plan of the building and the location of emergency exits.
 - (h) A telephone shall be provided in each guest room or, where infeasible, guests shall be provided information on the location of a telephone that is accessible to all guests at any time.
 - (i) No cooking is allowed in guest rooms.
 - (j) All bed-and-breakfast homes must be licensed by the borough, with the license to be renewed each year.
 - (k) All bed-and-breakfast homes will be inspected yearly by the borough's building inspectors.
 - (l) As a home occupation, no outside employees are permitted.
 - (m) A bed-and-breakfast use shall not be permitted on a lot with an area less than 10,000 square feet.
- (4) **Commercial Vehicle Parking.** The parking of pickup trucks, panel trucks, vans and similar vehicles over 3/4 tons capacity on lots or parcels, whether containing advertising or not, which are associated with or instrumental to the operation of a business. Flatbed, truck, semi- and tractor trailers designed, intended, arranged or used for hauling or transporting goods, property or

equipment shall be included in this definition. **Commercial Vehicle Parking** is permitted in all districts if the following additional regulations are satisfied:

- (a) A maximum of one commercial vehicle may be parked off-street on a residential district property, provided it is kept in a garage, carport, or in a legal parking space. Parking of commercial vehicles on grass or other unfinished surfaces shall not be permitted.
- (b) Commercial vehicles cannot be parked in any restricted yard setback.
- (c) Commercial vehicle parking shall be screened from view from a street, alley, or abutting residential property.
- (d) Commercial vehicles greater than 25 feet in length shall not be parked in residential zoning districts.

(5) **Communications Antenna/Tower.** A structure used for transmitting or retransmitting electronic signals, and the nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics and other equipment used for the purpose of transmitting, receiving, distributing, providing, or accommodating wireless communications services. Communications antennas shall include, but are not limited to, antennas used for cellular telephone communications. Such equipment must comply with the regulations of Section § 560-1911 Requirements and Standards for Communications Facilities.

(6) **Daycare Home, Family or Group.** A facility located in a single-family detached dwelling or in a dwelling unit other than the child's own home where the child care areas are being used as a family residence, operated for profit or not for profit, in which child day care is provided to children who are not relatives of the caregiver. Includes both family day care (6 or fewer children) and group day care (more than 6 children but fewer than 12). The following additional regulations must be satisfied:

- (a) **Categories Included.** The provisions of this section pertain to day care service for children by caregivers in family and group day care homes, subject to regulations of the Pennsylvania Department of Human Services (DHS). Day care service for children shall include out-of-home child day care service for part of a 24-hour day for children under 16 years of age by caregivers, excluding care provided by relatives. Day care service for children shall not include babysitting or day care furnished in places of worship during religious services.
- (b) **Registration and Licensing.** Such use shall have all the required certifications and licenses from the DHS to operate. In addition, day care facilities shall comply with all applicable DHS regulations including those standards governing adequate indoor space, accessible outdoor play space, and any applicable state or Borough building and fire safety codes.
- (c) **General Safety.** No portion of a child day care facility shall be located within a 300 foot distance from any potentially hazardous land use or activity which could pose a threat to the safety and welfare of the children, staff, and other occupants at the facility. Hazardous land uses or activities include, but shall not be limited to gas stations, heavy industrial operations, storage of flammable or high pressure underground pipelines, truck or rail loading areas, etc.

- (d) Outdoor play area. An outdoor play area, as required by DHS regulations, shall be provided for any proposed child day care facility.
 - 1. On-Site Outdoor Play Area. An on-site outdoor structured play area or areas of high outdoor activity shall be located within yard setback areas which provide adequate separation, safety, and protection from adjoining uses, properties, and roadways. Whenever possible, the on-site outdoor play area shall not be located in the front yard. The outdoor play area should be located immediately adjacent to the child care facility.
 - a. No play structure shall be located less than 10 feet from any property line.
 - b. In order to physically contain the activity of children in the outdoor play area, a minimum four foot high fence shall be erected along the perimeter of the outdoor play area. When applicable, the fence shall be located along property lines. Natural or physical barriers, such as hedgerows, walls, or dense vegetation may be used in place of fencing so long as such barriers functionally restrict children from unsafe areas.
 - 2. Off-Site Outdoor Play Area. In accordance with DHS standards, a child day care facility may utilize off-site play areas in lieu of or as a supplement to an on-site play area. These standards permit the use of off-site play areas which are located within a one-half mile distance of the facility, measured from the property line of the facility. The route to the play area shall not involve the crossing of primary arterial or collector streets. Pedestrian access on sidewalks or improved walkways shall be required.
 - 3. Hours of Outside Play. Outside play shall be limited to the hours between 8:00 a.m. and sunset, as defined by the National Weather Service.
- (e) Altering Exterior of Residential Structures. Any addition or improvement to an existing residential structure or property for purposes of child day care shall preserve its residential character. The scale, bulk, height, and roof pitch of any addition and the building materials used shall be compatible with the existing structure.
- (f) Drop-Off Area: A drop-off area shall be provided with sufficient area to allow the temporary parking of two vehicles. An existing driveway may be used for the drop-off area if it can be demonstrated that there is sufficient space available in the driveway, which is not otherwise occupied or committed, to safely accommodate two parked vehicles. If a driveway is used for the drop-off area and the proposed use fronts a primary arterial, collector, or feeder street, an on-site turnaround area shall be provided so that vehicles can exit the site driving forward. In cases where the existing driveway cannot function as a drop-off area, two new on-site drop-off spaces shall be provided.
- (g) Hours of Operation. The hours of operation shall be limited to the hours between 6:30 a.m. and 8:00 p.m.

- (h) **Minimum Separation Distance.** In order to avoid a concentration of individual group day care homes in residential neighborhoods, group day care homes shall be located a minimum of 300 feet from each other as measured from the respective property lines. No such separation shall be required for in nonresidential zoning districts.
 - (i) **Minimum Lot Size.** The minimum lot size for group daycare homes shall be 10,000 square feet or the minimum required by the underlying zoning district, whichever is greater.
- (7) **Drive-Through Facilities.** A building, design, facility, or structure, or portion thereof, from which a business, product or service is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during the transaction. The following additional regulations must be satisfied:
- (a) A minimum of five automobile waiting spaces are provided for each drive-in lane. These spaces shall not interfere with parking spaces, loading, unloading, or the internal circulation of the site.
 - (b) Ingress to the drive-in-facility must occur from an aisleway within the interior circulation of the lot, and not directly from a public roadway.
 - (c) Egress from the drive-in-facility shall not occur within fifteen (15) feet from a pedestrian entrance or exitway to the building.
 - (d) A clearly marked crosswalk shall be provided that connects the building entryway(s) to the parking lot situated perpendicular to the drive-through stacking lane that, in addition to paint, is in a physical form sufficient to alert drivers of potential pedestrian/vehicle conflicts.
 - (e) A drive-through facility shall not be located within the front yard area.
- (8) **Fences, Walls, and Berms.** Any constructed barrier or structure of any material or combination of materials, erected to enclose or screen areas of land which may be located within the yard requirement of the zoning district. **Fences, Walls, and Berms** are permitted in all zoning districts if the following additional regulations are satisfied:
- (a) Fences, walls and earth berms are permitted by right in all districts. Any fence or wall shall be durably constructed and well-maintained. Any earth berm shall be landscaped. Fences or walls that have deteriorated shall be replaced or removed.
 - (b) Fences or walls may not be erected within a floodplain area, swale, or other watercourse system that impedes the flow of stormwater from the site or that of an adjoining property.
 - (c) Fences.
 1. Front yard: Any fence located in the required front yard of a lot in the NC Neighborhood Commercial district or a residential district shall:
 - a. Be an open-type of fence (such as picket or split rail) with a minimum ratio of 1:1 of open-to-structural areas;
 - b. Not exceed four feet in height; and
 2. On a corner lot, a fence or wall shall meet the same requirements along both streets as would apply within a front yard. A fence shall not be required to comply with minimum setbacks for accessory structures.

3. Height. A maximum height of 12 feet shall apply to a fence that is not within a residential district, except in the required front yard of the NC District. A fence in a residential district (except within a required front yard) shall have a maximum height of 6 feet, except:
 - a. A maximum of height of 12 feet shall be permitted around an electric substation and similar hazardous facilities.
 4. No fence shall be built within an existing street right-of-way, except that the Borough may permit a fence to intrude up to five feet into a Borough right-of-way if the owner enters into a legally binding agreement that requires the fence to be moved out of the right-of-way if deemed necessary by the Borough in the future. A fence of a dwelling may be constructed without a setback from a lot line in a residential district.
 5. Barbed wire, electrically charged, or other wire fences shall not be used around dwellings. Chain link fencing is permitted. No fence or wall shall be constructed out of fabric, junk, junk vehicles, appliances, tanks or barrels.
 6. The term "wall" does not include engineering retaining walls, which are permitted uses as needed in all districts.
- (d) Walls.
1. Engineered retaining walls necessary to hold back slopes are exempted from setback regulations and the regulations of this section and are permitted by right as needed in all districts, with approval of the Borough under the Building Code.
 2. No wall of greater than three feet in height shall be located in the required front yard in a residential district, except as a backing for a permitted sign as permitted in § 560-1807A.
 3. A wall in a residential district outside of a required front yard shall have a maximum height of three feet if it is within the minimum accessory structure setback and six feet if it is not.
 4. Walls that are attached to a building shall be regulated as a part of that building. A fence shall not be erected in, or interfere with, the sight triangle for vehicular traffic.
- (e) A fence may not be erected within a floodplain area, swale, or other watercourse system that impedes the flow of stormwater from the site or that of an adjoining property.
- (9) **Garage Sale.** The accessory use of a residential lot for the occasional sale or auction of only common household goods and furniture and items of a closely similar character. The following additional regulations must be satisfied:
- (a) A maximum of four garage sales shall be permitted per residential property per calendar year. A multiday sale counts as one.
 - (b) No garage sales shall be permitted at residential properties which have had a previous garage sale during the previous 60 days.
 - (c) Garage sales shall last a maximum of three consecutive days.
 - (d) Garage sales shall only be conducted between sunrise and sunset of any given day.

- (e) Only household articles and personal possessions incidentally accumulated by the owner or occupant of the residence shall be sold at garage sales. No sale of food, beverages, titled personal property such as cars and boats, new or other merchandise offered for resale, articles or possessions brought to the premises by nonresidents of the property or industrial or commercial equipment shall be permitted at garage sales. Groups of neighbors within a block may combine their belongings into one garage sale, provided that all participating neighbors are listed on the application.
- (10) **Home Occupation.** A routine, accessory and customary nonresidential use conducted within or administered from a portion of a dwelling or its permitted accessory building. The following additional regulations must be satisfied:
- (a) The use shall be conducted primarily by a permanent resident of the dwelling and involve a maximum of one person working on site at any one time who does not reside within the dwelling. A maximum of one nonresident employee shall visit the property on a daily basis or operate a vehicle based at the property.
 - (b) The use shall be conducted indoors. No outdoor storage or display related to the home occupation shall be permitted. No changes shall occur to the exterior of a building that would reduce its residential appearance as viewed from a street.
 - (c) The use shall occupy an area that is not greater than 25% of the total floor area of the principal dwelling unit. The use shall clearly be secondary to the residential use.
 - (d) One off-street parking space shall be required per nonresident employee. In addition, for a general home occupation, the Zoning Hearing Board shall require additional off-street parking if the Board determines it is necessary for customer parking.
 - (e) The use shall not require delivery by tractor-trailer trucks.
 - (f) A maximum of one truck related to the home occupation shall be parked overnight on the lot or on an adjacent street. Such truck shall not exceed 12,000 pounds aggregate gross vehicle weight. No excavating equipment shall be permitted to be parked overnight on the lot or on an adjacent street. See the separate Borough ordinance regulating truck parking.
 - (g) No equipment or machinery shall be permitted that produces noise, noxious odor, vibration, glare, electrical or electronic interference detectable on another property. The use shall not involve the storage or use of hazardous, flammable or explosive substances, other than types and amounts typically found on a residential property. The use shall not involve the storage or use of toxic or highly hazardous substances.
 - (h) A home occupation shall not be conducted in a manner that is perceptible to other residents between the hours of 9:00 p.m. and 7:30 a.m.
 - (i) Any tutoring or instruction shall be limited to a maximum of two students at a time.
 - (j) A barber or beauty shop shall not include any nonresident employees.

- (k) The main office of a medical doctor, chiropractor or dentist shall need special exception approval as a general home occupation. The Zoning Hearing Board may require additional off-street parking for such use.
 - (l) A general home occupation may include one two-square-foot nonilluminated sign as permitted by Article XVIII. A light home occupation shall not include any sign.
 - (m) The Zoning Hearing Board shall deny a general home occupation application or limit its intensity through conditions, if the Board determines the use would be too intense for the proposed location. In making such determination, the Board shall review the likely amounts of traffic, the types of operations involved and related nuisances, the amount of off-street and on-street parking that is available, the density of the neighborhood, whether the use would be adjacent to another dwelling, and setbacks from other dwellings.
 - (n) The Zoning Hearing Board may also permit up to three nonresident employees as a special exception if the Board, after considering the above criteria, determines that the property is especially well-suited to a more intense use.
 - (o) The use shall not involve manufacturing, other than of custom crafts and sewing. The use shall not involve commercial repair of motor vehicles.
 - (p) The use may include sales using telephone, mail order or electronic methods. On-site retail sales shall only be permitted within a general home occupation and if specifically approved as part of a special exception approval. Such retail sales shall be limited to sales that are clearly accessory to an approved barbershop or similar on-site service.
 - (q) If more than one home occupation is accessory to a dwelling, the total aggregate impact of the home occupations shall be considered in determining compliance with this chapter.
 - (r) A zoning permit shall be required for any home occupation.
- (11) **Keeping of Pets.** A pet is a privately owned companion animal that is kept in the home for pleasure rather than for commercial purposes (not intended for research or resale). A household pet includes the following animal groups only: dogs, cats, birds, ferrets, fish, hedgehogs, rabbits, rodents, reptiles and amphibians. Nothing herein shall prohibit the keeping of an emotional support animal, Seeing Eye dog, service animal, or medically supportive animal.
- (12) **Livestock.** The keeping of animals other than domesticated pets and fowl/poultry shall be limited to lots of at least one acre in size and shall be limited to two heads of livestock per acre, with the exception of horses, which shall be limited to one horse per acre. Riding academies, livery or boarding stables, and commercial kennels are not included in this provision.
- (a) Any livestock shall be kept on property controlled by the operator of the livestock use, with proper confinement measures as necessary.
 - (b) Any structure, other than the inside of a dwelling, used for the keeping of six or more animals over the age of four months shall be set back a minimum of 100 feet from the lot line of any existing dwelling.

- (c) The applicant shall submit a written plan for the sanitary management of animal wastes. Animal wastes shall be properly managed to prevent health hazards, pollution of waterways and odor, insect and rodent nuisances to other properties.
- (13) **Mobile Food Vending.** Vending, serving, or offering for sale food and/or beverages from a mobile food vending unit. The following requirements shall be satisfied:
- (a) Permits.
 1. It is unlawful for any person to operate within the Borough a mobile food unit, as defined in this chapter, without having obtained a permit or that purpose.
 2. No person shall then sell or offer food products at any location until the vendor for said mobile food unit has been duly licensed.
 3. All permits shall be prominently displayed on the mobile food unit or mobile food truck.
 4. Mobile food units and mobile food trucks operating for three consecutive days or less on the same property under a public assembly permit issued by the Borough are exempt from the permit requirement.
 5. Mobile food units and mobile food trucks operating at or on a Borough park or recreation area with the written permission of the Borough Manager or her/his designee are exempt from the permit requirement.
 6. Permits shall be issued for a period of time not to exceed six months. Permits are required to be renewed prior to the expiration date.
 - (b) Mobile food vendors are responsible for providing receptacles for trash within five feet of their operation.
 - (c) A mobile food vendor may not operate within 15 feet of a fire hydrant.
 - (d) A mobile food vending unit shall be located so the unit and those waiting for service will not interfere or block in any way vehicular or pedestrian access to the property, the right-of-way, or public sidewalks. The mobile food unit may be located in a parking space as long as no other parking spaces are blocked.
 - (e) All sales by mobile food vendors shall cease to operate no later than 2:30 a.m. each day. Mobile food units shall be removed from public property no later than 2:45 a.m. each day.
- (14) **No-Impact Home-Based Business.** A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client, or patient traffic, whether vehicular or pedestrian, pickup, delivery, or removal functions to and from the premises, in excess of those normally associated with residential use. The business or commercial activity shall satisfy the following requirements:
- (a) The business activity shall be compatible with the residential use of the property and the surrounding residential uses.
 - (b) The business shall employ no employees other than family members residing in the dwelling.

- (c) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
 - (d) There shall be no outside appearance of a business use, including, but not limited to, parking, signs, or lights.
 - (e) The business activity shall not use any equipment or process which creates noise, vibration, glare, fumes, odors, or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
 - (f) The business activity shall not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
 - (g) The business activity shall be conducted only within the dwelling and shall not occupy more than 25% of the habitable floor area.
 - (h) The business shall not involve any illegal activity.
 - (i) The business shall be registered with the Borough Finance Department.
- (15) **Outdoor Dining.** Outdoor dining shall be permitted as an accessory use on the same premises as a licensed food establishment (restaurant) that has indoor seating.
- (a) To ensure quality standards for customers and food safety, the following provisions shall apply:
 1. All outdoor dining areas shall be subject to compliance with all applicable health, building, accessibility, fire, and plumbing codes of Borough of Bridgeport.
 2. Areas for outdoor dining shall not interfere with any means of ingress or egress to a building, or with any emergency or safety exits. Where the dining area extends into a public sidewalk or right-of-way, the following shall apply: A minimum sidewalk width, exclusive of the outdoor dining area, of 48 inches shall be maintained free and clear at all times for pedestrians (unless a greater width is required by the building and/or accessibility codes). Such area shall not include the outdoor dining area and shall be free of surface obstacles and obstructions (i.e., hydrants, streetlights, parking meters, and street trees).
 3. Pedestrian barriers. Outdoor dining areas that serve alcohol must be enclosed and separated from the pedestrian or travel way to allow for the privacy of the dining patron and to permit the unimpeded flow of traffic. Outdoor dining areas that do not serve alcohol may be enclosed and separated from the pedestrian or travel way to allow for the privacy of the dining patron and to permit the unimpeded flow of traffic. When the dining area is located within the interior of the property, enclosures may consist of a wall or fence, approved by the Borough. The following minimum standards shall apply if the establishment chooses to use a barrier:
 - a. Pedestrian barriers shall have sufficient weight to prevent them from being tipped or knocked over.

- b. If the pedestrian barrier is to be permanent, the method of attachment shall be subject to approval by the Borough. No barrier shall be permanently attached to a public sidewalk or an area located within the right-of-way.
 - c. Pedestrian barriers shall be at least 36 inches high to prevent a tripping hazard unless more restrictive requirements are required by other municipal codes.
 - d. Where pedestrian access to an outdoor dining area is not through a food establishment, the required opening shall not be less than 44 inches in width unless a greater width is required by other municipal codes.
 - e. Pedestrian barriers shall be made of durable wood or durable metal, such as wrought iron.
 - f. Pedestrian barriers shall not have legs or supports that protrude into a sidewalk more than two inches.
 - g. Prohibited barriers.
 - i. Fabric inserts (whether natural or synthetic fabric) of any size shall not be permitted to be used as part of a barrier.
 - ii. The use of chain link, cyclone fencing, chicken wire or similar appurtenances is prohibited. Materials not specifically manufactured for fencing or pedestrian control (including but not limited to buckets, food containers, tires, tree stumps, vehicle parts, pallets, etc.) and not expressly permitted elsewhere in these guidelines shall not be used as components of a barrier.
4. Furniture. To ensure outdoor dining in a quality environment, furniture shall be limited to the following materials:
- a. Iron, cast: low-carbon iron, hand- or machine-cast parts, stainless steel connectors, hand ground to a smooth finish.
 - b. Iron, wrought: heavy-gauge, low-carbon, welded and finished with a hard abrasive paint.
 - c. Steel, expanded: minimum of thirteen-gauge cold-rolled steel, low-carbon, welded and finished with a hard abrasive paint.
 - d. Steel, wire: thirteen-/fourteen-gauge cold-welded, smooth ground joints, and abrasive-resistant finish.
 - e. Aluminum, cast.
 - f. Aluminum, extruded.
 - g. Wood, frame.
 - h. Wood, wicker.
 - i. The use of plastic furniture to satisfy the requirements of this subsection shall be prohibited unless the plastic material is durable and of sufficient weight such that the furniture cannot blow away from wind and storms.

- j. The use of tarps or similar coverings to cover the furniture when not in use shall be prohibited.
- 5. Roof coverings. All outdoor dining areas shall have an approved umbrella, awning, or roof material available for patrons. The following shall apply:
 - a. No third-party advertising shall be permitted.
 - b. Flame-resistant material shall be used.
 - c. If awnings are used, they shall be a minimum of six feet eight inches in height above the sidewalk or patio surface.
 - d. If umbrellas are used, they shall be a minimum of six feet eight inches in height above the sidewalk or patio surface and adequately weighted with a minimum base of not less than 60 pounds.
 - e. Tents shall not be permitted over an outdoor dining area.
- 6. Signs. No signs advertising outdoor dining shall be permitted unless approved pursuant to this chapter.
- 7. Parking. In addition to the parking requirements for the principal restaurant use, outdoor dining shall provide additional parking in accordance with the following:

Number of Outdoor Seats	Required Number of Parking Spaces
1 to 12	None
13 to 24	1 space per 6 seats after the first 12 seats
25 to 40	1 space per 4 seats after the first 24 seats

- 8. The number of outdoor dining seats shall be limited to a maximum of 25% of the total number of indoor seats in the associated principal restaurant use. However, at no point shall more than 40 outdoor dining seats be provided at any one restaurant.
- 9. Outdoor dining shall be permitted between April 1 and November 30. Hours of operation shall be from 8:00 a.m. to 10:00 p.m. (Sunday through Thursday) and 8:00 a.m. to 11:00 p.m. (Friday and Saturday). All seating of patrons shall provide for the dining area to close at the required hour.
- 10. Setbacks.
 - a. Outdoor dining shall be permitted in the front, side, and rear yards of the property upon which the principal restaurant is located, unless otherwise regulated below.
 - b. No outdoor dining area shall be established within 75 feet of the property line of a single-family or two-family detached or semidetached dwelling unit located completely or partially within a residential zoning district.
 - c. Outdoor dining areas shall not be permitted to the rear or on either side of a principal restaurant building when said building is immediately adjacent to an existing single-family or two-family detached or semidetached dwelling unit or

residentially zoned district. However, the outdoor dining area can be located to the rear or side of the principal restaurant building when the outdoor dining area is more than 250 feet from the property line of the immediately adjacent single-family or two-family detached or semidetached dwelling unit or residentially zoned district.

- d. For the purposes of this Subsection D(14)(a)[10], the setbacks and requirements set forth in Subsection D(14)(a)[10][b] and [c] above shall not apply to any properties, dwelling units, or residential zoning districts separated from the accessory outdoor dining use by a public road. For the purposes of this subsection, paper alleys and alleys shall not be considered public roads.

11. Outdoor dining areas shall be located on a permanent surface.

Temporary flooring shall not be used.

12. Exterior heating systems. When heaters are used in an outdoor dining area, the following shall apply:

- a. The use of outdoor heaters shall be in compliance with the International Fire Code, as amended.
- b. Heaters shall not be located on a public sidewalk or within a public right-of-way.
- c. Heaters shall not be located closer than 10 feet to a means of ingress/egress into and/or out of a building or into and/or out of an outdoor dining area.
- d. When heaters are located in outdoor dining areas, the owner/operator of the restaurant shall provide a plan for fire protection in accordance with applicable codes. Said plan shall be approved by the Borough's Code Officials.
- e. Where applicable, heaters shall be securely fastened to a wall or the floor of the outdoor dining area to prevent the heater from accidentally tipping over. Said fastening shall be subject to review and approval by the Borough's Code Officials.
- f. All gas-fired heaters shall be equipped with safety shutoff valves that stop gas flow if flame is extinguished as well as a tip-over safety switch.

13. Outdoor dining areas shall provide additional outdoor trash receptacles, which must meet the material requirements of § 560-305F(15)(a)(4) above.

14. The sale of alcoholic beverages shall be incidental to the sale and consumption of food. Outside bar service and/or walk-up bar service for the sole purpose of the consumption of alcohol without the consumption of food is prohibited.

15. Pets are not permitted in the outdoor dining area unless otherwise expressly allowed by law.

16. Tables, chairs and other furnishings or accessories may not be left in place overnight but shall be removed from the sidewalk during

nonbusiness hours or stored neatly so as not to impede pedestrian travel.

17. No table, chair, or other furnishing or accessories used in connection with outdoor dining may be attached, chained, or in any manner affixed to any tree, post, sign, or other Borough owned fixture.
18. Seating and tables for outdoor dining on the public sidewalk shall be at the same elevation as the public sidewalk. Paint, carpeting, artificial turf, platforms, or other surfaces of any kind shall not be permitted at any time on any public sidewalk. The outdoor dining or its operations shall not damage, stain, or discolor any part of the sidewalk or public right-of-way.
 - (b) Outdoor dining shall be permitted as part of an accessory cafeteria, provided that the outdoor dining area is used exclusively by the occupants of the building or campus.
 - (c) Storage of materials. At the conclusion of any outdoor dining season, all portable equipment (i.e., barriers, furniture, roof coverings, etc.) shall be stored within the facility in a location that does not interfere with the operation of the food establishment, or shall be stored off site.
 - (d) Outdoor dining permit. To ensure compliance with safety and food code standards of the Borough, the following regulations shall govern the issuance of all outdoor dining permits:
 1. Applications shall be filed on forms provided by the Borough along with the required fees (as set forth in the Fee Schedule or by separate resolution of the Borough Council) and any information necessary to determine compliance with this section.
 2. Applications shall be submitted to the Building Code Officer (BCO) for a review.
 3. Upon a successful review and approval by the BCO, a permit shall be issued. Fees shall be paid upon the filing of an application and shall be renewed on an annual basis.
 4. All locations shall be subject to periodic inspections for compliance with the standards of this section. Two or more violations of this section may result in a minimum seven-day suspension and/or revocation of all zoning, health, or building permits applicable to the outdoor dining use.
 5. Noise. Outdoor dining shall be subject to Chapter 353, Noise. No amplified music or sound is permitted. All activities, including the playing of music or other forms of entertainment, shall comply with the noise limitations of the Borough Ordinances and any other regulatory agencies having jurisdiction, as applicable.
 6. Applicants proposing to use the sidewalk or right-of-way for outdoor dining shall well and truly save, indemnify, defend, and keep harmless the Borough of Bridgeport, its officers, employees, and agents against any and all actions, suits, demands, payments, costs, and charges for and by reason of the existence of outdoor dining and all damages to persons or property resulting from or in any manner caused by the

presence, location, use, operation, installation, maintenance, replacement, or removal of outdoor dining or by the acts or omissions of the employees or agents of the applicant in connection with outdoor dining.

- (16) **Outdoor Storage and Waste Disposal.** The outdoor keeping of junk, material, merchandise, or any goods in an unroofed or open area, or unenclosed building for more than 24 hours. The following additional regulations must be satisfied:
- (a) No part of a public right-of-way, buffer area, required front yards, stormwater management systems, or required parking spaces shall be used for outdoor storage.
 - (b) Where permitted, outside accessory storage areas shall occupy an area less than twenty-five percent (25%) of the ground floor area of the principal building or structure.
 - (c) Outdoor storage area shall be shielded from public view and adjoining properties on ground level by fencing, walls, or high density landscaping sufficient to screen the storage area.
 - (d) The parking of tractor trailers, vans, and company vehicles which supply or service establishments shall only be permitted in the GC General Commercial, GIC General Industrial Commercial, and LIC Light Industrial Commercial districts in the Borough.
 - (e) The practice of storing or depositing any abandoned or junked automobiles, vehicles, machinery or discarded equipment of any kind, or parts thereof, in or on any public or private property, vacant or occupied within the Borough of Bridgeport shall be deemed to be and constitute a nuisance and is hereby prohibited.
 - (f) All outdoor storage facilities for fuel, flammable or explosive materials and raw materials shall be enclosed by walls which measure a minimum of 6 feet in height in order to shield the facilities from the direct view of any adjacent property and to prevent the access of children and other members of the general public.
 - (g) No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces. All material or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise be attractive to rodents or insects shall be stored outdoors only in closed, sealed containers.
 - (h) All outdoor storage and/or waste disposal areas must be located within the building envelope, as created by the yard setback requirements. In addition, no outdoor storage and/or waste disposal area shall be located between the primary building(s) on a site and public streets, nor shall it be located closer than fifteen (15) feet to any side or rear property line, nor fifteen (15) feet from any structure or lot.
 - (i) No dangerous materials or substances, as defined herein, or wastes of any form may be stored in a floodplain area.
 - (j) All solid and liquid wastes shall be disposed on a timely basis and in an environmentally safe manner.

- (17) **Parking Lot.** A surface level area designed according to the standards of this chapter and used for the parking of motor vehicles to serve accessory to the principal use on the lot. Parking lots utilized by uses established on the premises where the parking occurs are permitted as accessory uses for all nonresidential principal uses, as well as **Multifamily Building**, provided:
- (a) Parking lots shall be designed, surfaced and striped according to the standards set forth in Article XVII, Parking and Loading.
 - (b) They are not located in required buffer areas.
 - (c) The re-striping of a parking lot shall require a use permit from the Borough to ensure inspection for spacing requirements and conformance to approved plans.
 - (d) Electric vehicle charging stations are required within all new, expanded or reconstructed parking areas. See Section 560-1704H.
- (18) **Recreational Vehicle Storage.** The keeping of a vehicle built on a single chassis; 400 square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light duty truck; designed primarily not for use a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. The following additional regulations must be satisfied:
- (a) Recreational vehicles may be temporarily or seasonally stored outdoors in residential zoning districts.
 - (b) Storage of the recreational vehicle shall not diminish the required on-lot parking spaces.
 - (c) Recreational vehicles cannot be parked in any restricted yard setback.
 - (d) No such vehicle shall be parked on a public street without first obtaining a permit from the Borough.
 - (e) No more than one recreational vehicle shall be parked outside of the principal building.
 - (f) The habitation of recreation vehicles located on a public street or on a lot in a residential zoning district shall be prohibited.
- (19) **Refuse Collection Facilities.** An enclosed area for the storage of household or commercial refuse and recyclable materials pending removal from the site. Refuse collection facilities may either be located inside the building(s) or within an area enclosed by either walls or opaque fencing and permitted in all zoning districts, according to the following provisions:
- (a) These facilities should be architecturally compatible with the principal building(s) on-site.
 - (b) Walls or fencing shall be designed to shield the refuse facilities from direct view from adjacent properties and to a height of at least six feet.
 - (c) These facilities shall be designed in a manner which can accommodate large collection trucks.
 - (d) Landscaping is encouraged around these facilities.
 - (e) Refuse facilities attached to or within buildings shall be subject to the same building setbacks as the buildings.
 - (f) Refuse facilities detached from residential buildings shall be subject to the setback of 10 feet from all property lines.

- (20) **Renewable Energy Systems.** Solar, small scale wind, and geothermal energy facilities are permitted as accessory uses in all zoning districts.
- (21) **Rooftop Dining.** The use of a rooftop area for the consumption of food or beverages by a licensed food establishment (restaurant) that has indoor seating.
- (a) The rooftop dining area must be operated by the operator of the restaurant which serves as the principal use in the building.
 - (b) Rooftop dining areas shall comply with all applicable federal, state, county, and Borough laws, ordinances, and regulations, including, but not limited to, those governing health, safety, building accessibility, fire, and plumbing.
 - (c) Umbrellas shall not be permitted on the roof. Canopies or awnings may be used to protect people and personal property from the elements.
 - (d) No more than 25% of the seats in the rooftop dining area may be bar or lounge seats.
 - (e) Rooftop dining shall not be permitted in any building which contains a residential use.
 - (f) Rooftop dining shall be permitted only between March 1 and November 30. Hours of operation shall be from 8:00 a.m. to midnight. Seating of patrons shall end with sufficient time to provide service and close the rooftop dining area by midnight.
 - (g) No rooftop dining area shall be established within 100 feet of the property line of a single-family or two-family detached or semidetached dwelling unit located completely or partially within a residential zoning district.
 - (h) No rooftop dining area shall be established within 100 feet of the property line of an unimproved lot located completely or partially within a residential zoning district.
 - (i) The rooftop dining area shall not extend beyond the width and depth of the building upon which the principal restaurant is located.
 - (j) In order to limit visibility from the street, elevators and rest rooms shall be located to the rear of the rooftop. In the case of a building located on a corner lot, the rear of the rooftop shall be that area located farthest from the adjacent street with the highest street classification. (See § 495-50E of the Subdivision and Land Development Ordinance). In the event both adjacent streets have the same street classification, the rear of the rooftop shall be that area farthest from the adjacent street with highest average daily traffic.
 - (k) The number of rooftop dining seats shall not exceed that allowed by applicable state and local health, accessibility, fire, and building codes, nor shall the number of rooftop seats exceed the number of seats in the principal restaurant use.
 - (l) The rooftop area must be surrounded by railing or walls no less than 42 inches in height. The bar shall be set back at least 15 feet from the edge of the roof.
 - (m) Handicap access to the rooftop shall be from the interior space of the business within the principal building.

- (n) All lighting of the rooftop area shall comply with the lighting requirements in the Borough Code of Ordinances. All lights associated with the rooftop must be turned off when the rooftop area is not in use.
- (o) Food preparation on the rooftop shall not include an open flame.
- (p) Outdoor heaters shall meet the following requirements:
 - 1. The use of outdoor heaters shall be in compliance with the International Fire Code, as amended.
 - 2. Heaters shall not be located closer than 10 feet from a means of ingress or egress onto to the roof.
 - 3. Where applicable, heaters shall be securely fastened to a wall or the floor of the outdoor dining area to prevent the heater from accidentally tipping over. Said fastening shall be subject to review and approval by the Borough's Code Officials.
 - 4. No propane fired heaters shall be used on the roof.
- (q) No signs advertising rooftop dining shall be permitted, unless in compliance with and permitted by Article XVIII of this chapter.
- (r) All merchandise, goods, articles, furniture, or equipment shall be adequately secured to ensure safety to persons and property during times of inclement or hazardous weather conditions.
- (s) Parking. One parking space shall be provided per three seats in the rooftop dining area. This parking requirement may be met in whole, or in part, by free valet parking service to its customers during the hours the rooftop dining is in use. The applicant shall demonstrate, by means of an easement or long-term contract, that the parking spaces to be utilized by the rooftop dining establishment will be available for exclusive use of the rooftop dining facility.
- (t) Storage of materials. At the conclusion of any rooftop dining season, all portable equipment shall be stored within the facility in a location that does not interfere with the operation of the food establishment or shall be stored off site.
- (u) Rooftop dining permit. To assure compliance with safety and food code standards of the Borough, the following regulations shall govern the issuance of all rooftop dining permits or proposed changes to rooftop dining permits:
 - 1. Applications shall be filed on forms provided by the Borough along with the required fees and any information necessary to determine compliance with this section.
 - 2. Applications shall be submitted to the Building, Zoning and Codes Department for review to determine compliance with this chapter, safety standards and other applicable municipal regulations.
 - 3. The applicant shall seek and comply with safety recommendations from the Fire Marshal.
- (v) Noise. Rooftop dining shall be subject to the noise regulations of Chapter 353. No live music shall be permitted. All amplifiers and speakers shall be equipped with audio decibel limiters set to insure that sound generated at

the rooftop dining facility does not violate the regulations of the Borough ordinances and any other regulatory agencies having jurisdiction.

- (w) Upon final approval of an application, a permit shall be issued. Fees shall be paid upon the filing of an application and shall be renewed on an annual basis.
- (x) All locations shall be subject to periodic inspections for compliance with the standards of this section. Each zoning or code violation shall be a separate offense; each day a violation continues shall be the subject of a separate fine.

(22) Satellite Dishes or Antennae.

- (a) Satellite dish. A device incorporating a reflective surface that is solid, open mesh, or bar configured, and is in the shape of shallow dish, cone, or parabolic figure which is larger than 24 inches in diameter. Such device is used to receive radio, television or electromagnetic radiation between terrestrially and/or orbital bases. Satellite dishes are permitted in all zoning districts if the following additional regulations are satisfied:
 - 1. A satellite antenna shall not be located within a front yard, unless a certification from the installer is submitted to the Zoning Officer, certifying that the antenna cannot be feasibly located in any other area on the premises in question.
 - 2. Roof mounting is not recommended. If roof mounted, the antenna shall be located on a portion of the roof sloping away from the front yard of the lot, and no portion shall project above the ridge line.
 - 3. Satellite antennas mounted on nonresidential buildings shall be architecturally screened if visible from the public street. Ground-mounted antennas installed on nonresidential properties shall be visually screened from the public street and adjoining residential properties.
 - 4. An edge of any satellite antenna shall not be erected within five feet of any property line.
 - 5. No standard antenna, including its supporting structure, shall have a total height above the average surrounding ground level of greater than 65 feet.
 - 6. An antenna shall be properly anchored to resist high winds.
- (b) Vertical Antennae. Vertical Antennae are permitted in all zoning districts if the following additional regulations are satisfied:
 - 1. Standard, nonsatellite, home reception antennas are exempt from the provisions of this section. Transmitting antennas requiring FCC approval are included in this section.
 - 2. Such antennas shall not be located within the front yard area, and are required to comply with regulations of the Borough Building Code.
 - 3. In residential zoning districts, such antennas are required to comply with the height restrictions of the district in which they are located, whether roof- or ground-mounted.
 - 4. In nonresidential zoning districts, ground-mounted, commercially utilized antennas, and antennas (to include, but not be limited to, two-

way radio from a base to land-mobile antenna, such as radio-dispatched taxis, and antennas and used for restaurants, offices, industries or other businesses) exceeding 35 feet in height shall be erected at a distance from the property line equal to its height. If such a structure is located on a lot abutting a residential district, it shall be located at least 200 feet from the residential zone. This shall not restrict the use of antennas for emergency, military, or public safety dispatch communication.

5. Not included under this regulation are Roof or Structure Mounted Telecommunications or Telecommunications Tower, which are regulated under **Telecommunications Facilities**.

(23) **Short-Term Rental.** A transient vacation rental or use in which overnight accommodations are provided in single-family detached dwellings to guests for compensation. The following additional regulations must be satisfied:

- (a) This use is only permitted as an accessory use in single-family detached dwellings.
- (b) No guest can stay more than 30 days.
- (c) The room(s) offered for rent shall be within the principal building and shall not be in an accessory building.
- (d) The entire principal dwelling shall not be rented out.
- (e) The owner of the dwelling must be present overnight in the dwelling during the course of the short-term rental.
- (f) Off-street parking meeting the requirements of Article XVII must be provided.

(24) **Swimming Pool, Residential.** A body of water or receptacle for water having a depth at any point greater than twenty-four (24) inches which is primarily used or intended to be used for swimming or bathing. Wading pools are exempt from these provisions and are considered temporary pools if made of plastic, light metal, or other light duty materials which do not exceed a full volume depth of twenty-four (24) inches at the lowest point, and which are completely emptied of water when not in use. The following additional regulations must be satisfied:

- (a) The pool shall meet current UCC regulations or shall be completely enclosed by a fence or wall not less than 4 feet in height, with a self-locking gate as access. In addition, swimming pools equipped with elevated platforms or walkways that are at least 4 feet above the ground need not be fenced if the design prevents access by ladders or steps which can be made inaccessible and locked when not attended or in use.
- (b) Location: Any pool deck or shelter that is elevated above the average surrounding ground level and the water surface of any pool shall be set back a minimum of five feet from any lot line. Patios around pools that are level with the average surrounding ground level are not required to be set back from lot lines. A swimming pool, filters, pumps and other mechanical equipment shall not be permitted in the front yard and shall conform to the rear and side yard setbacks of the applicable zoning district. A pool shall meet the requirements of any water or sewer easement.

- (c) Drainage: A proper method shall be provided for drainage of the water from the pool that will not flood other property.
 - (d) The Borough does not assume responsibility for guaranteeing to the public that all new and existing pools fully comply with these provisions.
 - (e) Water contained in swimming pools must be kept healthy and sanitary at all times and shall not emit offensive odor that creates a nuisance or unhealthy condition.
 - (f) Abandoned pools must be removed or appropriately filled in and covered under ground.
- (25) **Unit for Care of Relative.** A dwelling unit that is created for and limited to occupancy by a relative of the permanent residents of the principal dwelling unit and is necessary to provide needed care and supervision to such relative. The following additional regulations must be satisfied:
- (a) The accessory unit shall be occupied by a maximum of two persons, who shall be relatives of the permanent residents of the principal dwelling unit. At least one resident of the accessory unit shall need such accommodations because of an illness, old age or disability.
 - (b) The applicant shall prove to Borough Council that the accessory unit has been designed and constructed so that it can be easily reconverted into part of the principal dwelling unit after the relative no longer resides within the unit. Such accessory unit may be converted into an additional bedroom(s), permitted home occupation area or similar use. A lawful detached garage may be converted into a unit for care of relative and then be reconverted to a garage or permitted home occupation area. A new freestanding building shall not be constructed or placed for this use.
 - (c) The applicant shall file in the Recorder of Deeds' office a covenant running with the land that will prohibit the use of the accessory unit as a separate dwelling unit after the relative no longer resides within the unit. Such covenant shall also be binding upon future owners.
 - (d) The owner of the property shall be required to annually renew the permit for the use. Such renewal shall be conditioned upon the owner proving that a relative of the occupants of the principal dwelling unit continues to reside within the accessory unit.
 - (e) Such accessory unit shall not decrease the one-family residential appearance of a one-family dwelling, as viewed from exterior property lines.
 - (f) Additional parking for the accessory unit may be waived by Borough Council as part of the conditional use approval if the applicant proves that the resident(s) of the accessory unit will not routinely operate a vehicle.
- (26) **Water Feature.** An artificial body of water accessory to the principal use on the property that is not required for retention or detention purposes and does not meet the definition of **Swimming Pool, Residential. Water Features** may be of a recreational or decorative nature, and may include koi ponds. **Water Features** are permitted in all zoning districts if the following additional regulations are satisfied:

- (a) The water feature shall meet current UCC regulations or shall be completely enclosed by a fence or wall not less than 4 feet in height, with a self-locking gate as access.
 - (b) The water surface of any water feature shall be set back a minimum of five feet from any lot line.
 - (c) A proper method shall be provided for drainage of the water from the feature that will not flood other property.
 - (d) The Borough does not assume responsibility for guaranteeing to the public that all new and existing water features fully comply with these provisions.
 - (e) Water features, filters, pumps and other mechanical equipment shall not be permitted in the front yard and shall conform to the rear and side yard setbacks of the applicable zoning district.
 - (f) Water contained in these features must be kept healthy and sanitary at all times and shall not emit offensive odor that creates a nuisance or unhealthy condition.
 - (g) Abandoned water features must be removed or appropriately filled in and covered under ground.
- (27) 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 IV. Zoning District Classifications

§ 560-401 Establishment of Districts

The Borough of Bridgeport is hereby divided into zoning districts of different types, with each type being of such number, shape, kind, and area, and with common unity of purpose and adaptability of use, that are deemed by the Borough Council as most suitable to carry out the goals and objectives in the Comprehensive Plan and the general purpose and intent set forth in this chapter.

§ 560-402 Enumeration of Districts

- A. For the purposes of this chapter, Bridgeport Borough is hereby divided into the following zoning districts, which shall be designated as follows:
- (1) OS Open Space District
 - (2) R1 Low Density Residential District
 - (3) R2 Medium Density Residential District
 - (4) R3 High Density Residential District
 - (5) INS Institutional District
 - (6) NC Neighborhood Commercial District
 - (7) GC General Commercial District
 - (8) LIC Light Industrial Commercial District
 - (9) GIC General Industrial Commercial District
 - (10) MUR Mixed-Use Riverfront District
 - (11) TOD Transit-Oriented Development

§ 560-403 Overlay Districts

The Floodplain Area, as defined by Article XVI, shall serve as an overlay district to the applicable underlying districts.

§ 560-404 Application of District Regulations

- A. The regulations set by this chapter shall apply uniformly to each class or kind of structure or land, except as provided for in this chapter.
- B. No structure shall hereafter be erected, used, constructed, reconstructed, structurally altered or occupied and no land shall hereafter be used, developed or occupied unless it is in conformity with the regulations herein specified for the use and district in which it is located.
- C. No yard or lot existing at the time of passage of this chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this chapter shall meet at least the minimum requirements established by this chapter.
- D. Boundary change. Any territory which may hereafter become part of the Borough through annexation or a boundary adjustment shall be classified as the R1 Zoning District of Bridgeport Borough until or unless such territory is otherwise classified by Borough Council.

§ 560-405 Zoning Map

The boundaries of said districts shall be shown upon the map attached to and made part of this chapter which shall be designated "Zoning Map." The map and all notations, references, and other

data shown thereon are hereby incorporated into this chapter and shall be as much a part of this chapter as if all were fully described herein.

§ 560-406 District Boundaries

The boundaries between districts are, unless otherwise indicated, either the center lines of street or railroad rights-of-way, or such lines extended, or lines parallel thereto. Where figures are shown on the Zoning Map between a street and a district boundary line, they indicate that the district boundary line runs parallel to the street line at a distance therefrom equivalent to the number of feet indicated.

Article V. OS Open Space District

§ 560-501 Intent; applicable regulations.

The purpose of the OS Open Space district is to provide for very low-intensity development in areas with significant important natural features, such as wetlands, flood-prone lands and very steeply sloped areas. It also serves to assist in protecting the water quality and habitats along creeks, and to recognize the larger parks open to the public.

§ 560-502 Permitted uses.

In the OS Open Space District, a building may be erected or used or occupied and a lot may be used or occupied for any of the following purposes and no other when in compliance with applicable use regulations set forth in Article III, Use Regulations:

- A. Uses permitted by right. The following uses are permitted by right:
 - (1) **Conservation/Recreation.**
 - (2) **Library, Museum, or Community Center.**
 - (3) **Swimming Pool, Non-Household.**
- B. Accessory uses permitted by right. The following accessory uses are permitted when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
 - (1) **Garage Sale.**
 - (2) **Mobile Food Vending.**
 - (3) **Renewable Energy Systems.**
 - (4) 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.
- C. Uses permitted by conditional use:
 - (1) **Cemetery.**
 - (2) **Government Facility.**
 - (3) **Plant Nursery.**
 - (4) Accessory uses permitted by conditional use:
 - (a) **Daycare Home, Family or Group.**

§ 560-503 Dimensional Requirements.

- A. Minimum lot area: 20,000 square feet.
- B. Minimum lot width: 70 feet.
- C. Setbacks.
 - (1) Minimum front setback: 25 feet.
 - (2) Minimum side setback: 10 feet.
 - (3) Minimum rear setback: 30 feet.
- D. Maximum building coverage: 10%.
- E. Maximum impervious coverage: 15%.
- F. Maximum principal building height: three (3) stories or 35 feet, whichever is more restrictive.
- G. Maximum accessory structure/building height: 1.5 stories or 15 feet, whichever is more restrictive.

Article VI. R1 Low Density Residential District

§ 560-601 Intent; applicable regulations.

The purpose of the R1 Low Density Residential district is to promote the maintenance, stability and continued viability of the borough's low-density residential neighborhoods, and to protect these areas from incompatible uses.

§ 560-602 Permitted uses.

In the R1 Low Density Residential District, a building may be erected or used or occupied and a lot may be used or occupied for any of the following purposes and no other when in compliance with applicable use regulations set forth in Article III, Use Regulations:

- A. Uses permitted by right. The following uses are permitted by right:
 - (1) Residential uses.
 - (a) **Single-Family Detached Dwelling.**
 - (b) **Single-Family Semi-Detached Dwelling (Twin).**
 - (c) **Group Home.**
 - (2) Community service, institutional, and utility uses.
 - (a) **Conservation/Recreation.**
 - (b) **Publicly Owned Recreation.**
- B. Accessory uses permitted by right. The following accessory uses are permitted when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
 - (1) **Residential Accessory Structures.**
 - (2) **Daycare Home, Family or Group.**
 - (3) **Garage Sale.**
 - (4) **Home Occupation.**
 - (5) **Keeping of Pets.**
 - (6) **No-Impact Home-Based Business.**
 - (7) **Recreational Vehicle Storage.**
 - (8) **Renewable Energy Systems.**
 - (9) **Short-Term Rental.**
 - (10) **Swimming Pool, Residential.**
 - (11) 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.
- C. Uses Permitted by conditional use:
 - (1) **Unit for Care of Relative.**

§ 560-603 Dimensional Requirements.

- A. Minimum lot area.
 - (1) For **Single-Family Detached Dwelling** and **Group Home**: 5,000 square feet minimum.
 - (2) For **Single-Family Semi-Detached Dwelling (Twin)**: 3,500 square feet minimum per dwelling unit.
 - (3) For other allowed principal uses: 10,000 square feet minimum.
- B. Minimum lot width.

- (1) For **Single-Family Detached Dwelling** and **Group Home**: 50 feet.
- (2) For **Single-Family Semi-Detached Dwelling (Twin)**: 30 feet per dwelling unit.
- (3) For other allowed principal uses: 80 feet.
- C. Setbacks.
 - (1) Front setback and build-to line: 24 feet.
 - (2) Minimum side setback: 10 feet.
 - (3) Minimum rear setback: 24 feet.
- D. Maximum building coverage: 30%.
- E. Maximum impervious coverage: 50%.
- F. Maximum principal building height: three (3) stories or 35 feet, whichever is more restrictive.
- G. Maximum accessory structure/building height: 1.5 stories or 15 feet, whichever is more restrictive.

Article VII. R2 Medium Density Residential District

§ 560-701 Intent; applicable regulations.

The purpose of the R2 Medium Density Residential district is to promote the maintenance, stability and continued viability of the borough's medium-density residential neighborhoods and to make sure that infill development is consistent with neighboring development.

§ 560-702 Permitted uses.

In the R2 Medium Density Residential District, a building may be erected or used or occupied and a lot may be used or occupied for any of the following purposes and no other when in compliance with applicable use regulations set forth in Article III, Use Regulations:

- A. Uses permitted by right. The following uses are permitted by right:
 - (1) Residential uses.
 - (a) **Single-Family Detached Dwelling.**
 - (b) **Single-Family Semi-Detached Dwelling (Twin).**
 - (c) **Single-Family Attached Dwelling (Townhouse).**
 - (d) **Group Home.**
 - (2) Community service, institutional, and utility uses.
 - (a) **Conservation/Recreation.**
- B. Accessory uses permitted by right. The following accessory uses are permitted when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
 - (1) **Residential Accessory Structures.**
 - (2) **Daycare Home, Family or Group.**
 - (3) **Garage Sale.**
 - (4) **No-Impact Home-Based Business.**
 - (5) **Keeping of Pets.**
 - (6) **Recreational Vehicle Storage.**
 - (7) **Renewable Energy Systems.**
 - (8) **Short-Term Rental.**
 - (9) **Swimming Pool, Residential.**
 - (10) 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.
- C. Uses permitted by conditional use.
 - (1) **Bed-and-Breakfast Home.**
 - (2) **Daycare Home, Family or Group.**
 - (3) **Government Facility.**
 - (4) **Home Occupation.**
 - (5) **Unit for Care of Relative.**

§ 560-703 Dimensional Requirements.

- A. Minimum lot area.
 - (1) For **Single-Family Detached Dwelling** and **Group Home**: 4,000 square feet minimum.
 - (2) For **Single-Family Semi-Detached Dwelling (Twin)**: 3,000 square feet per dwelling

- unit.
- (3) For **Single-Family Attached Dwelling (Townhouse)**: Minimum average of 1,800 square feet per dwelling unit.
- (4) For other allowed principal uses: 5,000 square feet minimum.
- B. Minimum lot width.
 - (1) For **Single-Family Detached Dwelling** and **Group Home**: 40 feet.
 - (2) For **Single-Family Semi-Detached Dwelling (Twin)**: 25 feet per dwelling unit.
 - (3) For **Single-Family Attached Dwelling (Townhouse)**: 15 feet per dwelling unit.
 - (4) For other allowed principal uses: 60 feet.
- C. Setbacks.
 - (1) Front setback and build-to line: 15 feet.
 - (2) Minimum side setback: 5 feet, except that:
 - a. A zero (0) feet side setback may be provided along the shared party wall/ lot line of lawfully attached dwellings; and
 - b. A 20 foot side setback shall be provided for any building containing 6 or more dwelling units. This provision shall apply to the end units of use **Single-Family Attached Dwelling (Townhouse)** when 6 or more units are attached.
 - (3) Minimum rear setback: 25 feet.
- D. Maximum building coverage: 60%.
- E. Maximum impervious coverage: 75%.
 - (1) For **Single-Family Attached Dwelling (Townhouse)**, the maximum impervious coverage may be based upon an average for the development.
- F. Maximum principal building height: three (3) stories or 35 feet, whichever is more restrictive.
- G. Maximum accessory structure/building height: 1.5 stories or 15 feet, whichever is more restrictive.

Article VIII. R3 High Density Residential District

§ 560-801 Intent; applicable regulations.

The purpose of the R3 High Density Residential district is to provide for medium-high-density residential neighborhoods with a mix of housing types, including **Multifamily Building/Unit**.

§ 560-802 Permitted uses.

In the R3 High Density Residential District, a building may be erected or used or occupied and a lot may be used or occupied for any of the following purposes and no other when in compliance with applicable use regulations set forth in Article III, Use Regulations:

- A. Uses permitted by right. The following uses are permitted by right:
 - (1) Residential uses.
 - (a) **Multifamily Building/Unit.**
 - (b) **Single-Family Semi-Detached Dwelling (Twin).**
 - (c) **Two-Family Detached Dwelling (Duplex).**
 - (d) **Single-Family Attached Dwelling (Townhouse).**
 - (2) Community service, institutional, and utility uses.
 - (a) **Conservation/Recreation.**
- B. Accessory uses permitted by right. The following accessory uses are permitted when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
 - (1) **Residential Accessory Structures.**
 - (2) **Daycare Home, Family or Group.**
 - (3) **Garage Sale.**
 - (4) **Keeping of Pets.**
 - (5) **No-Impact Home-Based Business.**
 - (6) **Recreational Vehicle Storage.**
 - (7) **Renewable Energy Systems.**
 - (8) **Short-Term Rental.**
 - (9) **Swimming Pool, Residential.**
 - (10) 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.
- C. Uses permitted by conditional use.
 - (1) **Bed-and-Breakfast Home.**
 - (2) **Day Care Facility.**
 - (3) **Educational Institution.**
 - (4) **Emergency Services.**
 - (5) **Government Facility.**
 - (6) **Home Occupation.**
 - (7) **Mixed-Use Building.**
 - (8) **Mobile Food Vending**
 - (9) **Place of Worship.**
 - (10) **Residential Care Facility.**
 - (11) **Retail Establishment.**

(12) **Swimming Pool, Non-Household.**

(13) **Unit for Care of Relative.**

§ 560-803 Dimensional Requirements.

A. Minimum lot area.

- (1) For **Multifamily Building/Unit**: Minimum average of 1,800 square feet per dwelling unit.
- (2) For **Single-Family Semi-Detached Dwelling (Twin)**: 2,000 square feet per dwelling unit.
- (3) For **Two-Family Detached Dwelling (Duplex)**: 4,000 square feet (total).
- (4) For **Single-Family Attached Dwelling (Townhouse)**: Minimum average of 1,800 square feet per dwelling unit.
- (5) For other allowed principal uses: 5,000 square feet minimum.

B. Minimum lot width.

- (1) For **Multifamily Building/Unit**: 60 feet.
- (2) For **Single-Family Semi-Detached Dwelling (Twin)**: 25 feet per dwelling unit.
- (3) For **Two-Family Detached Dwelling (Duplex)**: 50 feet (total).
- (4) For **Single-Family Attached Dwelling (Townhouse)**: 20 feet per dwelling unit.
- (5) For other allowed principal uses: 70 feet.

C. Setbacks.

- (1) Front setback and build-to line: 15 feet.
 - (a) Corner lots shall require a build-to line on each street frontage. If this would require that a building be constructed within a clear sight triangle (see § 495-69 of the Subdivision and Land Development Ordinance: Sight clearance at intersections), then the building shall be setback only as deep as would be necessary to accommodate a clear sight triangle.
- (2) Minimum side setback: 8 feet.
- (3) Minimum rear setback: 25 feet.

D. Maximum building coverage: 60%.

E. Maximum impervious coverage: 75%.

F. Maximum principal building height: 35 feet (maximum of 2 1/2 stories).

G. Maximum accessory structure/building height: 15 feet.

Article IX. INS Institutional District

§ 560-901 Intent; applicable regulations.

The purpose of the INS Institutional District is to provide for places of worship and selected similar institutional uses that are compatible with nearby neighborhoods.

§ 560-902 Permitted uses.

In the INS Institutional District, a building may be erected or used or occupied and a lot may be used or occupied for any of the following purposes and no other when in compliance with applicable use regulations set forth in Article III, Use Regulations:

- A. Uses permitted by right. The following uses are permitted by right:
 - (1) **Conservation/Recreation.**
 - (2) **Day Care Facility.**
 - (3) **Educational Institution.**
 - (4) **Government Facility.**
 - (5) **Library, Museum, or Community Center.**
 - (6) **Place of Worship.**
 - (7) **Swimming Pool, Non-Household.**
- B. Accessory uses permitted by right. The following accessory uses are permitted when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
 - (1) **Daycare Home, Family or Group.**
 - (2) **Garage Sale.**
 - (3) **Mobile Food Vending.**
 - (4) **Renewable Energy Systems.**
 - (5) **Short-Term Rental.**
 - (6) 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.
- C. Uses permitted by conditional use.
 - (1) **Bed-and-Breakfast Home.**
 - (2) **Cemetery.**
 - (3) **Emergency Services.**
 - (4) **Unit for Care of Relative.**

§ 560-903 Dimensional Requirements.

- A. Minimum lot area: 10,000 square feet.
- B. Minimum lot width: 50 feet.
- C. Setbacks.
 - (1) Minimum front yard setback: 25 feet.
 - (2) Minimum side setback: 10 feet, except that 20 feet shall be provided when abutting a lot occupied by an existing residential use.
 - (3) Minimum rear setback: 20 feet, except that 40 shall be provided when abutting a lot occupied by an existing residential use.
- D. Maximum building coverage: 50%.
- E. Maximum impervious coverage: 75%.

- F. Maximum principal building height: three (3) stories or 35 feet, whichever is more restrictive.
- G. Maximum accessory structure/building height: 1.5 stories or 15 feet, whichever is more restrictive.

Article X. NC Neighborhood Commercial District

§ 560-1001 Intent; applicable regulations.

The purpose of the NC Neighborhood Commercial district is to promote pedestrian-oriented activities in the downtown, to strengthen the downtown and commercial areas that are close to homes, to recognize commercial areas that are close to residential areas, as opposed to commercial areas that are more highway-oriented, to promote an appropriate mix of retail, service, office, public, institutional and residential uses, to avoid heavy commercial uses that are most likely to conflict with nearby neighborhoods and which are most likely to spur demolition of historic buildings, to primarily provide for smaller-scale uses that utilize existing buildings, as opposed to uses that would involve substantial demolition, to recognize that the availability of off-street parking at the former Bridgeport Elementary School makes it more suitable for commercial reuse than other institutional buildings in the Borough.

§ 560-1002 Permitted uses.

In the NC Neighborhood Commercial District, a building may be erected or used or occupied and a lot may be used or occupied for any of the following purposes and no other when in compliance with applicable use regulations set forth in Article III, Use Regulations:

A. Uses permitted by right. The following uses are permitted by right:

(1) Residential uses.

(a) **Multifamily Building/Unit**

[1] **Multifamily Building/Unit** shall only be permitted if in a Mixed-Use Building with the permitted principal commercial use or uses occupying 70% of the street-level floor area and fronting DeKalb Street, 4th Street, or Ford Street. No living space for any dwelling unit may be located on the ground floor.

(2) Commercial uses.

(a) **Athletic/Health Club.**

(b) **Bank.**

(c) **Brewery/Distillery/Winery.**

(d) **Convenience Store.**

(e) **Event Facility.**

(f) **Funeral Home.**

(g) **Microbrewery/Microdistillery/Microwinery.**

(h) **Mixed-Use Building.**

(i) **Personal Care Business.**

(j) **Professional Service Business.**

(k) **Recreation, Indoor.**

(l) **Restaurant, Dine-In.**

(m) **Restaurant, Take-Out.**

(n) **Retail Establishment.**

(o) **Studio.**

(p) **Supermarket.**

(q) **Tavern/Bar/Nightclub.**

(r) **Theater.**

(3) Community service, institutional, utility uses.

- (a) **Conservation/Recreation.**
- (b) **Day Care Facility.**
- (c) **Educational Institution.**
- (d) **Government Facility.**
- (e) **Library, Museum, or Community Center.**
- (f) **Membership Club.**
- (g) **Place of Worship.**
- (h) **Plant Nursery.**
- (i) **Residential Care Facility.**
- (j) **Swimming Pool, Non-Household.**
- (4) Office uses.
 - (a) **Co-Working Space.**
 - (b) **Office, Business/Professional.**
 - (c) **Medical Office or Clinic.**
- (5) Industrial uses.
 - (a) **Animal Care.**
- B. Accessory uses permitted by right. The following accessory uses are permitted when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
 - (1) **Keeping of Pets.**
 - (2) **Mobile Food Vending.**
 - (3) **No-Impact Home-Based Business.**
 - (4) **Outdoor Dining.**
 - (5) **Renewable Energy Systems.**
 - (6) **Rooftop Dining.**
 - (7) **Short-Term Rental.**
 - (8) 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.
- C. Uses permitted by conditional use.
 - (1) **Cemetery.**
 - (2) **Emergency Services.**
 - (3) **Home Occupation.**
 - (4) **Massage Therapy Establishment.**
 - (5) **Unit for Care of Relative.**
- D. Prohibited uses. The following uses are specifically prohibited in the NC District as principal or accessory uses:
 - (1) **Drive-Through Facilities.**

§ 560-1003 Dimensional Requirements.

- A. Minimum lot area: 1,800 square feet.
- B. Minimum lot width: 15 feet.
- C. Setbacks.
 - (1) Minimum building setback from the edge of street curblines: 14 feet.

- (2) Maximum building setback from street curbline for 60% or more of the front facade of the ground floor level of buildings: 20 feet.
- (3) Minimum side setback: 5 feet, except that 10 feet shall be provided when abutting a lot occupied by a residential use in a residential district existing at the time of development. This exception does not apply to **Mixed-Use Buildings**.
- (4) Minimum rear setback: 10 feet.
- D. Maximum building coverage: 80%.
- E. Maximum impervious coverage: 90%.
- F. Principal Building Height.
 - (1) Maximum principal building height: three (3) stories or 40 feet, whichever is more restrictive.
 - (2) Minimum principal building height (on 4th Street between DeKalb and Ford Streets): three (3) stories or 40 feet, whichever is more restrictive.

§ 560-1004 Design Standards.

A. Building Design Standards

- (1) Elevation drawings shall be provided with the building permit application.
- (2) For a **Mixed-Use Building**, the building height may be increased to five (5) stories or 60 feet by conditional use, whichever is more restrictive, in compliance with the following criteria:
 - (a) A front stepback of 15 feet from the ground floor façade for the 4th and 5th floors.
 - (b) The minimum building setback from the edge of street curbline is increased to 20 feet.
 - (c) Rooftop amenities for residents such as a common space with furniture shall be included.
- (3) Maximum building length. Front facades of buildings which face a street shall have a maximum length of 100 feet.
- (4) Doors and Entrances
 - (a) Buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.
 - (b) Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
 - (c) All primary building entrances shall be accentuated. Entrances permitted include recessed, protruding, canopy, portico, or overhang. One of the following architectural entrance accents are required: door surround, arch, awning, pediment, transom window, landscaping with shrubs, ground cover or perennials covering a minimum area of 20 square feet.
- (5) Walls and Windows
 - (a) Blank walls shall not be permitted along any exterior wall facing a street, parking area, or walking area. Walls or portions of walls where windows are not provided shall have architectural treatments that are similar to the front facade, including materials, colors, and details. Examples of architectural treatments include: Masonry (but not flat concrete block);

Concrete or masonry plinth at the base of the wall; Belt courses of a different texture or color; Projecting cornice; Projecting metal canopy; Decorative tilework; Trellis containing planting; Medallions; Opaque or translucent glass; Artwork; Vertical/horizontal articulation; Lighting fixtures; An architectural element not listed above that meets the intent.

(b) Windows

[1] The ground floor primary facades of buildings visible from the pedestrian view shall consist of a minimum of 60% window area and a maximum of 75%, with views provided through these windows into the business. The ground floor nonprimary facades of buildings visible from the pedestrian view shall consist of a minimum of 30% window area and a maximum of 60%. Ground floor windows shall be 12 to 20 inches above the sidewalk.

[2] Upper story windows of front facades shall not be boarded or covered and shall comprise a minimum of 35% window area in the facade above the ground floor and a maximum of 75%.

[3] Smoked, reflective, or black glass in windows is prohibited.

[4] A minimum of 70 percent of the street-facing building façade between two feet and eight feet in height must be comprised of clear windows that allow views of indoor space or product display areas.

[5] The bottom of any window or product display window used to satisfy the transparency standard of paragraph (1) above may not be more than 4 feet above the adjacent sidewalk.

[6] Product display windows used to satisfy these requirements must have a minimum height of [4] feet and be internally lighted.

(6) Roofs. Where gable roofs are utilized they shall have a minimum slope of 4:12 and a maximum slope of 12:12. Roofs in keeping with the character of adjacent buildings are recommended.

B. Screening:

(1) All wall-mounted mechanical, electrical, communication, and service equipment, including satellite dishes and vent pipes shall be screened from public view by parapets, walls, fences, landscaping, or other approved means.

(2) All rooftop mechanical equipment and other appurtenances shall be concealed by or integrated within the roof form or screened from view at ground level of nearby streets. The following, when above the roofline, requires screening: stairwells, elevator shafts, air conditioning units, large vents, heat pumps and mechanical equipment.

(3) Parking lots visible from a street shall be screened as follows:

(a) Where abutting a residential use, a screen consisting of a six-foot-high wall/fence or a year-round continuous evergreen screen shall be used. Evergreen plantings are to be six feet at the time of installation and are required to be maintained and kept free of litter.

- (b) Parking lot screening along street frontages or property lines with nonresidential uses shall consist of the following:
 - [1] A three-foot-high wall/fence or year-round plantings (evergreens). Such screening may include:
 - a. Hedges, not to exceed 36 inches in height; or
 - b. Mixed planting (trees and shrubs); or
 - c. Wall sections, with no wall break of more than six feet, and landscaping to provide a continuous screen.
- (c) Service and loading areas must be visually screened from street and pedestrian ways. For new construction, service and loading areas must be behind the building. Loading docks shall not be located on the Main Street frontage, but to the side or rear of the building.

§ 560-1005 Additional regulations in the NC Neighborhood Commercial District.

- A. No use shall be open to the public between the hours of 2:00 a.m. and 6:00 a.m.
- B. For **Mixed-Use Buildings**:
 - a. Only those permitted uses that are open for walk-in customers/clients may be located on the ground floor of a **Mixed-Use Building**.

Article XI. GC General Commercial District

§ 560-1101 Intent; applicable regulations.

The purpose of the GC General Commercial district is to provide for a wide mix of commercial uses in areas that are not historic and not surrounded by many homes, to recognize commercial areas that are more highway-oriented, and to provide for uses that are more auto-related than uses in the NC District.

§ 560-1102 Permitted uses.

In the GC General Commercial District, a building may be erected or used or occupied and a lot may be used or occupied for any of the following purposes and no other when in compliance with applicable use regulations set forth in Article III, Use Regulations:

A. Uses permitted by right. The following uses are permitted by right:

- (1) Residential Uses.
 - (a) **Multifamily Building/Unit.**
 - (b) **Boardinghouse.**
- (2) Commercial uses.
 - (a) **Athletic/Health Club.**
 - (b) **Bank.**
 - (c) **Brewery/Distillery/Winery.**
 - (d) **Car Wash.**
 - (e) **Convenience Store.**
 - (f) **Event Facility.**
 - (g) **Funeral Home.**
 - (h) **Hotel/Motel.**
 - (i) **Massage Therapy Establishment.**
 - (j) **Medical Marijuana Dispensary.**
 - (k) **Microbrewery/Microdistillery/Microwinery.**
 - (l) **Mixed-Use Building.**
 - (m) **Personal Care Business.**
 - (n) **Professional Service Business.**
 - (o) **Recreation, Indoor.**
 - (p) **Recreation, Outdoor.**
 - (q) **Restaurant, Dine-In.**
 - (r) **Restaurant, Take-Out.**
 - (s) **Retail Establishment.**
 - (t) **Studio.**
 - (u) **Supermarket.**
 - (v) **Tavern/Bar/Nightclub.**
 - (w) **Theater.**
- (3) Community service, institutional, and utility uses.
 - (a) **Conservation/Recreation.**
 - (b) **Day Care Facility.**
 - (c) **Educational Institution.**
 - (d) **Emergency Services.**

- (e) **Government Facility.**
 - (f) **Hospital.**
 - (g) **Library, Museum, or Community Center.**
 - (h) **Membership Club.**
 - (i) **Place of Worship.**
 - (j) **Plant Nursery.**
 - (k) **Residential Care Facility.**
 - (l) **Swimming Pool, Non-Household.**
- (4) Office uses.
- (a) **Co-Working Space.**
 - (b) **Office, Business/Professional.**
 - (c) **Medical Office or Clinic.**
- (5) Industrial uses.
- (a) **Animal Care.**
 - (b) **Auto, Boat and/or Mobile/Manufactured Home Sales.**
 - (c) **Building Supply or Lumberyard.**
 - (d) **Contractor's Office/Storage.**
 - (e) **Wholesale Sales.**
- B. Accessory uses permitted by right. The following accessory uses are permitted when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
- (1) **Accessory Structure, Nonresidential.**
 - (2) **Accessory Structure, Residential.**
 - (3) **Bed-and-Breakfast Home.**
 - (4) **Daycare Home, Family or Group.**
 - (5) **Drive-Through Facilities.**
 - (6) **Home occupation.**
 - (7) **Mobile Food Vending.**
 - (8) **No-Impact Home-Based Business.**
 - (9) **Outdoor Storage and Waste Disposal.**
 - (10) **Parking Lot.**
 - (11) **Renewable Energy Systems.**
 - (12) **Retail** accessory to items manufactured on premises.
 - (13) 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.
- C. Uses permitted by conditional use:
- (1) **Auto Repair Garage.**
 - (2) **Auto Service Station.**
 - (3) **Communications Facility.**
 - (4) **Mobile Home Park.**
 - (5) **Storage Facility (Self-Service).**

- (6) **Warehouse** or storage as an accessory use to a permitted principal use on the same lot or an adjacent lot or located in the same zoning district. Shall not occupy street-level space adjacent to Fourth Street.

§ 560-1103 Dimensional Requirements.

A. Minimum lot area:

- (1) For **Multifamily Building/Unit**: Minimum average of 1,800 square feet per dwelling unit.
 - i. If a lot includes less than 10,000 square feet of lot area, then a **Multifamily Building/Unit** shall only be permitted if in a **Mixed-Use Building** with a permitted principal commercial use or uses occupying the majority of the street-level floor fronting one public street.
- (2) For other allowed principal uses: 5,000 square feet, except 15,000 square feet for a new lot approved after the adoption of this chapter which will have its own vehicle access directly onto DeKalb Pike/Route 202 Expressway.

B. Minimum lot width.

- (1) For **Multifamily Building/Unit**: 60 feet.
- (2) For other allowed principal uses: 25 feet, except 100 feet for a new lot approved after the adoption of this chapter which will have its own vehicle access directly onto DeKalb Pike/Route 202 Expressway.

C. Setbacks.

- (1) For **Multifamily Building/Unit**.
 - i. Front setback and build-to line: 15 feet.
 1. Corner lots shall require a build-to line on each street frontage. If this would require that a building be constructed within a clear sight triangle (see § 208-67, Visibility at intersections), then the building shall be setback only as deep as would be necessary to accommodate a clear sight triangle.
 - ii. Minimum side setback: 8 feet.
 - iii. Minimum rear setback: 25 feet.
- (2) For other allowed principal uses.
 - i. Minimum front yard setback: 30 feet, except 20 feet when off-street parking is located behind the front façade of the principal building.
 - ii. Minimum side setback: 10 feet, except 20 feet shall be required when directly abutting a lot occupied by a residential use in a residential district.
 - iii. Minimum rear setback: 10 feet, except 25 feet shall be required when directly abutting a lot occupied by a residential use in a residential district.

D. Maximum building coverage: 70%.

E. Maximum impervious coverage: 90%.

F. Maximum building height: six (6) stories or 72 feet, whichever is more restrictive.

- (1) Notwithstanding the above, the maximum permissible height for new construction or building additions sited within 40 feet of an existing residential use within a residential district shall be capped at a maximum height of 40 feet.

§ 560-1104 Additional regulations in the GC General Commercial District.

- A. A **Communications Tower/Antenna** extending beyond 35 feet above a nonresidential principal building or a freestanding tower requires conditional use approval.

- B. Any setback for any new or expanded portion of an industrial building or tractor-trailer truck loading dock from the lot line of a principal residential use in a residential district must be 60 feet.
- C. For lots with frontage on DeKalb or 4th Streets:
 - (1) Blank walls shall not be permitted along any exterior wall facing or visible from a street, walkway, parking lot or common space. Walls shall have architectural treatments to add interest to the building.
 - (2) The front facade of buildings shall be oriented towards streets and sidewalks, with an everyday public entrance in this front facade. All primary building entrances shall be accentuated. Entrance accentuations permitted include recessed, protruding, canopy, portico or overhang.

Article XII. LIC Light Industrial Commercial District

§ 560-1201 Intent; applicable regulations.

The purpose of the LIC Light Industrial Commercial district is to provide for light industrial, office and related commercial development in a manner that is compatible with any nearby homes, to carefully control the types of industrial operations to avoid nuisances (such as excessive noise) and hazards, and to encourage the preservation of key historic buildings. The purpose of the residential option in this district is to provide for historic rehabilitation of large older industrial buildings for use as **Multifamily Building/Unit** or condominiums, to provide an alternative use for large older industrial buildings within selected areas, and to minimize conflicts between business and residential uses.

§ 560-1202 Permitted uses.

In the LIC Light Industrial Commercial District, a building may be erected or used or occupied and a lot may be used or occupied for any of the following purposes and no other when in compliance with applicable use regulations set forth in Article III, Use Regulations:

A. Uses permitted by right. The following uses are permitted by right:

(1) Commercial uses.

- (a) **Athletic/Health Club.**
- (b) **Bank.**
- (c) **Brewery/Distillery/Winery.**
- (d) **Car Wash.**
- (e) **Convenience Store.**
- (f) **Dry Cleaners or Laundromat.**
- (g) **Event Facility.**
- (h) **Firing Range.**
- (i) **Funeral Home.**
- (j) **Hotel/Motel.**
- (k) **Massage Therapy Establishment.**
- (l) **Microbrewery/Microdistillery/Microwinery.**
- (m) **Mixed-Use Building.**
- (n) **Personal Care Business.**
- (o) **Professional Service Business.**
- (p) **Recreation, Indoor.**
- (q) **Recreation, Outdoor.**
- (r) **Restaurant, Dine-In.**
- (s) **Restaurant, Take-Out.**
 - 1. **Drive-Through Facilities** is not permitted with this use.
- (t) **Retail Establishment.**
- (u) **Storage Facility (Self-Service).**
- (v) **Studio.**
- (w) **Supermarket.**
- (x) **Tavern/Bar/Nightclub.**
- (y) **Theater.**

(2) Community service, institutional, and utility uses.

- (a) **Conservation/Recreation.**
 - (b) **Day Care Facility.**
 - (c) **Educational Institution.**
 - (d) **Emergency Services.**
 - (e) **Government Facility.**
 - (f) **Hospital.**
 - (g) **Library, Museum, or Community Center.**
 - (h) **Membership Club.**
 - (i) **Place of Worship.**
 - (j) **Plant Nursery.**
 - (k) **Residential Care Facility.**
 - (l) **Swimming Pool, Non-Household.**
- (3) Office uses.
- (a) **Co-Working Space.**
 - (b) **Office, Business/Professional.**
 - (c) **Medical Office or Clinic.**
 - (d) **Research Facility.**
- (4) Industrial uses.
- (a) **Animal Care.**
 - (b) **Artisan Manufacturing.**
 - (c) **Assembly Plant.**
 - (d) **Auto, Boat and/or Mobile/Manufactured Home Sales.**
 - (e) **Auto Repair Garage.**
 - (f) **Auto Service Station.**
 - (g) **Building Supply or Lumber Yard.**
 - (h) **Communications Facility.**
 - (i) **Contractor's Office/Storage.**
 - (j) **Medical Marijuana Grower/Processor.**
 - (k) **Wholesale Sales.**
- B. Accessory uses permitted by right. The following accessory uses are permitted when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
- (1) **Accessory Structure, Nonresidential.**
 - (2) **Mobile Food Vending**
 - (3) **Outdoor Storage and Waste Disposal.**
 - (4) **Renewable Energy Systems.**
 - (5) **Retail** accessory to items manufactured on premises
 - (6) **Warehouse** or storage as an accessory use to a permitted principal use on the same lot or an adjacent lot or located in the same zoning district, Shall not occupy street-level space adjacent to Fourth Street.
 - (7) 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.

- C. Uses permitted by conditional use.
 - (1) **Boarding House.**
 - (2) **Livestock.**
 - (3) **Manufacturing, Processing, and Production.**
 - (4) **Mixed-Use Buildings.**
 - (5) **Mobile Home Park.**
 - (6) **Multifamily Building/Unit.**
 - (7) **Recycling Center.**

§ 560-1203 Dimensional Requirements.

- A. Minimum lot area: 5,000 square feet, except that a minimum lot area of 15,000 square feet shall be required for the industrial uses listed above in § 560-1202A(4).
- B. Minimum lot width: 50 feet, except 200 for a new lot approved after the adoption of this chapter which will have its own vehicle access directly onto DeKalb Pike/Route 202 Expressway.
- C. Setbacks.
 - (1) Minimum front yard setback: 15 feet.
 - (2) Minimum side setback: 15 feet.
 - (3) Minimum rear setback: 15 feet.
- D. Maximum building coverage: 60%.
- E. Maximum impervious coverage: 90%.
- F. Maximum building height: six (6) stories or 72 feet, whichever is more restrictive.
 - (1) Notwithstanding the above, the maximum permissible height for new construction or building additions sited within 40 feet of an existing residential use within a residential district shall be capped at a maximum height of 40 feet.

§ 560-1204 Additional regulations in the LIC Light Industrial Commercial District.

- A. For noise control, odor and dust, and other related environmental regulations, see Article XVI Environmental Regulations.
- B. Any setback for any new or expanded portion of an industrial building or tractor-trailer truck loading dock from the lot line of a principal residential use in a residential district must be 60 feet.
- C. **Multifamily Building/Unit** and **Mixed-Use Buildings** shall be allowed in the LIC District as a conditional use, provided that all of the following requirements are met:
 - (1) These uses shall only be allowed as a conversion of a building(s) that existed prior to the adoption of this chapter and shall not be allowed within any building constructed after the adoption of this chapter.
 - (2) The applicant shall prove to the satisfaction of the Borough Council that residential uses will be able to occur in a manner that will not create conflicts with nearby business uses. Particular attention shall be paid to potential safety hazards regarding proximity of any hazardous material handling or storage and conflicts involving truck traffic and unloading operations.
 - (a) To address potential conflicts, the Borough Council may, as a condition of the conditional use, require limitations on the location of trucking operations and/or hazardous material operations and use of noise control measures on the property under the control of the applicant.

- (3) The applicant shall provide evidence that professional analysis has been conducted of possible environmental contamination of the building and land area proposed for residential use. The applicant shall also, in writing, describe:
 - (a) Any past and proposed remediation measures; and
 - (b) The level of compliance with any applicable state and federal remediation regulations. However, zoning approval under this chapter shall not constitute any guarantee or warranty by the Borough of Bridgeport that the property is suitable for residential use from an environmental perspective.
- (4) These uses shall be limited to within existing buildings, except that minor additions may be constructed to improve emergency exits and handicapped access, add architectural interest and accommodate amenities, provided that setback requirements are met for new construction.
- (5) For **Mixed-Use Buildings**: Residential uses may occur within the same building as permitted uses that do not involve industrial uses. Such permitted uses include, but are not limited to, offices, retail sales, exercise clubs and restaurants.
- (6) No minimum lot area per dwelling unit shall apply. The minimum floor area per dwelling unit in § 560-1903 shall apply.

Article XIII. GIC General Industrial Commercial District

§ 560-1301 Intent; applicable regulations.

The purpose of the GIC General Industrial Commercial district is to provide for a wide variety of industrial and commercial uses in locations that are not adjacent to neighborhoods, to meet requirements of state law to provide opportunities for a wide range of business uses, and to carefully control industrial uses to avoid significant nuisances and hazards, particularly to neighboring residences.

§ 560-1302 Permitted uses.

In the GIC General Industrial Commercial District, a building may be erected or used or occupied and a lot may be used or occupied for any of the following purposes and no other when in compliance with applicable use regulations set forth in Article III, Use Regulations:

A. Uses permitted by right. The following uses are permitted by right:

(1) Commercial uses.

- (a) **Athletic/Health Club.**
- (b) **Bank.**
- (c) **Brewery/Distillery/Winery.**
- (d) **Car Wash.**
- (e) **Convenience Store.**
- (f) **Dry Cleaners or Laundromat.**
- (g) **Event Facility.**
- (h) **Firing Range.**
- (i) **Funeral Home.**
- (j) **Hotel/Motel.**
- (k) **Massage Therapy Establishment.**
- (l) **Microbrewery/Microdistillery/Microwinery.**
- (m) **Mixed-Use Building.**
- (n) **Personal Care Business.**
- (o) **Professional Service Business.**
- (p) **Recreation, Indoor.**
- (q) **Recreation, Outdoor.**
- (r) **Restaurant, Dine-In.**
- (s) **Restaurant, Take-Out.**
 - 1. **Drive-Through Facilities** is not permitted with this use.
- (t) **Retail Establishment.**
- (u) **Storage Facility (Self-Service).**
- (v) **Studio.**
- (w) **Supermarket.**
- (x) **Tavern/Bar/Nightclub.**
- (y) **Theater.**

(2) Community service, institutional, and utility uses.

- (a) **Conservation/Recreation.**
- (b) **Day Care Facility.**
- (c) **Educational Institution.**

- (d) **Emergency Services.**
 - (e) **Government Facility.**
 - (f) **Hospital.**
 - (g) **Library, Museum, or Community Center.**
 - (h) **Membership Club.**
 - (i) **Place of Worship.**
 - (j) **Plant Nursery.**
 - (k) **Residential Care Facility.**
 - (l) **Substance Abuse Treatment and Rehabilitation Facility.**
 - (m) **Swimming Pool, Non-Household.**
- (3) Office uses.
- (a) **Co-Working Space.**
 - (b) **Office, Business/Professional.**
 - (c) **Medical Office or Clinic.**
 - (d) **Research Facility.**
- (4) Industrial uses.
- (a) **Animal Care.**
 - (b) **Artisan Manufacturing.**
 - (c) **Assembly Plant.**
 - (d) **Auto, Boat and/or Mobile/Manufactured Home Sales.**
 - (e) **Auto Repair Garage.**
 - (f) **Auto Service Station.**
 - (g) **Communications Facility.**
 - (h) **Contractor's Office/Storage.**
 - (i) **Medical Marijuana Grower/Processor.**
 - (j) **Wholesale Sales.**
- B. Accessory uses. The following accessory uses are permitted when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
- (1) **Daycare Home, Family or Group.**
 - (a) Permitted as accessory only to **Place of Worship.**
 - (2) **Mobile Food Vending.**
 - (3) **Outdoor Storage and Waste Disposal.**
 - (4) **Renewable Energy Systems.**
 - (5) **Retail** accessory to items manufactured on premises
 - (6) **Warehouse** or storage as an accessory use to a permitted principal use on the same lot or an adjacent lot or located in the same zoning district, Shall not occupy street-level space adjacent to Fourth Street.
 - (7) 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.
- C. Uses permitted by conditional use.
- (1) **Adult Use.**

- (2) **After-Hours Club.**
- (3) **Boardinghouse.**
- (4) **Building Supply or Lumber Yard.**
- (5) **Junkyard.**
- (6) **Kennel.**
- (7) **Livestock.**
- (8) **Manufacturing, Processing, and Production.**
- (9) **Mineral Extraction.**
- (10) **Mobile Home Park.**
- (11) **Other Uses Not Expressly Permitted.**
- (12) **Recycling Center.**
- (13) **Solid Waste Transfer Facility**

§ 560-1303 Dimensional Requirements.

- A. Minimum lot area: 5,000 square feet, except 15,000 square feet for an industrial use as defined in Article II Definitions.
- B. Minimum lot width: 50 feet, except 200 for a new lot approved after the adoption of this chapter which will have its own vehicle access directly onto Route 202 Bypass.
- C. Setbacks.
 - (1) Minimum front yard setback: 15 feet.
 - (2) Minimum side setback: 15 feet.
 - (3) Minimum rear setback: 15 feet.
- D. Maximum building coverage: 60%.
- E. Maximum impervious coverage: 90%.
- F. Maximum building height: six (6) stories or 72 feet, whichever is more restrictive.
 - (1) The maximum height shall be 40 feet within 40 feet of an existing primarily residential use within a residential district.

§ 560-1304 Additional regulations in the GIC General Industrial Commercial District.

- A. For noise control, odor and dust, and other related environmental regulations, see Article XVI Environmental Regulations.
- B. Any setback for any new or expanded portion of an industrial building or tractor-trailer truck loading dock from the lot line of a principal residential use in a residential district must be 60 feet.

Article XIV. MUR Mixed-Use Riverfront District

§ 560-1401 Intent; applicable regulations.

- A. The Mixed-Use Riverfront District provides flexibility in land use planning by providing criteria that allow a mix of uses in a designated area. The district is intended to achieve the following purposes:
- (1) Provide for a mix of uses that will meet community planning goals and objectives.
 - (2) Provide for orderly and creative arrangement of land uses with respect to each other within the district, those on adjoining properties and to the entire community.
 - (3) Provide adequate and well-designed open space for the use of district residents and the community.
 - (4) Provide a means for review and mitigation of potential community and environmental impacts.
 - (5) Provide for innovative design and zoning techniques.
 - (6) Encourage innovative transportation strategies to reduce transportation impacts, improve safety, reduce congestion and provide adequate access.
 - (7) Provide for a Mixed-Use Riverfront District that is flexible and responsive to changes in land use market demands.

§ 560-1402 Permitted uses.

- A. Uses permitted by right. The following uses are permitted by right:
- (1) Residential uses.
 - (a) **Multifamily Building/Unit.**
 - (2) Commercial uses.
 - (a) **Athletic/Health Club.**
 - (b) **Bank.**
 - (c) **Brewery/Distillery/Winery.**
 - (d) **Dry Cleaners or Laundromat.**
 - (e) **Massage Therapy Establishment.**
 - (f) **Microbrewery/Microdistillery/Microwinery.**
 - (g) **Mixed-Use Building.**
 - (h) **Personal Care Business.**
 - (i) **Professional Service Business.**
 - (j) **Recreation, Indoor.**
 - (k) **Recreation, Outdoor.**
 - (l) **Restaurant, Dine-In.**
 - (m) **Restaurant, Take-Out.**
 1. **Drive-Thru Facility** is not permitted as a part of this use.
 - (n) **Retail Establishment.**
 - (o) **Studio.**
 - (p) **Tavern/Bar/Nightclub.**
 - (q) **Theater.**
 - (3) Community service, institutional, and utility uses.
 - (a) **Conservation/Recreation.**
 - (b) **Day Care Facility.**

- (c) **Educational Institution.**
 - (d) **Emergency Services.**
 - (e) **Library, Museum, or Community Center.**
 - (f) **Membership Club.**
 - (g) **Place of Worship.**
 - (h) **Research Facility.**
 - (i) **Residential Care Facility.**
 - (j) **Swimming Pool, Non-Household.**
- (4) Office uses.
- (a) **Office, Business/Professional.**
- B. Accessory uses permitted by right. The following accessory uses are permitted when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
- (1) **Accessory Structure, Nonresidential.**
 - (2) **Event Facility.**
 - (3) **Mobile Food Vending**
 - (4) **No-Impact Home-Based Business.**
 - (5) **Outdoor Dining.**
 - (6) **Renewable Energy Systems.**
- C. Uses permitted by conditional use.
- (1) **Assembly Plant.**
 - (2) **Communications Antenna/Tower.**
 - (3) **Communications Facility.**
 - (4) **Government Facility.**
 - (5) **Home Occupation.**
 - (6) **Outdoor Storage and Waste Disposal.**
 - (7) **Parking Structure.**
 - (8) **Rooftop Dining.**

§ 560-1403 Procedures for Development in the MUR Mixed-Use Riverfront District.

- A. Development within the Mixed-Use Riverfront District shall be consistent with the Master Plan for the Mixed-Use Riverfront District as prepared by the Borough. Submitted plans for development shall contain the following information:
- (1) Perimeter boundaries of the district.
 - (2) Land uses of adjacent properties.
 - (3) Natural features that may impact development or should be incorporated into the district's development plan.
 - (4) Proposed land uses for the district, including open space areas with approximate location and boundaries.
 - (5) Proposed streets within the district and access areas into the district.
- B. Preapplication meeting and sketch plan: A preapplication meeting and sketch plan of a proposed subdivision/land development plan within the Mixed-Use Riverfront District is required of any applicant. This preapplication meeting and sketch plan shall be regarded as informational only where the major elements of any proposed plan can be reviewed and

discussed. The preapplication meeting/sketch plan shall not be regarded as a formal application for the district nor shall the Borough take any formal action on the sketch plan.

- C. Subdivision and land development plans submitted to the Borough for the Mixed-Use Riverfront District must be consistent with the Master Plan for the Mixed-Use Riverfront District and meet the applicable requirements of the master plan, and the Bridgeport Borough Subdivision and Land Development Ordinance in addition to the requirements of this article or any other provisions of the Bridgeport Borough Zoning Ordinance. In the event of a conflict between the requirements contained in this article and any other ordinance, the requirements of this article will apply.
- D. The Master Plan for the Mixed-Use Riverfront District may be revised by Borough Council from time to time. Any subdivision/land development plan that has been substantially constructed shall be considered consistent with the plan and shall be included in the revised master plan.

§ 560-1404 Design Standards and Provisions in the MUR Mixed-Use Riverfront District.

- A. Area, setback and bulk requirements:
 - (1) Minimum lot area: 8,000 square feet.
 - (2) Setbacks.
 - (a) Front setback: 10 foot maximum.
 - (b) Side setback: 10 foot minimum, 25 foot maximum.
 - (c) Rear setback: 10 foot minimum, 25 foot maximum.
 - (3) Maximum building coverage: 80%.
 - (4) Maximum impervious coverage: 90%.
 - (5) Maximum building height: six (6) stories or 72 feet, whichever is more restrictive.
- B. Landscaping.
 - (1) Landscaping and buffering shall be in provided accordance with § 495-63 of the Borough's Subdivision and Land Development Ordinance.
 - (2) Buffer requirements shall be determined by the Borough based upon the Master Plan for the Mixed-Use Riverfront District.
- C. Utilities.
 - (1) Sewage disposal: Development within the Mixed-Use Riverfront District shall utilize public sewer service.
 - (2) Water supply: Development within the Mixed-Use Riverfront District shall utilize public water service. All water mains constructed shall meet the design and installation specifications of the public water supplier.
 - (3) Other utilities: All other utilities servicing the Mixed-Use Riverfront District shall be provided underground.
- D. Pedestrian design standards:
 - (1) Sidewalks are required along all existing and proposed streets within and abutting the subject lot or lots. Sidewalks shall be a minimum of six feet in width and shall meet the standards of the Borough's Subdivision and Land Development Ordinance.
 - (2) Paved pedestrian walkways, sidewalks or equivalent shall connect road frontage sidewalks to building entries, parking areas, open spaces and other significant pedestrian destination areas.

- (3) Public pedestrian access shall be provided between distinct uses through pedestrian access easements with a minimum width of 15 feet. Walkways between office buildings, retail establishments, housing areas and open spaces shall facilitate "walkability" in the Mixed-Use Riverfront District. Direct pedestrian connections to public transit stops, retail uses and adjacent properties shall be accommodated, where feasible, within the overall land use plan.
- E. Traffic and access standards:
- (1) Public right-of-way access with a minimum width of 25 feet shall be provided for all subdivided lots.
 - (2) The applicant shall demonstrate to the Borough Council that satisfactory provisions are made to prevent traffic congestion and hazards to the surrounding area. Provisions shall be made for safe and efficient ingress and egress to and from the development. The Borough Council may require a transportation impact study (TIS) for any use in the Mixed-Use Riverfront District when it determines that such a study is necessary to demonstrate the adequacy of the access points and streets for accommodating the traffic generated by the proposed use. Existing residential areas shall not be infringed upon by the significant volumes of traffic from the proposed use.
- F. Sewer and water. Borough Council may require a sewer and water impact study to determine the effect of the proposed use on capacity and operations.
- G. Neighborhood impact. The impact of the proposed use on the surrounding properties and neighborhood shall be considered. The use shall not adversely affect the general welfare or orderly development of the general neighborhood in which it is proposed. The scale, form and appearance of structures and open space should be compatible with the general character of the master plan. The applicant is encouraged to present evidence on the need for the proposed use, including data on the location of other similar uses in the Borough and surrounding areas.

Article XV. TOD Transit-Oriented Development District

§ 560-1501 Intent; applicable regulations.

The intent of the Transit-Oriented Development (TOD) Zoning District is to encourage development near the DeKalb Street Station on the Norristown High Speed Line (NHSL); to increase transit use; to create an accessible and walkable neighborhood; to attract new residents to Bridgeport; to encourage residential development with commercial and retail that support residential; and to enhance the vibrancy of the Borough.

§ 560-1502 Permitted uses.

In the TOD Transit-Oriented Development District, a building may be erected or used or occupied and a lot may be used or occupied for any of the following purposes and no other when in compliance with applicable use regulations set forth in Article III, Use Regulations:

- A. Uses permitted by right. The following uses are permitted by right:
- (1) Residential uses.
 - (a) **Multifamily Building/Unit.**
 - (2) Commercial uses.
 - (a) **Brewery/Distillery/Winery.**
 - (b) **Massage Therapy Establishment.**
 - (c) **Microbrewery/Microdistillery/Microwinery.**
 - (d) **Mixed-Use Building.**
 1. Residential uses may comprise no less than 80% of the gross floor area.
 - (e) **Personal Care Business**
 - (f) **Professional Service Business.**
 - (g) **Restaurant, Dine-In**
 - (h) **Restaurant, Take-Out** if less than 15,000 square feet.
 - (i) **Retail Establishment** if less than 15,000 square feet.
 - (j) **Studio.**
 - (k) **Tavern/Bar/Nightclub.**
 - (l) **Theater.**
 - (3) Community services, institutional, utility uses.
 - (a) **Conservation/Recreation.**
 - (b) **Day Care Facility.**
 - (c) **Educational Institution.**
 - (d) **Emergency Services.**
 - (e) **Library, Museum, or Community Center.**
 - (f) **Membership Club.**
 - (g) **Place of Worship.**
 - (h) **Residential Care Facility.**
 - (4) Office uses.
 - (a) **Co-Working Space.**
 - (b) **Office, Business/Professional.**
- B. Accessory uses permitted by right. The following accessory uses are permitted when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:

- (1) **Athletic/Health Club.**
- (2) **Bank.**
- (3) **Dry Cleaners or Laundromat.**
- (4) **Event Facility.**
- (5) **Fences and Walls**
- (6) **Mobile Food Vending.**
- (7) **Recreation, Indoor.**
- (8) **Renewable Energy Systems.**
- C. Uses permitted by conditional use.
 - (1) **Communications Facility.**
 - (2) **Government Facility.**
- D. Prohibited uses. The following uses are very specifically prohibited in the TOD District as principal or accessory uses:
 - (1) **Assembly Plant.**
 - (2) **Auto Service Station.**
 - (3) **Bed-and-Breakfast Home.**
 - (4) **Car Wash.**
 - (5) **Drive-Through Facilities.**
 - (6) **Hospital.**
 - (7) **Hotel/Motel**
 - (8) **Manufacturing, Processing, and Production.**
 - (9) **Parking Lot** as a principal use of a lot.
 - (10) **Recreation, Outdoor.**
 - (11) **Single-Family Detached Dwelling.**
 - (12) **Single-Family Semi-Detached Dwelling (Twin).**
 - (13) **Single-Family Attached Dwelling (Townhouse).**
 - (14) **Storage Facility (Self-Service).**
 - (15) **Swimming Pool, Non-Household.**

§ 560-1503 Development standards.

- A. General. The lot to be developed shall be under one owner, or shall be the subject of an application filed jointly by the owners of the entire tract under consideration.
- B. Building orientation and spacing.
 - (1) Buildings and front entrances shall be oriented towards DeKalb Street and/or Boro Line Road.
 - (2) The primary pedestrian access point to buildings shall face public streets rather than onto rear or side parking lots or alleys.
- C. A lot of three or more acres with frontage along DeKalb Street or Boro Line Road shall have retail on the ground floor fronting the street.

§ 560-1504 Dimensional standards.

- A. Lot size. The minimum lot size shall be 20,000 square feet.
- B. Impervious coverage. The maximum impervious coverage shall not exceed 90%.
 - (1) Impervious coverage may reach 100%, provided a green roof is constructed that covers at least 10% of the lot area or 50% of the roof, whichever is greater.

- C. Building height. Within the TOD District, new development shall have a minimum height of four stories, and a maximum height of six stories.
 - (1) Building stepbacks. If a building is higher than four stories, each floor above the fourth floor shall have a minimum front stepback of 10 feet.
 - (2) For any two buildings located within 40 feet linear feet of one another, regardless of property boundaries, a stepback of no less than eight feet shall be provided on the façade facing the nearest building within the aforementioned 40-foot vicinity.
- D. Building facade length. The maximum length of any building facade along the public right-of-way shall be 200 feet. Facades should be articulated with facade breaks of a minimum depth of three (3) feet for every 50 feet of building facade length. In lieu of facade breaks, other architectural elements that provide facade articulation may be utilized, including bay or oriel windows, recessed entryways, or other building design features that create variation in the facade depth.
- E. Setbacks.
 - (1) Overhangs, balconies, and similar features placed on the street facing front side of the building may be located within the setback, but no closer than 2 feet to the curbline.
 - (2) Building setbacks.
 - (a) Front setback. Buildings shall have a minimum setback of 15 feet and a maximum setback of 20 feet.
 - [1] Buildings that are located along DeKalb Street between Crooked Lane and Boro Line Road shall have a setback of 25 feet, measured from the street facing facade of the building to the edge of the cartway along public streets.
 - (b) Side setback. Buildings shall have a minimum side setback from the property line of 15 feet.
 - (c) DeKalb Pike building setback. Unless governed by Subsection E(2)(a)[1] above, where a lot abuts DeKalb Pike, the building shall be set back at least 80 feet from the property line along DeKalb Pike.
 - (d) Industrial use setback. Where a parcel abuts an industrial use, any proposed building shall be setback no less than 60 feet from the property line shared with said industrial use.
 - (3) Parking structure setbacks.
 - (a) DeKalb Pike setback. Where a lot abuts DeKalb Pike, the parking structure shall be setback 40 feet from the property line along DeKalb Pike.
 - (b) Industrial use setback. Where a lot abuts industrial use, the parking structure shall be setback 20 feet from property line along the industrial use.
 - (4) Setbacks shall be designed to allow for future vehicular and pedestrian access to adjacent properties.
- F. Building separation. The minimum separation between buildings located on the same lot shall be 30 feet.

§ 560-1505 Site design standards.

- A. Common space.
 - (1) Properties with a lot area of less than two acres shall provide common space equal to at least 5% of the lot area.

- (a) Common space can be located on the front or side of the building as common space, or on the roof.
 - (b) When located on the front or side of the building, common space shall include seating and shade trees with a canopy coverage of a minimum of 35% of the common space. When installed, canopy coverage shall be at 10 years growth for the average canopy size.
- (2) Properties with a lot area of more than two acres shall provide common space equal to at least 8% of the lot area.
- (a) At least 5% of the lot area shall be common space along either DeKalb Street or Boro Line Road. Sidewalk area shall not be counted towards this requirement. The total amount can count towards the frontage occupation requirement.
 - (b) If street access is not available, the required common space shall be provided as a small park within the development with a pedestrian walkway connection it to the public sidewalk.
 - (c) Common space shall be located on the rooftop, or within the development in the form of a small park.
 - (d) When located on the front or side of the building, common space shall include seating and shade trees with a canopy coverage of a minimum of 35% of the common space. When installed, canopy coverage shall be at 10 years growth for the average canopy size.
- B. Pedestrian connectivity.
- (1) Convenient pedestrian connections shall be provided between all building entrances, parking areas, open spaces, and train stations or bus stops.
 - (2) New sidewalks or walkways shall connect to existing sidewalks.
- C. Loading and service area.
- (1) Loading and service areas shall be integrated into the building, when feasible. When not feasible, loading and service areas shall be located to the side or rear of buildings, and shall be screened from public streets by a three-foot-high wall, fence, hedge, or combination thereof.
 - (2) No loading or service area shall be located within 25 feet of any first-floor residential use.

§ 560-1506 Streetscape standards.

- A. Sidewalks.
- (1) Sidewalks shall be provided along all streets. Sidewalks which are along the major vehicular and pedestrian traffic areas of a TOD development (DeKalb Street and Boro Line Road) shall be provided within the minimum fifteen-foot-wide front setback as follows:
 - (a) Verge. A five-foot verge shall be provided.
 - (b) Sidewalk. A sidewalk of at least nine feet in width shall be provided along the verge.
 - (2) All other walkways within the TOD development shall be a minimum of eight feet in width.

- B. Building facade. All visible facades, including side facades, shall be designed with detail to create visual interest. All buildings shall provide architectural features, which may be in the form of an articulated roofline with cornices, corbels, or other similar architectural treatments.
 - (1) A section of blank wall shall not exceed five linear feet without being interrupted by a window, entryway, planter, plaza, or some other design feature.
 - (2) Except where there is ground-floor-level parking, clear retail and commercial windows shall encompass at least 50% of the building ground-floor street-facing facade.
 - (a) The visibility of commercial and retail windows shall be maintained. Windows signs cannot cover more than 10% of the window space.
 - (3) Corners. Building corners at intersections shall be visually emphasized through architectural design features.
- C. Street trees. Trees shall be planted along all public rights of way in compliance with § 495-63.
 - (1) Street trees shall be planted in the verge along the curb of DeKalb Street and Boro Line Road. Street trees may be planted as part of a green verge, or planted within a paved verge, provided they are planted in a tree well that has a capacity equal to at least 1,000 cubic feet.
- D. Planting beds. Buildings with ground floor parking shall incorporate a five-foot-deep landscaped planting bed along the entire length of the building facade that is occupied by parking.
 - (1) Planting beds shall be excluded from the setback and sidewalk to ensure that the required nine-foot-wide sidewalk is provided.

Article XVI. Environmental Regulations

§ 560-1601 Erosion control.

The landowner, person and/or entity performing any earth disturbance shall utilize sufficient measures to prevent soil erosion and sedimentation of creeks.

- A. The disturbed land area and the duration of exposure shall be kept to a practical minimum.
- B. Any earth disturbance over 5,000 square feet of land area shall require the submission of an adequate erosion and sedimentation control plan to the County Conservation District.
- C. See state erosion control regulations (Note: as of 1999 in 25 Pa. Code Chapter 102).

§ 560-1602. Nuisances and hazards to public safety.

- A. No landowner, tenant nor lessee shall use or allow the use of any land or structures in a way that results or threatens to result in any of the following conditions:
 - (1) Transmission of communicable disease, including conditions that may encourage the breeding of insects or rodents.
 - (2) A physical hazard to the public or a physical hazard that could be an attractive nuisance that would be accessible by children.
 - (3) Pollution to groundwaters or surface waters, other than as authorized by a state or federal permit.
 - (4) Risks to public health and safety, such as but not limited to explosion, fire or biological hazards.
 - (5) Interference with the reasonable use and enjoyment of property by a neighboring landowner of ordinary sensitivities.
- B. Additional information: If the Zoning Officer has reason to believe that the proposed use may have difficulty complying with the standards of this article, then the Zoning Officer may require an applicant to provide written descriptions of proposed machinery, hazardous substances, operations and safeguards.

§ 560-1603. Wetlands.

The Zoning Officer may require an applicant to prove that a suspect area proposed for alteration does or does not meet the state or federal definition of a "wetland."

§ 560-1604. Flood-prone areas; floodplains.

- A. Statutory authorization. The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry.
- B. General provisions.
 - (1) Intent. The intent of this section is to:
 - (a) Promote the general health, welfare, and safety of the community.
 - (b) Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
 - (c) Minimize danger to public health by protecting water supply and natural drainage.

- (d) Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.
- (e) Comply with federal and state floodplain management requirements.
- (2) Applicability.
 - (a) It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within the Borough of Bridgeport unless a permit has been obtained from the Floodplain Administrator.
 - (b) A permit shall not be required for minor repairs to existing buildings or structures.
- (3) Abrogation and greater restrictions. This section supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this section, the more restrictive shall apply.
- (4) Warning and disclaimer of liability.
 - (a) The degree of flood protection sought by the provisions of this section is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This section does not imply that areas outside any identified floodplain areas or that land uses permitted within such areas will be free from flooding or flood damages.
 - (b) This section shall not create liability on the part of the Borough of Bridgeport or any officer or employee thereof for any flood damages that result from reliance on this section or any administrative decision lawfully made thereunder.

C. Administration.

- (1) Designation of the Floodplain Administrator. The Zoning Officer within the Borough of Bridgeport is hereby appointed to administer and enforce this section and is referred to herein as the "Floodplain Administrator." In the event that the Zoning Officer is temporarily incapacitated or the position of Zoning Officer is vacant, then the Borough Manager may serve as the alternate Floodplain Administrator.
- (2) Permits required. A permit shall be required before any construction or development is undertaken within any area of the Borough of Bridgeport.
- (3) Duties and responsibilities of the Floodplain Administrator.
 - (a) The Floodplain Administrator shall issue a permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this section and all other applicable codes and ordinances.

- (b) Prior to the issuance of any permit, the Floodplain Administrator shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Law (Act 1937-394, as amended); and the United States Clean Water Act, (Section 404, 33 U.S.C. § 1344). No permit shall be issued until this determination has been made.
 - (c) In the case of existing structures, prior to the issuance of any development/permit, the Floodplain Administrator shall review the history of repairs to the subject building so that any repetitive loss issues can be addressed before the permit is issued.
 - (d) During the construction period, the Floodplain Administrator or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. He/she shall make as many inspections during and upon completion of the work as are necessary.
 - (e) In the discharge of his/her duties, the Floodplain Administrator shall have the authority to enter any building, structure, premises or development in the identified floodplain area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this section.
 - (f) In the event the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Floodplain Administrator shall revoke the permit and report such fact to Borough Council for whatever action it considers necessary.
 - (g) The Floodplain Administrator shall maintain all records associated with the requirements of this section, including, but not limited to, permitting, inspection and enforcement.
 - (h) The Floodplain Administrator shall consider the requirements of 34 Pa. Code and the International Building Code and International Residential Code, as adopted.
- (4) Application procedures and requirements.
- (a) Application for such a permit shall be made, in writing, to the Floodplain Administrator on forms supplied by the Borough of Bridgeport. Such application shall contain the following:
 - [1] Name and address of the applicant.
 - [2] Name and address of the owner of the land on which the proposed construction is to occur.
 - [3] Name and address of the contractor.
 - [4] Site location, including address.

- [5] Listing of other permits required.
 - [6] Brief description of proposed work and estimated cost, including a breakout of flood-related cost and the market value of the building before the flood damage occurred, where appropriate.
 - [7] A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.
- (b) If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for permits shall provide all the necessary information in sufficient detail and clarity to enable the Floodplain Administrator to determine that:
- [1] All such proposals are consistent with the need to minimize flood damage and conform to the requirements of this section and all other applicable codes and ordinances;
 - [2] All utilities and facilities, such as sewer, gas, electrical and water systems, are located and constructed to minimize or eliminate flood damage; and
 - [3] Adequate drainage is provided so as to reduce exposure to flood hazards.
 - [4] Structures will be anchored to prevent flotation, collapse, or lateral movement.
 - [5] Building materials are flood-resistant.
 - [6] Appropriate practices that minimize flood damage have been used.
 - [7] Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and/or located to prevent water entry or accumulation.
- (c) Applicants shall file the following minimum information plus any other pertinent information as may be required by the Floodplain Administrator to make the above determination:
- [1] A completed permit application form.
 - [2] A plan of the entire site, clearly and legibly drawn at a scale of one inch being equal to 100 feet or less, showing the following:
 - a. North arrow, scale, and date;
 - b. Topographic contour lines, if available;
 - c. The location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and development;
 - d. The location of all existing streets, drives, and other accessways; and
 - e. The location of any existing bodies of water or watercourses, identified floodplain areas, and, if available, information pertaining to the floodway, and the flow of water, including direction and velocities.

- [3] Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:
- a. The proposed lowest floor elevation of any proposed building based upon North American Vertical Datum of 1988;
 - b. The elevation of the base flood;
 - c. Supplemental information as may be necessary under 34 Pa. Code, the International Building Code and International Residential Code, as adopted.
- [4] The following data and documentation:
- a. If available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood elevation; and
 - b. Detailed information concerning any proposed floodproofing measures and corresponding elevations.
 - c. Documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within a special floodplain area [See Subsection D(2)(b).], when combined with all other existing and anticipated development, will not increase the base flood elevation more than one foot at any point.
 - d. A document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood elevation. Such statement shall include a description of the type and extent of floodproofing measures which have been incorporated into the design of the structure and/or the development.
 - e. Detailed information needed to determine compliance with Subsection E(3)(f), Section 5.03, Storage, and Subsection E(4), Development which may endanger human life, including:
 - i. The amount, location and purpose of any materials or substances referred to in Subsection E(3)(f) and (4) which are intended to be used, produced, stored or otherwise maintained on site.
 - ii. A description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in Subsection E(4) during a base flood.

- f. The appropriate component of the Department of Environmental Protection's Planning Module for Land Development.
- g. Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control.

[5] Applications for permits shall be accompanied by a fee, payable to the municipality based upon the estimated cost of the proposed construction as determined by the Floodplain Administrator.

- (5) Review by County Conservation District. A copy of all applications and plans for any proposed construction or development in any identified floodplain area to be considered for approval shall be submitted by the Floodplain Administrator to the County Conservation District for review and comment prior to the issuance of a permit. The recommendations of the Conservation District shall be considered by the Floodplain Administrator for possible incorporation into the proposed plan.
- (6) Review of application by others. A copy of all plans and applications for any proposed construction or development in any identified floodplain area to be considered for approval may be submitted by the Floodplain Administrator to any other appropriate agencies and/or individuals (e.g., Planning Commission, Municipal Engineer, etc.) for review and comment.
- (7) Changes. After the issuance of a permit by the Floodplain Administrator, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Floodplain Administrator. Requests for any such change shall be in writing and shall be submitted by the applicant to the Floodplain Administrator for consideration.
- (8) Placards. In addition to the permit, the Floodplain Administrator shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the permit, the date of its issuance and be signed by the Floodplain Administrator.
- (9) Start of construction. Work on the proposed construction and/or development shall begin within 180 days after the date of issuance and shall be completed within 12 months after the date of issuance of the permit or the permit shall expire unless a time extension is granted, in writing, by the Floodplain Administrator. Construction and/or development shall be considered to have started with the preparation of land, land clearing, grading, filling, excavation of basement, footings, piers, or foundations, erection of temporary forms, the installation of piling under proposed subsurface footings, or the installation of sewer, gas and water pipes, or electrical or other service lines from the street. Time extensions shall be granted only if a written request is submitted by the

applicant prior to the expiration of permit, which sets forth sufficient and reasonable cause for the Floodplain Administrator to approve such a request.

(10) Enforcement.

(a) Notices. Whenever the Floodplain Administrator or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this section, or of any regulations adopted pursuant thereto, the Floodplain Administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall:

[1] Be in writing.

[2] Include a statement of the reasons for its issuance.

[3] Allow a reasonable time, not to exceed a period of 30 days, for the performance of any act it requires.

[4] Be served upon the property owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this state.

[5] Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this section.

(b) Penalties. Any person who fails to comply with any or all of the requirements or provisions of this section or who fails or refuses to comply with any notice, order or direction of the Floodplain Administrator or any other authorized employee of the municipality shall be guilty of a misdemeanor and, upon conviction, shall pay a fine to the Borough of Bridgeport of not less than \$25 nor more than \$600, plus costs of prosecution. In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this section. The imposition of a fine or penalty for any violation of or noncompliance with this section shall not excuse the violation or noncompliance or permit it to continue, and all such persons shall be required to correct or remedy such violations and noncompliance within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered, or relocated, in noncompliance with this section may be declared by the Borough of Bridgeport to be a public nuisance and abatable as such.

(11) Appeals.

(a) Any person aggrieved by any action or decision of the Floodplain Administrator concerning the administration of the provisions of this section, may appeal to the Borough Council. Such appeal must be filed, in writing, within 30 days after the decision, determination or action of the Floodplain Administrator.

- (b) Upon receipt of such appeal the Borough Council shall set a time and place, within not less than 10 or not more than 30 days, for the purpose of considering the appeal. Notice of the time and place at which the appeal will be considered shall be given to all parties.
- (c) Any person aggrieved by any decision of the Borough Council may seek relief therefrom by appeal to court, as provided by the laws of this state, including the Pennsylvania Flood Plain Management Act.

D. Identification of floodplain areas.

(1) Identification. The identified floodplain area shall be any areas of the Borough of Bridgeport classified as special flood hazard areas (SFHAs) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) dated March 2, 2016, and issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study. The above-referenced FIS and FIRMs, and any subsequent revisions and amendments are hereby adopted by the Borough of Bridgeport and declared to be a part of this section.

(2) Description and special requirements of identified floodplain areas. The identified floodplain area shall consist of the following specific areas:

(a) Floodway area.

[1] Description: The area identified as floodway in the FIS which represents the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation by more than one foot at any point. This term shall also include floodway areas which have been identified in other available studies or sources of information for those special floodplain areas where no floodway has been identified in the FIS.

[2] Special requirements.

- a. Any encroachment that would cause any increase in flood heights shall be prohibited.
- b. No new construction or development shall be allowed unless a permit is obtained from the Department of Environmental Protection Regional Office.

(b) Special floodplain area.

[1] Description: The areas identified as Zones AE and A1-30 in the FIS which are subject to inundation by the one-percent-annual-chance flood event determined by detailed methods and have base flood elevations (BFEs) shown.

[2] Special requirements.

- a. No new construction or development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse unless a permit is obtained from

the Department of Environmental Protection Regional Office.

- b. In special floodplain areas without a designated floodway, no new development shall be permitted unless it can be demonstrated that the cumulative effect of all past and projected development will not increase the BFE by more than one foot.

(c) Approximate floodplain area.

[1] Description: The areas identified as Zone A in the FIS which are subject to inundation by the one-percent-annual-chance flood event determined using approximate methodologies. Because detailed hydraulic analyses have not been performed, no BFEs or flood depths are shown.

[2] Special requirements.

- a. No new construction or development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse unless a permit is obtained from the Department of Environmental Protection Regional Office.
- b. When available, information from other federal, state, and other acceptable sources shall be used to determine the BFE, as well as a floodway area, if possible. When no other information is available, the BFE shall be determined by using a point on the boundary of the identified floodplain area which is nearest the construction site in question. In lieu of the above, the municipality may require at its discretion the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Borough of Bridgeport.

(d) Shallow flooding area.

[1] Description: The areas identified as Zones AO and AH in the FIS. These areas are subject to inundation by one-percent-annual-chance shallow flooding where average depths are between one and three feet.

[2] Special requirements.

- a. Establish drainage paths to guide floodwaters around and away from structures on slopes.

- (3) Changes in identification of area. The identified floodplain area may be revised or modified by the Borough Council where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change, approval must be obtained from the Federal Emergency Management Agency. Additionally, as soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Emergency Management Agency of the changes by submitting technical or scientific data.
- (4) Boundary disputes. Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the Floodplain Administrator, and any party aggrieved by this decision or determination may appeal to Borough Council. The burden of proof shall be on the appellant.

E. Technical provisions.

(1) General.

(a) Alteration or relocation of watercourse.

[1] No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the municipality, and until all required permits or approvals have been first obtained from the Department of Environmental Protection Regional Office.

[2] No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood-carrying capacity of the watercourse in any way.

[3] In addition, the Federal Emergency Management Agency and the Pennsylvania Department of Community and Economic Development shall be notified prior to any alteration or relocation of any watercourse.

(b) Submit technical or scientific data to the Federal Emergency Management Agency for a Letter of Map Revision (LOMR) within six months of the completion of any new construction, development, or other activity resulting in changes in the BFE.

(c) Any new construction, development, uses or activities allowed within any identified floodplain area shall be undertaken in strict compliance with the provisions contained in this section and any other applicable codes, ordinances and regulations.

(2) Elevation and floodproofing requirements.

(a) Residential structures.

[1] In AE, A1-30, and AH Zones, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to or above the regulatory flood elevation. The design and construction standards and specifications contained in the

International Building Code and International Residential Code, as adopted, and ASCE 24 and 34 Pa. Code (Chapters 401 through 405, as amended) shall be utilized.

[2] In AO Zones, any new construction or substantial improvement shall have the lowest floor (including basement) at or above the highest adjacent grade at least as high as the depth number specified on the FIRM.

(b) Nonresidential structures.

[1] In AE, A1-30 and AH Zones, any new construction or substantial improvement of a nonresidential structure shall have the lowest floor (including basement) elevated up to or above the regulatory flood elevation, or be designed and constructed so that the space enclosed below the regulatory flood elevation:

- a. Is floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water; and
- b. Has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

[2] In AO Zones, any new construction or substantial improvement shall have its lowest floor elevated or completely floodproofed above the highest adjacent grade to at least as high as the depth number specified on the FIRM.

[3] Any nonresidential structure, or part thereof, made watertight below the regulatory flood elevation shall be floodproofed in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations," published by the United States Army Corps of Engineers (June 1972, as amended March 1992) or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above-referenced standards.

(c) Space below the lowest floor.

[1] Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement shall be designed and constructed to allow for the automatic entry and exit of floodwaters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.

- [2] Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
- a. A minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space.
 - b. The bottom of all openings shall be no higher than one foot above grade.
 - c. Openings may be equipped with screens, louvers, etc., or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.
- (d) Accessory structures. Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:
- [1] The structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles or to the storage of tools, material, and equipment related to the principal use or activity.
 - [2] Floor area shall not exceed 100 square feet.
 - [3] The structure will have a low damage potential.
 - [4] The structure will be located on the site so as to cause the least obstruction to the flow of floodwaters.
 - [5] Power lines, wiring, and outlets will be elevated to the regulatory flood elevation.
 - [6] Permanently affixed utility equipment and appliances, such as furnaces, heaters, washers, dryers, etc., are prohibited.
 - [7] Sanitary facilities are prohibited.
 - [8] The structure shall be adequately anchored to prevent flotation or movement and shall be designed to automatically provide for the entry and exit of floodwater for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - a. A minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space.
 - b. The bottom of all openings shall be no higher than one foot above grade.
 - c. Openings may be equipped with screens, louvers, etc., or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

- (3) Design and construction standards. The following minimum standards shall apply for all construction and development proposed within any identified floodplain area:
- (a) Fill. If fill is used, it shall:
 - [1] Extend laterally at least 15 feet beyond the building line from all points;
 - [2] Consist of soil or small rock materials only; sanitary landfills shall not be permitted;
 - [3] Be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
 - [4] Be no steeper than one foot vertical to two feet horizontal unless substantiated data justifying steeper slopes are submitted to and approved by the Floodplain Administrator; and
 - [5] Be used to the extent to which it does not adversely affect adjacent properties.
 - (b) Drainage facilities. Storm drainage facilities shall be designed to convey the flow of stormwater runoff in a safe and efficient manner. The system shall ensure proper drainage along streets and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.
 - (c) Water and sanitary sewer facilities and systems.
 - [1] All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of floodwaters.
 - [2] Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into floodwaters.
 - [3] No part of any on-site sewage system shall be located within any identified floodplain area except in strict compliance with all state and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
 - [4] The design and construction provisions of the Uniform Construction Code and FEMA No. 348, Protecting Building Utilities From Flood Damages, and the International Private Sewage Disposal Code shall be utilized.
 - (d) Other utilities. All other utilities, such as gas lines, electrical and telephone systems, shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
 - (e) Streets. The finished elevation of all new streets shall be no more than one foot below the regulatory flood elevation.
 - (f) Storage. All materials that are buoyant, flammable, explosive, or in times of flooding could be injurious to human, animal, or plant life, and not listed in Subsection E(4), Development which may endanger human life,

shall be stored at or above the regulatory flood elevation and/or floodproofed to the maximum extent possible.

- (g) Placement of buildings and structures. All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of floodwater.
- (h) Anchoring.
 - [1] All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
 - [2] All air ducts, large pipes, storage tanks, and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.
- (i) Floors, walls and ceilings.
 - [1] Wood flooring used at or below the regulatory flood elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain, without causing structural damage to the building.
 - [2] Plywood used at or below the regulatory flood elevation shall be of a marine or water-resistant variety.
 - [3] Walls and ceilings at or below the regulatory flood elevation shall be designed and constructed of materials that are water-resistant and will withstand inundation.
 - [4] Windows, doors, and other components at or below the regulatory flood elevation shall be made of metal or other water-resistant material.
- (j) Paints and adhesives.
 - [1] Paints and other finishes used at or below the regulatory flood elevation shall be of marine or water-resistant quality.
 - [2] Adhesives used at or below the regulatory flood elevation shall be of a marine or water-resistant variety.
 - [3] All wooden components (doors, trim, cabinets, etc.) shall be finished with a marine or water-resistant paint or other finishing material.
- (k) Electrical components.
 - [1] Electrical distribution panels shall be at least three feet above the base flood elevation.
 - [2] Separate electrical circuits shall serve lower levels and shall be dropped from above.
- (l) Equipment.
 - [1] Water heaters, furnaces, air-conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the regulatory flood elevation.

- (m) Fuel supply systems. All gas and oil supply systems shall be designed to prevent the infiltration of floodwaters into the system and discharges from the system into floodwaters. Additional provisions shall be made for the drainage of these systems in the event that floodwater infiltration occurs.
 - (n) Uniform Construction Code coordination. The standards and specifications contained within 34 Pa. Code (Chapters 401 through 405), as amended, and not limited to the following provisions shall apply to the above and other subsections of this section to the extent that they are more restrictive and/or supplement the requirements of this section.
 - [1] International Building Code (IBC) 2006 or the latest edition thereof: Sections 801, 1202, 1403, 1603, 1605, 1612, 3402, and Appendix G.
 - [2] International Residential Building Code (IRC) 2006 or the latest edition thereof: Sections R104, R105, R109, R323, Appendix AE101, Appendix E and Appendix J.
- (4) Development which may endanger human life.
- (a) In accordance with the Pennsylvania Flood Plain Management Act, and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which will be used for the production or storage of any of the following dangerous materials or substances; or will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or will involve the production, storage, or use of any amount of radioactive substances shall be subject to the provisions of this section, in addition to all other applicable provisions. The following list of materials and substances are considered dangerous to human life:
 - [1] Acetone.
 - [2] Ammonia.
 - [3] Benzene.
 - [4] Calcium carbide.
 - [5] Carbon disulfide.
 - [6] Celluloid.
 - [7] Chlorine.
 - [8] Hydrochloric acid.
 - [9] Hydrocyanic acid.
 - [10] Magnesium.
 - [11] Nitric acid and oxides of nitrogen.
 - [12] Petroleum products (gasoline, fuel oil, etc.).
 - [13] Phosphorus.
 - [14] Potassium.
 - [15] Sodium.
 - [16] Sulphur and sulphur products.

[17] Pesticides (including insecticides, fungicides, and rodenticides).

[18] Radioactive substances, insofar as such substances are not otherwise regulated.

- (b) Within any floodway area, any structure of the kind described in Subsection E(4)(a), above, shall be prohibited.
 - (c) Where permitted within any floodplain area, any new or substantially improved structure of the kind described in Subsection E(4)(a), above, shall be: elevated or designed and constructed to remain completely dry up to at least 1 1/2 feet above base flood elevation; designed to prevent pollution from the structure or activity during the course of a base flood elevation. Any such structure, or part thereof, that will be built below the regulatory flood elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication "Flood-Proofing Regulations (United States Army Corps of Engineers, June 1972, as amended March 1992), or with some other equivalent watertight standard.
- (5) Special requirements for subdivisions. All subdivision proposals and development proposals containing at least 50 lots or at least five acres, whichever is the lesser, in flood hazard areas where base flood elevation data are not available shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by the Federal Emergency Management Agency for a Conditional Letter of Map Revision or Letter of Map Revision. Submittal requirements and processing fees shall be the responsibility of the applicant.
- (6) Special requirements for manufactured homes.
- (a) Within any FW (floodway area), manufactured homes shall be prohibited.
 - (b) Within approximate floodplain or special floodplain areas, manufactured homes shall be prohibited within the area measured 50 feet landward from the top-of-bank of any watercourse.
 - (c) Where permitted within any floodplain area, all manufactured homes, and any improvements thereto, shall be:
 - [1] Placed on a permanent foundation.
 - [2] Elevated so that the lowest floor of the manufactured home is at least 1 1/2 feet above base flood elevation.
 - [3] Anchored to resist flotation, collapse, or lateral movement.
 - (d) Installation of manufactured homes shall be done in accordance with the manufacturers' installation instructions as provided by the manufacturer. Where the applicant cannot provide the above information, the requirements of Appendix E of the International Building Code and/or International Residential Code, as adopted, or the United States Department of Housing and Urban Development's Permanent Foundations

for Manufactured Housing, 1984 Edition, draft or latest revision thereto shall apply and 34 Pa. Code Chapters 401 through 405.

(e) Consideration shall be given to the installation requirements of the 2009 IBC, and the 2009 IRC, or the most recent revisions thereto, and 34 Pa. Code, as amended, where appropriate and/or applicable to units where the manufacturers' standards for anchoring cannot be provided or were not established for the proposed installation of the unit(s).

(7) Special requirements for recreational vehicles. Recreational vehicles in Zones A1-30, AH and AE must either:

(a) Be on the site for fewer than 180 consecutive days;

(b) Be fully licensed and ready for highway use; or

(c) Meet the permit requirements for manufactured homes in Subsection E(6).

F. Activities requiring special permits.

(1) General. In accordance with the administrative regulations promulgated by the Department of Community and Economic Development to implement the Pennsylvania Flood Plain Management Act, the following activities shall be prohibited within any identified floodplain area unless a special permit has been issued by the Borough of Bridgeport.

(a) The commencement of any of the following activities, or the construction, enlargement, or expansion of any structure used, or intended to be used, for any of the following activities:

[1] Hospitals.

[2] Nursing homes.

[3] Jails or prisons.

(b) The commencement of or any construction of a new manufactured home park or manufactured home subdivision or substantial improvement to an existing manufactured home park or manufactured home subdivision.

(2) Application requirements for special permits. Applicants for special permits shall provide five copies of the following items:

(a) A written request, including a completed permit application form.

(b) A small scale map showing the vicinity in which the proposed site is located.

(c) A plan of the entire site, clearly and legibly drawn at a scale of one inch being equal to 100 feet or less, showing the following:

[1] North arrow, scale and date;

[2] Topography based upon the North American Vertical Datum (NAVD) of 1988, showing existing and proposed contours at intervals of two feet;

[3] All property and lot lines, including dimensions, and the size of the site expressed in acres or square feet;

[4] The location of all existing streets, drives, other accessways, and parking areas, with information concerning widths, pavement types and construction, and elevations;

- [5] The location of any existing bodies of water or watercourses, buildings, structures and other public or private facilities, including railroad tracks and facilities, and any other natural and man-made features affecting or affected by the proposed activity or development;
 - [6] The location of the floodplain boundary line, information and spot elevations concerning the base flood elevation elevations, and information concerning the flow of water, including direction and velocities;
 - [7] The location of all proposed buildings, structures, utilities, and any other improvements; and
 - [8] Any other information which the municipality considers necessary for adequate review of the application.
- (d) Plans of all proposed buildings, structures and other improvements, clearly and legibly drawn at suitable scale, showing the following:
- [1] Sufficiently detailed architectural or engineering drawings, including floor plans, sections, and exterior building elevations, as appropriate;
 - [2] For any proposed building, the elevation of the lowest floor (including basement) and, as required, the elevation of any other floor;
 - [3] Complete information concerning flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the base flood elevation;
 - [4] Detailed information concerning any proposed floodproofing measures;
 - [5] Cross-section drawings for all proposed streets, drives, other accessways, and parking areas, showing all rights-of-way and pavement widths;
 - [6] Profile drawings for all proposed streets, drives, and vehicular accessways including existing and proposed grades; and
 - [7] Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems, and any other utilities and facilities.
- (e) The following data and documentation:
- [1] Certification from the applicant that the site upon which the activity or development is proposed is an existing separate and single parcel, owned by the applicant or the client he represents;
 - [2] Certification from a registered professional engineer, architect, or landscape architect that the proposed construction has been adequately designed to protect against damage from the base flood elevation;

- [3] A statement, certified by a registered professional engineer, architect, landscape architect, or other qualified person, which contains a complete and accurate description of the nature and extent of pollution that might possibly occur from the development during the course of a base flood elevation, including a statement concerning the effects such pollution may have on human life;
 - [4] A statement, certified by a registered professional engineer, architect, or landscape architect, which contains a complete and accurate description of the effects the proposed development will have on base flood elevation elevations and flows;
 - [5] A statement, certified by a registered professional engineer, architect, or landscape architect, which contains a complete and accurate description of the kinds and amounts of any loose buoyant materials or debris that may possibly exist or be located on the site below the base flood elevation elevation and the effects such materials and debris may have on base flood elevations and flows;
 - [6] The appropriate component of the Department of Environmental Protection's Planning Module for Land Development;
 - [7] Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control;
 - [8] Any other applicable permits, such as, but not limited to, a permit for any activity regulated by the Department of Environmental Protection under Section 302 of Act 1978-166; and
 - [9] An evacuation plan which fully explains the manner in which the site will be safely evacuated before or during the course of a base flood.
- (3) Application review procedures. Upon receipt of an application for a special permit by the Borough of Bridgeport, the following procedures shall apply in addition to those of Subsection B:
- (a) Within three working days following receipt of the application, a complete copy of the application and all accompanying documentation shall be forwarded to the County Planning Commission by registered or certified mail for its review and recommendations. Copies of the application shall also be forwarded to the Borough of Bridgeport Planning Commission and Borough of Bridgeport Engineer for review and comment.
 - (b) If an application is received that is incomplete, the Borough of Bridgeport shall notify the applicant in writing, stating in what respect the application is deficient.
 - (c) If the Borough of Bridgeport decides to disapprove an application, it shall notify the applicant, in writing, of the reasons for the disapproval.
 - (d) If the Borough of Bridgeport approves an application, it shall file written notification, together with the application and all pertinent information,

with the Department of Community and Economic Development, by registered or certified mail, within five working days after the date of approval.

- (e) Before issuing the special permit, the Borough of Bridgeport shall allow the Department of Community and Economic Development 30 days after receipt of the notification by the Department to review the application and decision made by the Borough of Bridgeport.
 - (f) If the Borough of Bridgeport does not receive any communication from the Department of Community and Economic Development during the thirty-day review period, it may issue a special permit to the applicant.
 - (g) If the Department of Community and Economic Development should decide to disapprove an application, it shall notify the Borough of Bridgeport and the applicant, in writing, of the reasons for the disapproval, and the Borough of Bridgeport shall not issue the special permit.
- (4) Special technical requirements.
- (a) In addition to the requirements of Subsection D Identification of floodplain areas, the following minimum requirements shall also apply to any proposed development requiring a special permit. If there is any conflict between any of the following requirements and those in Subsection D of this section or in any other code, ordinance, or regulation, the more restrictive provision shall apply.
 - (b) No application for a special permit shall be approved unless it can be determined that the structure or activity will be located, constructed and maintained in a manner which will:
 - [1] Fully protect the health and safety of the general public and any occupants of the structure. At a minimum, all new structures shall be designed, located, and constructed so that:
 - a. The structure will survive inundation by waters of the base flood elevation without any lateral movement or damage to either the structure itself, or to any of its equipment or contents below the BFE.
 - b. The lowest floor (including basement) will be elevated to at least 1 1/2 feet above base flood elevation.
 - c. The occupants of the structure can remain inside for an indefinite period of time and be safely evacuated at any time during the base flood elevation.
 - [2] Prevent any significant possibility of pollution, increased flood levels or flows, or debris endangering life and property.
 - (c) All hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the

Borough of Bridgeport and the Department of Community and Economic Development.

G. Existing structures in identified floodplain areas.

- (1) Existing structures. The provisions of this section do not require any changes or improvements to be made to lawfully existing structures. However, when an improvement is made to any existing structure, the provisions of Subsection G(2) shall apply.
- (2) Improvements. The following provisions shall apply whenever any improvement is made to an existing structure located within any identified floodplain area:
 - (a) No expansion or enlargement of an existing structure shall be allowed within any floodway area that would cause any increase in the elevation of the base flood elevation.
 - (b) No expansion or enlargement of an existing structure shall be allowed within any special floodplain area that would, together with all other existing and anticipated development, increase the BFE more than one foot at any point.
 - (c) Any modification, alteration, reconstruction, or improvement of any kind to an existing structure to an extent or amount of 50% or more of its market value shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this section.
 - (d) The above activity shall also address the requirements of 34 Pa. Code, as amended, and the 2009 IBC and the 2009 IRC.
 - (e) Any modification, alteration, reconstruction, or improvement of any kind to an existing structure to an extent or amount of less than 50% of its market value shall be elevated and/or floodproofed to the greatest extent possible.
 - (f) Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of "repetitive loss" shall be undertaken only in full compliance with the provisions of this section.

H. Variances.

- (1) General. If compliance with any of the requirements of this section would result in an exceptional hardship to a prospective builder, developer or landowner, the Borough of Bridgeport may, upon request, grant relief from the strict application of the requirements.
- (2) Variance procedures and conditions. Requests for variances shall be considered by the Borough of Bridgeport in accordance with the procedures contained in Subsection C(11) and the following:
 - (a) No variance shall be granted for any construction, development, use, or activity within any floodway area that would cause any increase in the BFE.
 - (b) No variance shall be granted for any construction, development, use, or activity within any special floodplain area that would, together with all

other existing and anticipated development, increase the BFE more than one foot at any point.

- (c) Except for a possible modification of the regulatory flood elevation requirement involved, no variance shall be granted for any of the other requirements pertaining specifically to development regulated by special permit (Subsection F) or to development which may endanger human life [Subsection E(4)].
 - (d) If granted, a variance shall involve only the least modification necessary to provide relief.
 - (e) In granting any variance, the Borough of Bridgeport shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objectives of this section.
 - (f) Whenever a variance is granted, the Borough of Bridgeport shall notify the applicant in writing that:
 - [1] The granting of the variance may result in increased premium rates for flood insurance.
 - [2] Such variance may increase the risks to life and property.
 - (g) In reviewing any request for a variance, the Borough of Bridgeport shall consider, at a minimum, the following:
 - [1] That there is good and sufficient cause.
 - [2] That failure to grant the variance would result in exceptional hardship to the applicant.
 - [3] That the granting of the variance will neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense, nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.
 - (h) A complete record of all variance requests and related actions shall be maintained by the Borough of Bridgeport. In addition, a report of all variance granted during the year shall be included in the annual report to the Federal Emergency Management Agency.
- (3) Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one-percent-annual-chance flood.

§ 560-1605. Odors, dust, and noise.

No use shall generate odors, dust, or noise that are offensive to persons of average sensitivities beyond the boundaries of the subject lot. For noise, see Chapter 353.

§ 560-1606. Control of light and glare.

This shall only regulate exterior lighting that spills across lot lines or onto public streets.

- A. General standards. Outdoor lighting for all residential and nonresidential uses shall be designed to minimize undesirable off-premises effects. No use shall produce glare off the premises by illumination originating on the premises.
- B. Streetlighting exempted. This section shall not apply to streetlighting that is owned, financed or maintained by the Borough or the state, nor to an individual porch light of a dwelling.
- C. Height of lights. No luminaire, spotlight or other light source that is within 200 feet of a lot line of an existing dwelling or approved residential lot shall be placed at a height exceeding 35 feet above the average surrounding ground level. This limitation shall not apply to lights needed for air safety nor lights intended solely to illuminate an architectural feature of a building, nor lighting of outdoor public recreation facilities.
- D. Diffused:. All light sources, including signs, shall be properly diffused as needed with a translucent or similar cover to prevent exposed bulbs from being directly visible from streets, public sidewalks, dwellings or adjacent lots.
- E. Shielding. All light sources, including signs, shall be shielded around the light source and carefully directed and placed to prevent the lighting from creating a nuisance to reasonable persons in adjacent dwellings, and to prevent the lighting from shining into the eyes of passing motorists.
- F. Flickering. Flashing, flickering or strobe lighting are prohibited, except for nonadvertising seasonal lights between October 25th and January 10th.
- G. Spillover. Exterior lighting on an institutional, commercial or industrial property shall not cause a spillover of light onto a residential lot that exceeds one horizontal footcandle at a distance 20 feet inside the residential lot line.

Article XVII – Off-Street Parking and Loading

§ 560-1701. Purpose & Intent

In expansion of the declaration of legislative intent found in Article I of this chapter and the statement of community development objectives found in Article I, the intent of this article, among others, is as follows:

- A. Set reasonable standards and provide reasonable controls to ensure sufficient parking capacity for the uses or potential uses of land in the Borough.
- B. Allow flexibility in addressing parking, loading, and access by permitting construction of a reduced number of parking spaces under appropriate conditions.
- C. To recognize the availability of, and fully utilize, on-street and municipal off-street parking in parts of the NC District, and the limited ability to provide parking to serve existing buildings, and the potential of customers walking to businesses in the NC District.

§ 560-1702. Required number of parking spaces.

- A. Overall requirements.
 - (1) Number of spaces: Each use that is newly developed, enlarged, significantly changed in type or increased in number of establishments shall provide and maintain off-street parking spaces in accordance with Table 17.1 and the regulations of this article.
 - (2) Uses not listed: Uses not specifically listed in Table 17.1 shall comply with the requirements for the most similar use listed in Table 17.1, unless the applicant proves to the satisfaction of the Zoning Officer that an alternative standard should be used for that use.
 - (3) Multiple uses: Where a proposed lot contains or includes more than one type of use, the number of parking spaces required shall be the sum of the parking requirements for each separate use, except in the case of a shared parking agreement per § 560-1702B.
 - (4) Parking landscaping. See § 560-1906 of this chapter.
 - (5) Parking maximum. No more than 120% of the required minimum parking is permitted.
- B. Flexibility in parking: In any district, as a conditional use, an applicant may prove to the satisfaction of Borough Council that the minimum amount of off-street parking should be modified for a specific application if the applicant proves that the parking demand for a particular use is unusually low because of some unusual and peculiar characteristic of the use.

Table 17.1 Off-Street Parking Requirements

(See also: § 560-1702C if within the NC District and § 560-1703F if within the TOD District)

Residential Uses	Parking Requirements
Boardinghouse	1 space per room for rent
Multifamily Building/Unit	1.5 spaces per studio/1br dwelling unit, 2 spaces per all other units
Single-Family Detached Dwelling	2 spaces per dwelling unit
Single-Family Semi-Detached Dwelling (Twin)	2 spaces per dwelling unit

Two-Family Detached Dwelling (Duplex)	2 spaces per dwelling unit
Single-Family Attached Dwelling (Townhouse)	2 spaces per dwelling unit
Group Home	1 space for each bed, plus 1 space for each 8 beds for guest parking
Mobile Home Park	2 spaces per dwelling unit
Commercial Uses	Parking Requirements
Adult Use	1 space per 500 square feet of gross floor area
After-Hours Club	1 space per 500 square feet of gross floor area
Athletic/Health Club	1 space per 500 square feet of gross floor area
Bank	1 space per 500 square feet of gross floor area
Brewery/Distillery/Winery	1 space per 400 square feet of gross floor area
Car Wash	5 spaces per lane
Convenience Store	1 space per 500 square feet of gross floor area
Dry Cleaners or Laundromat	1 space per 500 square feet of gross floor area
Event Facility	1 per 400 square feet of gross floor area
Firing Range	1 per 400 square feet of gross floor area, excluding range area
Funeral Home	1 space per 500 square feet of gross floor area
Hotel/Motel	1 space per rental unit
Medical Marijuana Dispensary	1 space per 500 square feet of gross floor area
Microbrewery/Microdistillery/Microwinery	1 space per 400 square feet of gross floor area
Mixed-Use Building	Combined total of all uses
Parking Structure	N/A
Personal Care Business	1 space per 500 square feet of gross floor area
Professional Service Business	1 space per 500 square feet of gross floor area
Recreation, Indoor	1 space per 400 square feet of gross floor area
Recreation, Outdoor	1 space for every 1,000 square feet of recreation court area; plus 1 space for every 2,000 square feet of publicly accessible area (excluding the parking area); plus 20 spaces, or portion thereof, per acre of active recreation field (e.g., baseball, soccer)
Restaurant, Dine-In	1 space per 300 square feet of gross floor area
Restaurant, Take-Out	1 space per 400 square feet of gross floor area
Retail Establishment	1 space per 500 square feet of gross floor area
Storage Facility (Self-Service)	1 per 20 storage units
Studio	1 space per 500 square feet of gross floor area
Supermarket	1 space per 500 square feet of gross floor area
Tavern/Bar/Nightclub	1 space per 400 square feet of gross floor area
Theater	1 space per 5 seats

Community Service and Institutional Uses	Parking Requirements
Cemetery	Net total of the parking requirement for accessory office, place of worship, etc.
Conservation/Recreation	1 space per 2,000 square feet of publicly owned or publicly operated recreational facility or park
Day Care Facility	1 space per 300 square feet of interior floor area dedicated to child care
Educational Institution	1 space per 5 fixed seats or 1 space per 200 sq. ft. gross floor area, whichever is greater, for the largest place of public assembly
Emergency Services	1 space per 300 square feet of gross floor area
Government Facility	1 for each 1,000 square feet excluding office space, plus 1 space per 500 square feet of office
Hospital	1 space per 4 beds
Library, Museum, or Community Center	1 space per 800 square feet in public use
Membership Club	1 space per 150 square feet
Place of Worship	1 space per 100 square feet of gross floor area
Plant Nursery	1 space per 400 square feet of gross floor area
Residential Care Facility	1 space per 4 beds
Substance Abuse Treatment and Rehabilitation Facility	0.5 spaces per maximum residential capacity
Swimming Pool, Non-Household	1 per 50 square feet of water surface
Office Uses	Parking Requirements
Co-Working Space	1 space per 500 square feet of gross floor area
Office, Business/Professional	1 space per 500 square feet of gross floor area
Medical Office or Clinic	1 space per consultation or exam room
Research Facility	1 for each 1,000 square feet excluding office space, plus 1 space per 500 square feet of office
Industrial Uses	Parking Requirements
Animal Care	1 per employee
Artisan Manufacturing	1 space per 500 square feet of gross floor area
Assembly Plant	1 for each 1,000 square feet excluding office space, plus 1 space per 500 square feet of office
Auto, Boat and/or Mobile/Manufactured Home Sales	1 space per 500 square feet of indoor gross floor area, plus 1 space per 5,000 square feet of outdoor sales area
Auto Repair Garage	1 space per service bay
Auto Service Station	1 space per 4 fuel pumps, in addition to any required by Convenience Store

Building Supply or Lumber Yard	1 space per 500 square feet of gross floor area
Communications Facility	1 for each 1,000 square feet excluding office space, plus 1 space per 500 square feet of office
Contractor's Office/Storage	1 space per 500 square feet of gross floor area
Junkyard	1 space per 250 square feet of enclosed gross floor area
Kennel	1 space for each 400 square feet of gross floor area
Manufacturing, Processing, and Production	1 for each 2,000 square feet excluding office space, plus 1 space per 500 square feet of office
Medical Marijuana Grower/Processor	1 for each 2,000 square feet excluding office space, plus 1 space per 500 square feet of office
Mineral Extraction	1 per employee
Recycling Center	1 for each 1,000 square feet excluding office space, plus 1 space per 500 square feet of office
Warehouse	1 for each 2,000 square feet excluding office space, plus 1 space per 500 square feet of office
Wholesale Sales	1 for each 1,000 square feet excluding office space, plus 1 space per 500 square feet of office
Other Uses Not Expressly Permitted	See § 560-1702A.2
Accessory Uses	Parking Requirements
Accessory Structures, Residential	N/A
Accessory Structures, Nonresidential	N/A
Bed and Breakfast Home	1 space per guest room in addition to all required per dwelling unit
Commercial Vehicle Parking	N/A
Communications Antenna/Tower	N/A
Daycare Home, Family or Group	1 space per 300 square feet of interior floor area dedicated to child care in addition to all required per dwelling unit
Drive-Through Facilities	N/A
Fences, Walls, and Berms	N/A
Garage Sale	N/A
Home Occupation	N/A
Keeping of Pets	N/A
Livestock	N/A
No-Impact Home-Based Business	N/A
Outdoor Dining	1 space per 400 square feet of outdoor dining in addition to spaces required for principal use
Outdoor Storage and Waste Disposal	N/A
Parking Lot	N/A
Recreational Vehicle Storage	N/A

Refuse Collection Facilities	N/A
Renewable Energy Systems	N/A
Rooftop Dining	1 space per 400 square feet of rooftop dining in addition to spaces required for principal use
Satellite Dishes or Antennae	N/A
Short-Term Rental	1 space per bedroom
Swimming Pool, Residential	N/A
Unit for Care of Relative	1 space per unit in addition to all required per dwelling unit
Water Feature	N/A

C. Shared Parking

- (1) The parking spaces required in Table 17.1 above may be reduced when two or more establishments share the same parking area, whether on the same lot or abutting lots, according to Table 17.1 below.
 - (a) Determine the required amount of parking for each proposed land use as if it were a separate use.
 - (b) To determine peak parking requirements, multiply the minimum parking required for each proposed land use by the corresponding percentage in the table below for each time period. Calculate the column total for each time period. The column (time period) with the highest value shall be the minimum parking requirement.
- (2) All parties using the shared parking arrangement shall enter into a contractual agreement regarding rights and obligations, which must be approved by the Building, Zoning and Codes Department and be filed with the Zoning Officer.

Table 17.2 – Shared Parking Calculations

Use	Weekday 9:00 a.m. - 6:00 p.m.	Weekday 6:00 p.m. - 9:00 a.m.	Weekend 9:00 a.m. - 6:00 p.m.	Weekend 6:00 p.m. - 9:00 a.m.
Office Uses & Industrial Uses	100%	20%	5%	5%
Commercial Uses				
- Hotel/Motel	70%	100%	70%	100%
- Microbrewery/Microdistillery; Restaurant, Dine-In; Restaurant, Take-Out; Tavern/Bar/Nightclub	70%	100%	100%	100%
- Athletic/Health Club; Recreation, Indoor; Recreation, Outdoor; Studio; Theater	40%	100%	80%	100%

Use	Weekday 9:00 a.m. - 6:00 p.m.	Weekday 6:00 p.m. - 9:00 a.m.	Weekend 9:00 a.m. - 6:00 p.m.	Weekend 6:00 p.m. - 9:00 a.m.
- Retail Establishment & Other	90%	80%	100%	60%
Multifamily Building/Unit	60%	100%	80%	100%
Community service, Institutional, and Utility Uses				
- Place of Worship	20%	40%	100%	50%
- Other	100%	40%	40%	10%

D. Parking reduction in NC Neighborhood Commercial District. The parking requirements in Table 17.1 for nonresidential uses shall be modified within the NC District as follows:

- (1) In lieu parking fee. The Borough may allow a reduction (complete or partial) of the off-street parking requirement for nonresidential uses provided that the property owner pays a fee in lieu for each required parking space not provided on site. The fee in lieu shall be a one-time payment and shall terminate when the property's on-site use changes, and thus parking will be required unless the fee in lieu is granted again. The fee cannot be paid in lieu of the off-street parking requirement for dwelling units. Refer to the fee schedule set by Borough Council for the fee in lieu.
- (2) Municipal parking. Every two public parking spaces in a lot or metered on-street parking located on 4th or DeKalb Streets within 500 feet of the primary entrance of a nonresidential use shall reduce the off-street parking requirement by one space. Safe, direct pedestrian access must be available to and from the off-lot parking area via public sidewalks, crosswalks, and/or other pedestrian accessways. This does not apply to the off-street parking requirement for dwelling units.

§ 560-1703. General regulations for off-street parking.

- A. General: Parking spaces and accessways shall be laid out to result in safe and orderly use and to fully take into account all of the following: vehicular access onto and off the site, vehicular movement within the site, loading areas, pedestrian patterns and any drive-through facilities. No parking area shall cause a safety hazard or impediment to traffic off the lot.
- B. Existing parking and continuing obligation: Any parking spaces serving such preexisting structures or uses at the time of adoption of this chapter shall not in the future be reduced in number below the number required by this chapter. All required numbers of parking spaces and off-street loading spaces shall be available as long as the use or building which the spaces serve still exist, and such spaces shall not be reduced in number below the minimum required by this chapter. No required parking area or off-street loading spaces shall be used for any other use (such as storage or display of materials) that interferes with the area's availability for parking.

- C. Change in use or expansion: A structure or use in existence at the effective date of this chapter that expands or changes in use of an existing principal building shall be required to provide all of the required parking for the entire size and type of the resulting use, except as follows:
- (1) If an existing lawful nonresidential use includes less parking than required, then a change of use may reduce their minimum space requirement by the number of spaces the previous use was deficient. For example, if an existing use included three parking spaces and was required to provide seven spaces and thus was deficient by four spaces, a new use may provide four less spaces than minimum parking required for the new use.
 - (2) If an existing lawful nonresidential use expands by an aggregate total maximum of 10% in the applicable measurement (such as building floor area) beyond what existed at the time of adoption of this chapter, then no additional parking is required. For example, if an existing building included 3,000 square feet, and a single minor addition of 300 square feet was proposed, then additional parking would not be required.
- D. Location of parking.
- (1) Required off-street parking spaces shall be on the same lot with the principal use served, except in the case of a shared parking agreement per § 560-1702B.
 - (2) Conditional use approval shall be required for off-street parking space(s) proposed between the street curb and the primary face of a building constructed after the adoption date of this chapter if such spaces would be at least partially within 30 feet of the curb. Borough Council shall only approve such parking if the applicant proves that:
 - (a) There is no feasible alternative to placing the parking in that location, such as placing parking to the rear or side of the building; and
 - (b) The parking and any related driveway will be designed to minimize interference with pedestrian movements.
- E. Handicapped parking.
- (1) Number of spaces: Any lot including four or more off-street parking spaces shall include a minimum of one handicapped space. The following number of handicapped spaces shall be provided, unless a revised regulation is officially established under the Federal Americans With Disabilities Act.

Total Number of Parking Spaces on the Lot	Required Minimum Number/Percent of Handicapped Parking Spaces
4 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of required number of spaces
1,001 or more	20 plus 1% of required number of spaces over 1,000

- (2) Location: Handicapped parking spaces shall be located where they would result in the shortest reasonable accessible distance to a handicapped accessible building entrance. Curb cuts shall be provided as needed to provide access from the handicapped spaces.
- (3) Minimum size: Each required handicapped parking space shall be eight feet by 18 feet. In addition, each space shall be adjacent to a five-foot-wide access aisle. Such access aisle may be shared by two handicapped spaces by being placed between them. However, one out of every eight required handicapped parking spaces shall have an adjacent access aisle of eight-foot width instead of five feet.
- (4) Slope: Handicapped parking spaces shall be located in areas of less than six-percent slope in any direction.
- (5) Marking: All required handicapped spaces shall be well-marked by clearly visible signs and pavement markings. Blue paint is recommended.
- (6) Paving: Handicapped parking spaces and adjacent areas needed to access them with a wheelchair shall be covered with a smooth surface that is usable by a wheelchair.

F. Transit Oriented Development District Parking Standards.

- (1) Due to the transit-oriented nature of the TOD development, a reduced demand for vehicular parking is anticipated. Parking requirements are as follows:

Vehicular Parking Minimum for Residential Uses	
Studio and 1 Bedroom	1 parking spaces per dwelling unit
2 Bedrooms or more	1.5 parking spaces per dwelling unit

- (2) Surface parking. Surface parking shall meet the following requirements:
 - (a) All surface parking lots shall be located to the rear of the building.
 - (b) Surface parking lots shall not be located between a building and DeKalb Street or Boro Line Road.
 - (c) Surface parking lots visible from a public street shall be screened continuously by a six-foot-high wall, fence, hedge, or combination thereof.
- (3) Structured parking. Structured parking shall meet the following requirements:
 - (a) Structured parking shall meet the standards of **Parking Structure**.
 - (b) Structured parking should be designed as rear-entry or side-entry when feasible.
 - (c) On sloped lots that have a minimum of six feet difference in elevation between two opposite sides of the lot, the parking level shall be placed on the lower level of the lot.
 - (d) When parking requires excavation or partial excavation, the first floor elevation of the building shall not be more than five feet above street level.
 - (e) When structured parking is provided within a residential building, there shall be no more than one level of parking along a public street.

G. Mixed Use Riverfront District Parking Standards

- (1) Townhouses: two parking spaces required per dwelling unit; **Multifamily Units**: 1.5 per dwelling unit.
- (2) Surface parking shall not occupy any part of any front yard. With the exception of corner lots, parking areas must be located to the rear or side of new or existing buildings. If an applicant can demonstrate to the Borough that parking in the rear is not feasible, the Borough may amend this requirement by conditional use. Off-street parking must be

screened from views on public streets, according to screening standards in § 495-63 of the Borough's Subdivision and Land Development Ordinance.

- (3) Where access faces the street, garages or carports shall be located a minimum of 30 feet behind the front facade of the structure.

§ 560-1704. Design standards for off-street parking.

A. General requirements.

- (1) Backing onto a street: No parking area shall be designed to require or encourage parked vehicles to back into a public street in order to leave a parking space, except for a single-family or two-family dwelling with its access onto a local street or parking court. Parking spaces may back onto an alley.
- (2) Every required parking space shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other vehicle, except for spaces serving a **Single-Family Detached Dwelling, Single-Family Semi-Detached Dwelling (Twin), Two-Family Detached Dwelling (Duplex),** or a **Single-Family Attached Dwelling (Townhouse).**
- (3) Parking areas shall not be within a required buffer yard, or street or alley right-of-way.
- (4) Separation from street: Except for parking spaces immediately in front of individual dwellings, all outdoor areas for off-street parking, off-street loading and unloading and the storage or movement of motor vehicles shall be physically separated from the street by a continuous grass or landscaped planting strip, except for necessary and approved vehicle entrances and exits to the lot.
- (5) Stacking and obstructions: Each lot shall provide adequate area upon the lot to prevent backup of vehicles on a public street while awaiting entry to the lot or while waiting for service at a drive-through facility.

B. Size and marking of parking spaces.

- (1) Each parking space shall be a rectangle with a minimum width of nine feet and a minimum length of 18 feet, except the minimum length shall be 22 feet for parallel parking.
- (2) For handicapped spaces, see § 560-1703E.
- (3) All spaces shall be marked to indicate their location, except those of a one- or two-family dwelling.

C. Interconnectivity. Parking lots should be designed to facilitate interconnectivity between parcels in order to create comprehensive and efficient banks of rear parking areas and to eliminate the need for redundant accessways. The Borough may require access easements through parking areas to provide access to existing or future adjacent parking areas.

D. Shared Access. Shared access between two or more adjacent lots is encouraged and shall be permitted when the following conditions are met:

- (1) A shared access driveway may be located entirely on one lot or may cross multiple lots.
- (2) Access easements and maintenance agreements or other suitable legal mechanisms shall be provided, which shall be reviewed and approved by the Borough Engineer and Borough Solicitor.

E. Paving, grading and drainage:

- (1) Parking and loading facilities and including driveways shall be graded and adequately drained to prevent erosion or excessive water flow across streets or adjoining properties.
 - (2) Except for landscaped areas, all portions of required parking, loading facilities and driveways shall be surfaced with asphalt, concrete or paving block.
- F. Lighting of parking areas: See § 560-1606. Control of light and glare.
- G. Electric Vehicle Parking Stations. The Borough of Bridgeport requires the installation of electric vehicle (EV) charging stations within all new, expanded or reconstructed parking areas.
- (1) Size. The size of a parking space used for EV charging stations shall be as required in § 560-1704B(1).
 - (2) Location. Placement of EV charging stations is preferred at the beginning or end of a series of parking stalls.
 - (3) Design. The following requirements apply with respect to the design of EV charging stations:
 - (a) Electric vehicle supply/service equipment (EVSE) mounted on pedestals, bollards or other devices shall installed 24 inches from the face of the curb.
 - (b) Charging station outlets shall be no lower than 24 inches and no higher than 48 inches from the top of the surface where mounted and shall contain a retraction device and/or place to hang permanent cords and connectors sufficiently above the ground or pavement surface.
 - (4) Maintenance. EVSE shall be maintained in all respects, including the functioning of charging equipment. A phone number or contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.
 - (5) Number of spaces. Parking spaces providing EV charging stations are to be included in the minimum number of parking spaces required. The required number of EV charging stations is based on the total number of spaces required as part of land development plan or applicable permit plan approval.
 - (a) One of every ten parking spaces provided shall be an EV charging station.
 - (b) The total number of off-street parking spaces may be reduced by one for lots of 20 or less spaces by conditional use for every Level 3 EVSE proposed.
 - (6) Fees. The property owner is not restricted from collecting a reasonable service fee for the use of electric vehicle charging stations made available to residents, employees, and visitors to the property on which it is located.
 - (7) Signage. The following information shall be provided at every EVSE:
 - (a) Contact information, such as the phone number/TTY or text message support number, for the appropriate party to be notified if the EVSE is inoperable, inaccessible, or unsafe that is available 24/7;
 - (b) The address of the EVSE for emergency response purposes;
 - (c) Installation date, model number, and the voltage and amperage levels of the EVSE;
 - (d) The hours of operation and/or time limit restrictions;
 - (e) Parking and charging fees/rates;
 - (f) Enforcement warnings (e.g., monetary fine, towing provisions); and

(g) A statement reading “In case of an emergency, dial 911.”

§ 560-1705. Off-street loading.

The provisions of the Subdivision and Land Development Ordinance shall apply.

Article XVIII – Signs

§ 560-1801 Applicability

Any sign erected, altered, or maintained after the effective date of this Ordinance shall conform to the following regulations.

§ 560-1802 Purpose & Intent

Signs perform an important function in identifying and promoting properties, businesses, services, residences, events, and other matters of interest to the public. The intent of this Article is to regulate all signs within the borough to ensure that they are appropriate for their respective uses, in keeping with the appearance of the affected property and surrounding environment, and protective of the public health, safety, and general welfare by:

- A. Setting standards and providing uniform, scientifically-based controls that permit reasonable use of signs and preserve the character of the borough.
- B. Prohibiting the erection of signs in such numbers, sizes, designs, illumination, and locations as may create a hazard to pedestrians and motorists.
- C. Avoiding excessive conflicts from large or multiple signs, so that permitted signs provide adequate identification and direction while minimizing clutter, unsightliness, and confusion.
- D. Establishing a process for the review and approval of sign permit applications.
- E. Promoting signs which are compatible with their surroundings and are appropriate to the type of activity to which they pertain.

§ 560-1803 Definitions

Words and terms used in this ordinance shall have the meanings given in Article II. Unless expressly stated otherwise, any pertinent word or term not part of this listing but vital to the interpretation of this ordinance, shall be construed to have their legal definition, or in absence of a legal definition, their meaning as commonly accepted by practitioners including civil engineers, surveyors, architects, landscape architects, and planners.

§ 560-1804 Prohibited Signs

The following signs are unlawful and prohibited:

- A. Abandoned signs.
- B. Snipe signs. Signs shall only be attached to utility poles in conformance with state and utility regulations and the requirements of this Chapter.
- C. Vehicular signs. This regulation does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation.
- D. Mechanical movement signs, including revolving signs.
- E. Pennant strings and streamers.
- F. Animated signs, flashing signs, or signs that scroll, strobe, or flash text or graphics.
- G. Inflatable devices or balloon signs, with the exception of balloons used in temporary, non-commercial situations.

- H. Any signs that imitate, resemble, interfere with, or obstruct official traffic lights, signs, or signals.
- I. Signs which prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of a roof to any other part. No sign other than a safety sign shall be attached to a standpipe or fire escape.
- J. Signs which emit smoke, visible vapors, particulate matter, sound, odor or contain open flames.
- K. Reflective signs or signs containing mirrors.
- L. Interactive signs.
- M. Signs incorporating beacon or festoon lighting.
- N. Roof signs.
- O. Signs erected without the permission of the property owner, with the exception of those authorized or required by local, state, or federal government.
- P. Any sign containing information which states or implies that a property may be used for any purpose not permitted under the provisions of the Borough Zoning Ordinance.
- Q. Signs that exhibit statements, words, or pictures of obscene or pornographic subjects as determined by the borough.
- R. Any sign that promotes illegal activity.

§ 560-1805 Signs Exempt from Permit Requirements

The following signs shall be allowed without a sign permit and shall not be included in the determination of the type, number, or area of permanent signs allowed within a zoning district, provided such signs comply with the regulations in this section, if any.

- A. Official traffic signs.
- B. Government/regulatory signs.
- C. Signs inside a building, or other enclosed facility, which are not meant to be viewed from the outside, and are located greater than three feet from the window.
- D. Holiday and seasonal decorations.
- E. Personal expression signs of any sign type, including flags, provided that they do not exceed three square feet in area per side, are non-commercial in nature, and not illuminated.
- F. Address signs - Up to two signs stating address, number and/or name of occupants of the premises and does not include any commercial advertising or other identification.
 - (1) Residential districts. Signs not to exceed three square feet in area.
 - (2) Non-residential districts. Signs not to exceed five square feet in area.
- G. Public signs - Signs erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification or directional signs for public facilities.
- H. Signs or emblems of a religious, civil, philanthropic, historical or educational organization that do not to exceed four square feet in area.
- I. Private drive signs - One sign per driveway entrance, not to exceed two square feet in area.

- J. Security and warning signs - These limitations shall not apply to the posting of conventional “no trespassing” signs in accordance with state law.
 - (1) Residential districts. Signs not to exceed two square feet in area.
 - (2) Non-residential districts. Maximum of one large sign per property, not to exceed five square feet in area. All other posted security and warning signs may not exceed two square feet in area.
- K. Flags:
 - (1) Location. Flags and flagpoles shall not be located within any right-of-way.
 - (2) Height. Flags shall have a maximum height of 30 feet.
 - (3) Number. No more than two flags per lot in residential districts, no more than three flags per lot in all other districts.
 - (4) Size. Maximum flag size is 24 square feet in residential districts, 35 square feet in all other districts.
 - (5) Flags containing commercial messages may be used as permitted freestanding or projecting signs, and, if so used, the area of the flag shall be included in, and limited by the computation of allowable area for signs on the property.
 - (6) Flags up to three square feet in area containing noncommercial messages are considered personal expression signs and are regulated in accordance with § 560-1805E.
- L. Legal notices.
- M. Vending machine signs.
- N. Memorial signs, public monument or historical identification sign erected by the borough, including plaque signs up to three square feet in area.
- O. Signs which are a permanent architectural feature of a building or structure, existing at the time of adoption of this ordinance.
- P. Signs advertising the variety of crop growing in a field. Such signs shall be removed after the growing season.
- Q. Incidental signs, including incidental window signs.
- R. Directional signs, provided they do not contain any commercial messaging.
 - (1) Area. No single directional sign shall exceed four square feet in area.
 - (2) Height. Directional signs shall have a maximum height of five feet.
 - (3) Illumination. Directional signs shall be non-illuminated.
- S. Art and murals, provided such signs do not contain any commercial messaging.
- T. Temporary signs in accordance with § 560-1811 Regulations by Sign Type (Temporary Signs).

§ 560-1806 General Regulations

- A. Sign location.
 - (1) No sign shall be placed in such a position as to endanger pedestrians, bicyclists, or traffic on a street by obscuring the view or by interfering with official street signs or signals by virtue of position or color.
 - (2) No sign may occupy a sight triangle.
 - (3) Signs and their supporting structures shall maintain clearance and noninterference with all surface and underground utility and communications lines or equipment.

B. Sign Materials & Construction. Every sign shall be constructed of durable materials, using non-corrosive fastenings, shall be structurally safe and erected or installed in strict accordance with the PA Uniform Construction Code, and shall be maintained in safe condition and good repair at all times so that all sign information is clearly legible.

C. Sign Area.

(1) The area of a sign shall mean the area of all lettering, wording, and accompanying designs, logos, and symbols. The area of a sign shall not include any supporting framework, bracing or trim which is incidental to the display, provided that it does not contain any lettering, wording, or symbols.

(2) Where the sign consists of individual letters, designs, or symbols attached to a building, awning, wall, or window, the area shall be that of the smallest rectangle which encompasses all of the letters, designs, and symbols.

(3) Signs may be double-sided.

a. On-premises signs.

1. Only one side shall be considered when determining the sign area, provided that the faces are equal in size, the interior angle formed by the faces is less than 45 degrees, and the two faces are not more than 18 inches apart.

a. Where the faces are not equal in size, but the interior angle formed by the faces is less than 45 degrees and the two faces are not more than 18 inches apart, the larger sign face shall be used as the basis for calculating sign area.

b. When the interior angle formed by the faces is greater than 45 degrees, or the faces are greater than 18 inches apart, all sides of such sign shall be considered in calculating the sign area.

b. Off-premises signs, both local directional and billboards.

1. Only one side shall be considered when determining the sign area, provided that the faces are equal in size, the interior angle formed by the faces is less than 45 degrees, and the two faces are not more than five feet apart.

2. Where the faces are not equal in size, but the interior angle formed by the faces is less than 45 degrees and the two faces are not more than five feet apart, the larger sign face shall be used as the basis for calculating sign area.

3. When the interior angle formed by the faces is greater than 45 degrees, or the faces are greater than five feet apart, all sides of such sign shall be considered in calculating the sign area.

(4) Signs that consist of, or have attached to them, one or more three-dimensional or irregularly-shaped objects, shall have a sign area of the sum of two adjacent vertical sign faces of the smallest cube encompassing the sign or object.

- (5) If elements of a sign are movable or flexible, such as a flag or banner, the measurement is taken when the elements are fully extended and parallel to the plane of view.
- (6) The permitted maximum area for all signs is determined by the sign type and the zoning district in which the sign is located (see § 560-1814 through § 560-1818).

D. Sign Height.

- (1) Sign height shall be measured as the distance from the highest portion of the sign to the mean finished grade of the street closest to the sign. In the case of a sign located greater than 100 feet from a public street, height shall be measured to the mean grade at the base of the sign.
- (2) Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other structural elements.
- (3) The permitted maximum height for all signs is determined by the sign type and the zoning district in which the sign is located (see § 560-1814 through § 560-1818).

E. Sign Spacing. The spacing between sign structures shall be measured as a straight-line distance between the closest edges of each sign.

F. Sign Illumination.

- (1) Signs may be illuminated, unless otherwise specified herein, consistent with the following standards:
 - a. Location. The summary table below § 560-1806F(7) provides detailed information about what types of illumination are permitted in each zoning district.
 - b. Light sources to illuminate signs shall neither be visible from any street right-of-way, nor cause glare hazardous or distracting to pedestrians, vehicle drivers, or adjacent properties.
 - c. No more than 0.2 foot-candle of light shall be detectable at the boundary of any abutting property.
 - d. Hours of Operation.
 1. Signs on non-residential properties may be illuminated from 5 am until 11 pm, or ½ hour past the close of business of the facility being identified or advertised, whichever is later.
 2. Signs shall provide an automatic timer to comply with the intent of this Section.
 - e. Brightness. Message center signs and digital displays are subject to the following brightness limits:
 1. During daylight hours between sunrise and sunset, luminance shall be no greater than 5,000 nits.
 2. At all other times, luminance shall be no greater than two hundred 250 nits.

3. Each sign must have a light sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change to comply with the limits set here within.
- f. Message Duration. The length of time each message may be displayed on a message center sign, digital display, or Tri-Vision Board sign is based upon the visibility and speed limit unique to individual signs and adjacent road conditions. The following method should be used to calculate message duration for message center signs, digital displays, or Tri-Vision Board signs.
1. Determine the greatest distance from which the sign becomes visible on the road the sign is primarily intended to serve. If a sign is intended to be seen by more than one roadway, the road with the lower posted speed limit shall be used for determining message duration.
 2. Multiply the road's posted speed limit (MPH) by 5,280, and then divide by 3,600 to obtain the speed limit in feet/second.
 3. Divide the visibility distance by the speed limit (feet/second).
 4. Add an additional ten percent of this number to the total.
 5. The resulting amount of time is the minimum permitted message duration, except where this value is less than eight seconds in which the minimum message duration shall be no less than eight (8) seconds.
- (2) Types of Illumination. Where permitted, illumination may be:
- a. External. Externally illuminated signs, where permitted, are subject to the following regulations:
 1. The source of the light must be concealed by translucent covers.
 2. External illumination shall be by a steady, stationary light source, shielded and directed solely at the sign. The light source must be static in color.
 - b. Internal. Internally illuminated signs, where permitted, are subject to the following regulations:
 1. Internal illumination, including neon lighting, must be static in intensity and color.
 2. Message center signs are permitted in accordance with the regulations contained in § 560-1806F(3).
 3. Digital displays are permitted in accordance with the regulations contained in § 560-1806F(4).
- (3) Message center signs are subject to the following regulations, in addition to all other illumination requirements established in this Section.
- a. Sign Type. Message center signs are permitted in the form of freestanding, monument, and wall signs, both on-premises and off-premises, in accordance with the regulations established in § 560-1807 and § 560-1808.

- b. Height. A message center sign shall have the same height limits as other permitted signs of the same type and location.
 - c. Area.
 - 1. When used as an on-premises sign, message center signs shall not exceed 50% of the sign area for any one sign, and shall not exceed more than 30% of the total area for all signs permitted on a property.
 - 2. When used as an off-premises sign, message center signs may be used for the full permitted sign area.
 - d. Maximum Number. Where permitted, one message center sign is permitted per street frontage, up to a maximum of two message center signs per property.
 - e. Message Display.
 - 1. No message center sign may contain text which flashes, pulsates, moves, or scrolls. Each complete message must fit on one screen.
 - 2. The content of a message center sign must transition by changing instantly (e.g., no fade-out or fade-in).
 - 3. Default Design: The sign shall contain a default design which shall freeze the sign message in one position if a malfunction should occur.
 - f. Conversion of a permitted non-message center sign to a message center sign requires the issuance of a permit pursuant to § 560-1820 Permits & Applications.
 - g. The addition of any message center sign to a nonconforming sign is prohibited.
 - h. Public Service Announcements. The owner of every message center sign shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public including, but not limited to Amber Alerts or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.
- (4) Digital display signs are subject to the following regulations in addition to all other requirements established in this Section.
- a. Sign Type. Digital displays are permitted in the form of freestanding, monument, and wall signs, both on-premises and off-premises, in accordance with the regulations established in § 560-1807 and § 560-1808.
 - b. Height. A digital display shall have the same height limits as for other permitted signs of the same type and location.
 - c. Area.
 - 1. When used as an on-premises sign, digital displays shall not exceed more than 30% of the total sign area permitted on the site.

2. When used as an off-premises sign, digital displays may be used for the full permitted sign area.
 - d. Maximum Number per Property. Where permitted, one digital display sign is permitted per property
 - e. Message Display.
 1. Any Digital Display containing animation, streaming video, or text or images which flash, pulsate, move, or scroll is prohibited. Each complete message must fit on one screen.
 2. One message/display may be brighter than another, but each individual message/display must be static in intensity.
 3. The content of a digital display must transition by changing instantly, with no transition graphics (e.g., no fade-out or fade-in).
 4. Default Design. The sign shall contain a default design which shall freeze the sign message in one position if a malfunction should occur.
 - f. Conversion of a permitted non-digital sign to a digital sign requires the issuance of a permit pursuant to § 560-1820 Permits & Applications.
 - g. The addition of any digital display to a nonconforming sign is prohibited.
 - h. Public Service Announcements. The owner of every digital sign shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public including, but not limited to Amber Alerts or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.
- (5) Electrical Standards.
- a. Permits for illuminated signs will not be issued without an approved electrical permit, if required. Applications for electrical permits shall be filed at the same time as the sign permit application.
 - b. All work shall be completed in full compliance with the borough Electrical Code as set forth in the PA Uniform Construction Code.
 - c. The electrical supply to all exterior signs, whether to the sign itself or to lighting fixtures positioned to illuminate the sign, shall be provided by means of concealed electrical cables. Electrical supply to freestanding signs shall be provided by means of underground cables.
 - d. The owner of any illuminated sign shall arrange for a certification showing compliance with the brightness standards set forth herein by an independent contractor and provide the certification documentation to the borough as a condition precedent to the issuance of a sign permit.
- (6) Glare Control. Glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields, and baffles, and appropriate application of fixture mounting height, wattage, aiming angle, and fixture placement. Vegetation screens shall not be employed to serve as the primary means for controlling glare.

(7) Illumination Standards by District. See Table 18.1.

Table 18.1 Illumination Standards by District

District	Illumination Type				Brightness Limitation for Digital Displays and Message Center Signs	Hours of Illumination	Motion Limitation	Size Limitation	
	Internal	Message Center Sign	External	Digital Display				Digital Displays and Message Center Signs	Digital Display Signs as a Max % of Total Sign Area on Site
OS	N	N ^{^^^}	N ^{^^}	N	N/A	N/A	N/A	N/A	N/A
R1, R2, R3	N	N	Y	N	N/A	N/A	Determined by visibility. See §560-1806F(4)(c)	N/A	50%
INS	Y	Y	Y	N	Daytime: 5,000 Nits Nighttime: 250 Nits	5 am to 11 pm or 1/2 hour past close of business	Determined by visibility. See §560-1806F(4)(c)	N/A	50%
NC	Y	N [^]	Y	N	N/A	5 am to 11 pm or 1/2 hour past close of business	Determined by visibility. See §560-1806F(4)(c)	N/A	50%
GC, GIC, LIC	Y	Y	Y	Y	Daytime: 5,000 Nits Nighttime: 250 Nits	5 am to 11 pm or 1/2 hour past close of business	Determined by visibility. See §560-1806F(4)(c)	30%	50%
Off-Premises*	Y	Y	Y	Y	Daytime: 5,000 Nits Nighttime: 250 Nits	5 am to 11 pm or 1/2 hour past close of business	Determined by visibility. See §560-1806F(4)(c)	100%	100%

Temporary Signs*	N	N	N	N	N/A	N/A	N/A	N/A	N/A
Portable Signs*	N	N	N	N	N/A	N/A	N/A	N/A	N/A
*Off-premises, temporary, and portable signs are subject to the illumination regulations governing off-premises, temporary and portable signs, rather than the illumination standards governing the specific district where the sign is located									
^Excludes marquee signs									
^^Excludes signs located in Parks or Recreational Facilities									
^^^Excludes scoreboards located in Parks or Recreational Facilities									

§ 560-1807 Regulations by Sign Type: On-Premises Signs

A. Wall Signs.

- (1) No portion of a wall sign shall be mounted less than eight feet above the finished grade or extend out more than 12 inches from the building wall on which it is affixed. If the wall sign projects less than three inches from the building wall on which it is affixed, the eight-foot height requirement need not be met.

B. Canopy or Awning Signs.

- (1) A canopy or awning without lettering or other advertising shall not be regulated as a sign.
- (2) Canopy or awning signs must be centered within or over architectural elements such as windows or doors.
- (3) No awning or canopy sign shall be wider than the building wall or tenant space it identifies.
- (4) Sign Placement.
 - a. Letters or numerals shall be located only on the front and side vertical faces of the awning or canopy.
 - b. Logos or emblems are permitted on the top or angled portion of the awning or canopy up to a maximum of three square feet. No more than one emblem or logo is permitted on any one awning or canopy.
- (5) Sign Height.
 - a. The lowest edge of the canopy or awning sign shall be at least eight feet above the finished grade.
- (6) Any ground-floor awning projecting into a street right-of-way must be retractable.
- (7) Awnings above the ground floor may be fixed, provided they do not project more than four feet from the face of the building.
- (8) Multi-tenant Buildings. If the awning or canopy sign is mounted on a multi-tenant building, all awning or canopy signs shall be similar in terms of height, projection, and style across all tenants in the building.

C. Projecting Signs.

- (1) No portion of a projecting signs shall project more than four feet from the face of the building.

- (2) The outermost portion of a projecting sign shall project no closer than five feet from a curbline or shoulder of a public street.
- (3) Sign Height. The lowest edge of a projecting sign shall be at least eight feet above the finished grade.
- D. Window Signs.
 - (1) Incidental window signs displaying pertinent business information such as the business' hours of operation and credit cards accepted, shall be excluded from area calculations for window signs.
- E. Marquee Signs.
 - (1) Such signs shall be located only above the principal public entrance of a building facing a public street or parking lot.
 - (2) No marquee shall be wider than the entrance it serves, plus two feet on each side there-of.
 - (3) No Marquee shall extend closer to the curb than three feet.
 - (4) Sign Height.
 - a. No portion of a marquee sign shall extend vertically above the eave line.
 - b. The lowest edge of the marquee sign shall be at least ten feet above the finished grand.
- F. Freestanding Signs
 - (1) The lowest edge of any freestanding pole sign shall be either less than four feet or greater than seven feet above the ground.
 - (2) Freestanding ground signs shall be supported and permanently placed by embedding, anchoring, or connecting the sign in such a manner as to incorporate it into the landscape or architectural design scheme.
 - (3) Sign Placement.
 - a. All freestanding signs shall be set back five feet from the right-of-way, except for official traffic signs and government/regulatory signs.
 - b. No freestanding sign may occupy an area designated for parking, loading, walkways, driveways, fire land, easement, cartway of the right-of-way or other areas required to remain obstructed.
- G. Manual Changeable Copy Signs: Manual changeable copy signs are permitted only when integrated into a freestanding, marquee, wall, or portable sign.

§ 560-1808 Regulations by Sign Type: Local Directional Off-Premises Signs

- A. Locations Permitted. Local Directional Off-Premises Signs are permitted in the following zoning districts: GC General Commercial, GIC General Industrial Commercial, LIC Light Industrial/Commercial, and NC Neighborhood Commercial.
- B. Sign Size. Each local directional off-premises sign shall have a maximum area of nine square feet.
- C. Height and Location of Sign. The regulations of § 560-1807 Regulations by Sign Type: On-Premises Signs shall apply.
- D. Number of Signs per Lot. One local directional off-premises sign is permitted per lot.
- E. Illumination. Local Directional Off-Premises Signs shall be non-illuminated.
- F. Local Directional Off-Premises Signs do not contribute to any sign area maximums.

§ 560-1809 Regulations by Sign Type: Off-Premises Billboard Signs (Billboards)

- A. Locations Permitted. Billboards are permitted in the GIC General Industrial Commercial District.
- B. Sign Size: A billboard is subject to the following size restrictions according to the posted speed limit of the road which the billboard faces.

	Posted Speed Limit (MPH)				
	≤35	36-45	46-55	56-65	Limited Access
Maximum Sign Area (sq. ft.)	60	100	150	200	300

C. Height and Location of Sign.

- (1) The lowest edge of a billboard shall be at least seven feet above the finished grade.
- (2) Billboards shall have a maximum height of 30 feet.

D. Spacing. Billboards shall be:

- (1) Set back from the right of way a distance equal to the height of the billboard or 15 feet, whichever is greater.
- (2) Located no closer than 25 feet from any property line.
- (3) Located no closer than 50 feet from any building, structure, or on-premises sign located on the same property.
- (4) Located no closer than 1,500 feet from another billboard on either side of the road measured linearly.
- (5) Located no closer than 500 feet from any intersection, or interchange (on/off-ramp).
- (6) Located no closer than 1,000 feet from any property line abutting a public park, playground, religious institution, cemetery, school, or residential district.
- (7) Not attached to the external wall or otherwise affixed to any part of any building and shall not extend over any public property or right-of-way.
- (8) Not located on sewer rights-of-way, or water, electric, or petroleum pipelines.
- (9) Not located on a bridge.

E. Number of Signs per Lot. There shall be no more than one billboard per lot. Vertically or horizontally stacked signs shall not be permitted.

F. Content. Billboards shall not display any message or graphic of an obscene or pornographic nature as determined by the borough.

G. Double-Sided Billboards. Signs may be single or double-sided, in accordance with § 560-1806C Sign Area.

H. Message Sequencing. Message sequencing is prohibited.

I. Construction and Maintenance.

- (1) All plans for billboards shall be certified by a licensed engineer registered in Pennsylvania.
- (2) All off-premises advertising signs shall be constructed in accordance with industry-wide standards established by the Outdoor Advertising Association of America and the Institute of Outdoor Advertising, or their successor

organizations. All off-premises advertising signs shall be structurally sound and maintained in good condition and in compliance with the Pennsylvania Uniform Construction Code.

- (3) The rear face of a single-face, off-premises advertising sign shall be painted and maintained with a single neutral color as approved by the borough.
- (4) Every three years, the owner of the billboard shall have a structural inspection made of the billboard by a licensed engineer registered in Pennsylvania and shall provide to the borough a certificate certifying that the billboard is structurally sound.

J. Identification of Sign Owner. All billboards shall be identified on the structure with the name, address, and phone number of the owner of such sign.

K. Landscaping.

- (1) Landscaping shall be provided at the base of all billboards. Trees and shrubbery, including evergreen and flowering trees, of sufficient size and quantity shall be used to achieve the purpose of this Section.
- (2) Trees greater than four inches in diameter removed for construction of the sign shall be replaced on-site at a ratio of one replacement tree for each removed tree using native species no less than three inches in diameter.

L. Additional Regulations. All billboards shall comply with any and all applicable zoning regulations of the borough, and any and all municipal, state and/or federal regulations. In the event any other applicable regulation is in conflict with the provisions of this Section, the more strict regulation shall apply.

M. Application/Plan Requirements. Plans submitted for off-premises advertising signs shall show the following:

- (1) The location of the proposed sign on the lot with the required sign setbacks from the property line and ultimate right-of-way.
- (2) The location and species of existing trees.
- (3) The distance to the nearest existing billboard.
- (4) The distance to the nearest right-of-way, property line, building, structure, on-premises sign, off-premises sign, intersection, interchange, safety rest area, bridge, residential district, or institutional use, sewer rights-of-way, and water, electric or petroleum pipelines.
- (5) Site plan containing all of the applicable requirements set forth in the borough zoning code, as amended.
- (6) Certification under the seal by a licensed engineer that the billboard, as proposed, is designed in accordance with all federal, state, and local laws, codes, and professional standards.

N. Illumination and Changeable Copy of Billboards.

- (1) Billboards may incorporate manual changeable copy signs.
- (2) Billboards may be illuminated, provided that:
 - a. All light sources are designed, shielded, arranged, and installed to confine or direct all illumination to the surface of the billboard and away from adjoining properties.

- b. Light sources are not visible from any street or adjoining properties.
- (3) The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. Message center sign
 - b. Digital display
 - c. External illumination
 - d. Internal illumination
- (4) Billboards may incorporate Tri-Vision Boards.
 - a. The length of time each message of the Tri-Vision Board may be displayed before changing is based upon the visibility and posted speed limit unique to individual signs and adjacent road conditions. The message duration for Tri-Vision Boards shall be calculated using the method described in § 560-1806F(1)f Message Duration.
- O. Safety. The applicant bears the burden of proof to establish that the proposed billboard will not create a public health or safety hazard in the matter and location that it is proposed and in the manner by which it is to be operated.

§ 560-1810 Regulations by Sign Type: Limited Duration Signs

- A. Limited duration signs, as defined in this Section, located on private property are subject to the regulations set forth below. Limited Duration signs that comply with the requirements in this sub-section shall not be included in the determination of the type, number, or area of signs allowed on a property. Unless otherwise stated below, the requirements listed below shall apply to both commercial and non-commercial signs.
- B. Size and Number.
 - (1) Non-Residential Zones:
 - a. Large Limited Durations Signs: One large limited duration sign is permitted per property in all non-residential zones. If a property is greater than five (5) acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional large limited duration sign may be permitted so long as there is a minimum spacing of 200 feet between the two large limited duration signs.
 - 1. Type:
 - a. Freestanding sign
 - b. Window sign
 - c. Wall sign
 - 2. Area: Each large limited duration sign shall have a maximum area of 16 square feet
 - 3. Height: Large limited duration signs that are freestanding shall have a maximum height of eight feet.
 - b. Small Limited Duration Signs: In addition to the large limited duration sign(s) outlined above, one small limited duration sign is permitted per property in all non-residential zones. If a property is greater than five acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional small sign may be permitted.

1. Type:
 - a. Freestanding sign
 - b. Window sign
 - c. Wall sign
2. Area: Each small limited duration sign shall have a maximum area of six square feet.
3. Height: Small limited duration signs that are freestanding shall have a maximum height of six feet.

(2) Residential Zones:

- a. Large Limited Duration Sign: One large limited duration sign is permitted per property so long as the property is greater than five acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area.

1. Type:
 - a. Freestanding sign
 - b. Window sign
 - c. Wall sign
2. Area: Each large limited duration sign shall have a maximum area of 16 square feet.
3. Height: Large limited duration signs that are freestanding shall have a maximum height of eight feet.

- b. Small Limited Duration Sign: One small limited duration sign is permitted per property.

1. Type:
 - a. Freestanding sign
 - b. Window sign
 - c. Wall sign
2. Area: Each small limited duration sign shall have a maximum area of six square feet.
3. Height: Small limited duration signs that are freestanding shall have a maximum height of six feet.

C. Permit Requirements.

- (1) A permit for a limited duration sign is issued for one year and may be renewed annually.
- (2) One sign is allowed per permit. An applicant may request up to two permits per address, but is subject to the size and number requirements set forth in this section.
- (3) An application for a limited duration sign permit must include:
 - a. A description of the sign indicating the number, size, shape, dimensions, and colors of the sign, and the expected length of time the sign will be displayed;
 - b. A schematic drawing of the site showing the proposed location of the sign in relation to nearby building and streets;

c. The number of signs on the site.

D. Installation and Maintenance.

- (1) All limited duration signs must be installed such that in the opinion of the borough building official, they do not create a safety hazard.
- (2) All limited duration signs must be made of durable materials and shall be well-maintained.
- (3) Limited duration signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed.

E. Illumination. Illumination of any limited duration sign is prohibited.

F. Summary Table for Limited Duration Signs.

Limited Duration Signs		
	Non-Residential Districts	Residential Districts
Large Limited Duration Signs (max area 16 sq. ft.)	Number: 1 per property; 2 if property is 5+ acres with 400+ ft. of street frontage or has > 10,000 square feet of floor area. Height: Maximum 8 ft.	Number: 1 per property if property is 5+ acres with 400+ ft. of street frontage or has > 10,000 square feet of floor area. Height: Maximum 8 ft.
Small Limited Duration Signs (max area 6 sq. ft.)	Number: 1 per property; 2 if property is 5+ acres with 400+ ft. of frontage or has > 10,000 square feet of floor area. Height: Maximum 6 ft.	Number: 1 per property Height: Maximum 6 ft.

§ 560-1811 Regulations by Sign Type: Temporary Signs

- A. Temporary signs, as defined in this Section, located on private property, are exempt from standard permit requirements. Temporary signs that comply with the requirements in this sub-section shall not be included in the determination of the type, number, or area of signs allowed on a property.
- B. Unless otherwise stated below, the requirements listed below shall apply to both commercial and non-commercial signs.
- C. Size and Number.

(1) Non-Residential Districts:

- a. Large Temporary Signs: One large temporary sign is permitted per property in all non-residential districts. If a property is greater than five acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional large temporary sign may be permitted so long as there is a minimum spacing of 200 feet between the two large temporary signs.

- 1. Type:
 - a. Freestanding sign
 - b. Window sign

- c. Wall sign
 - d. Banner
 - 2. Area:
 - a. Each large temporary freestanding, window, or wall sign shall have a maximum area of 16 square feet.
 - b. Each large temporary banner shall have a maximum area of 32 square feet.
 - 3. Height:
 - a. Large temporary signs that are freestanding shall have a maximum height of eight feet.
 - b. Banners shall hang at a height no greater than 24 feet.
 - b. Small Temporary Signs: In addition to the large temporary sign(s) outlined above, one small temporary sign is permitted per property in all non-residential districts. If a property is greater than five acres in size and has at least 400 feet of street frontage or has > 10,000 square feet of floor area, one additional small sign may be permitted so long as there is a minimum spacing of 200 feet between both sets of small temporary signs.
 - 1. Type:
 - a. Freestanding sign
 - b. Window sign
 - c. Wall sign
 - 2. Area: Each small temporary sign shall have a maximum area of six square feet.
 - 3. Height: Small temporary signs shall have a maximum height of six feet.
- (2) Residential Districts:
- a. Large Temporary Signs: One large temporary sign is permitted per residential property so long as the property is greater than five acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area.
 - 1. Type:
 - a. Freestanding sign
 - b. Window sign
 - c. Wall sign
 - d. Banner Sign
 - 2. Area:
 - a. Each large temporary freestanding, window, or wall sign shall have a maximum area of 16 square feet.
 - b. Each large temporary banner shall have a maximum area of 32 square feet.
 - 3. Height:
 - a. Large temporary signs that are freestanding shall have a maximum height of eight feet.

- b. Banners shall hang at a height no greater than 24 feet.
- b. Small Temporary Signs: One small temporary sign is permitted per residential property.
 - 1. Type:
 - a. Freestanding sign
 - b. Window sign
 - c. Wall sign
 - 2. Area: Each small temporary sign shall have a maximum area of six square feet.
 - 3. Height: Small temporary signs shall have a maximum height of six feet.
- c. Duration and Removal
 - 1. Temporary signs may be displayed up to a maximum of 30 consecutive days, two times per year.
 - 2. The borough or the property owner may confiscate signs installed in violation of this chapter. Neither the borough nor the property owner is responsible for notifying sign owners of confiscation of an illegal sign.
- d. Permission: The party posting the temporary sign is solely responsible for obtaining the permission of the property owner before posting their temporary sign.
- e. Municipal Notification: Temporary signs are exempt from the standard permit requirements but the date of erection of a temporary sign must be written in indelible ink on the lower right hand corner of the sign.
- f. Installation and Maintenance.
 - 1. All temporary signs must be installed such that in the opinion of the borough's building official, they do not create a safety hazard.
 - 2. All temporary signs must be made of durable materials and shall be well-maintained.
 - 3. Temporary signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed.
- g. Illumination. Illumination of any temporary sign is prohibited.
- h. Summary Table for Temporary Signs.

Temporary Signs		
	Non-Residential Districts	Residential Districts
Large Temporary Signs (max area: 32 sq. ft. for banner, 16 square feet for all other signs)	Number: 1 per property; 2 if property is 5+ acres with 400+ ft. of street frontage, or has > 10,000 square feet of floor area. Height: Ground: Maximum 8 ft.	Number: 1 per property if property is 5+ acres with 400+ ft. of street frontage or has > 10,000 square feet of floor area. Height: Ground: Maximum 8 ft.

	Banner: Maximum 24 ft.	Banner: Maximum 24 ft.
Small Temporary Signs (max area: 6 sq. ft.)	Number: 1 per property; 2 if property is 5+ acres with 400+ ft. of street frontage, or has > 10,000 square feet of floor area. Height: Maximum 6 ft.	Number: 1 per property Height: Maximum 6 ft.

§ 560-1812 Regulations by Sign Type: Portable Signs

A. General Provisions.

(1) Illumination: Illumination of any portable sign is prohibited.

(2) Hours of Display.

a. Signs shall not be displayed on any premises before 6:00 AM and shall be removed each day at or before 10:00 PM. However, all portable signs must be taken in during hours of non-operation of the business being advertised.

b. All portable signs must be taken in during inclement weather.

B. Sandwich Board or A-frame Signs. Sandwich board signs that comply with the requirements in this sub-section shall not be included in the determination of the type, number, or area of signs allowed on a property.

(1) Number: One sandwich board sign is permitted per establishment. For the purposes of this subsection, a parking garage or parking lot shall be considered an establishment.

(2) Area: Each sign shall have a maximum area of seven square feet per sign face.

(3) Height: Signs shall have a maximum height of three and one-half (3.5) feet.

(4) Sign Placement.

a. If a sign is located on a public or private sidewalk, a minimum of 36 inches of unobstructed sidewalk clearance must be maintained between the sign and any building or other obstruction.

b. The sign must be located on the premises, and within 12 feet of the primary public entrance, of the establishment it advertises. For the purposes of this subsection, a public entrance includes a vehicular entrance into a parking garage or parking lot.

c. Portable signs shall be weighted, temporarily secured, or strategically placed so as to avoid being carried away by high winds.

(5) Manual Changeable Copy.

a. Manual changeable copy signs are permitted when integrated into a sandwich board sign.

b. Commercial messages must advertise only goods and services available on the premises.

C. Vehicular Signs. Vehicular signs are subject to the regulations found in the Borough Vehicle Code.

§ 560-1813 Regulations by Sign Type: Street Pole Banners

A. General Provisions. Street pole banner signs that comply with the requirements in this sub-section shall not be included in the determination of the type, number, or area of signs allowed on a property.

(1) Illumination: Illumination of any street pole banner is prohibited.

(2) Area: Each street pole banner shall have a maximum area of 12.5 square feet and a maximum width of three feet. Up to two street pole banners are permitted per street pole.

(3) Height.

a. When the street pole banner's edge is less than 18 inches from the curb, the lowest edge of the street pole banner shall be at least 14 feet above the finished grade.

b. When the street pole banner's edge is greater than 18 inches from the curb, the lowest edge of the street pole banner shall be at least eight feet above the finished grade.

(4) Location.

a. No street pole banner shall extend beyond the curblines.

b. Street pole banners shall maintain a minimum of three foot vertical clearance below any luminaries located on the pole measured from where the ballasts connect to the poles.

c. Street pole banners shall not interfere with the visibility of traffic signals or signs.

d. No street pole banner shall be located on a pole that has traffic or pedestrian control signals.

(5) Installation and Maintenance.

a. All street pole banners must be made of lightweight and durable fabrics with wind slits.

b. Street pole banners that are frayed, torn, or faded so that they are no longer legible will be deemed unmaintained and will be required to be removed.

B. Permit Requirements.

(1) A permit for a street pole banner is issued for one year and may be renewed annually.

(2) An application for a street pole banner permit must include the following:

a. A diagram or map of the specific poles to be used for street pole banner installation and the streets on which the poles are located.

b. A proof of the street pole banner design, including the banner's dimensions.

c. If brackets are to be installed, submit specifications for the bracket installation system.

§ 560-1814 Signs in OS Open Space District

In addition to the exempt signs described in § 560-1805 Signs Exempt from Permit Requirements, the following numbers and types of signs may be erected in the OS Open Space district, subject to the conditions specified here and in § 560-1807 through § 560-1810.

- A. Any limited duration sign as defined and regulated in § 560-1810 Regulations by Sign Type: Limited Duration Signs.
- B. Any temporary sign as defined and regulated in § 560-1811 Regulations by Sign Type Temporary Signs.
- C. Signs associated with a residential use or parcel within an agricultural/rural zone shall comply with § 560-1815 Signs in Residential Districts.
- D. Parks and Open Space.
 - (1) Freestanding signs shall be permitted subject to the following regulations.
 - a. Number: One sign per street access to a park or open space facility.
 - b. Area: Each sign shall have a maximum area of 24 square feet per sign face.
 - c. Height: Signs shall have a maximum height of ten feet.
 - d. Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - 1. External illumination
 - (2) Signs located on the interior of the site used to identify various use areas, facility boundaries, on-site traffic direction, trail use information, the hours and rules for the use of the grounds, etc. are exempt from permit requirements subject to the following:
 - a. Area: Each sign shall have a maximum area of ten square feet.
 - b. Height: Signs shall have a maximum height of eight feet.
 - c. Illumination: These signs shall be non-illuminated.
 - (3) Signs for recreation and sporting facilities shall be allowed provided that the following criteria is met:
 - a. Signs on the interior walls or fence of an open stadium or field shall be no greater than 24 square feet in size and shall be designed to be viewed from the inside of the stadium only, and non-illuminated.
 - b. One freestanding scoreboard, not to exceed 200 square feet in area and 20 feet in height, is permitted per playing field.
 - 1. Commercial messages shall not exceed 30% of the front face of the scoreboard.
 - 2. The face of all scoreboards, including any attached commercial signs and panels, shall be permanently oriented toward the recreation and spectator area.
 - 3. Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. Internal illumination
 - b. External illumination
 - c. Message center sign
 - d. Digital display (not to exceed 30% of the total scoreboard area)
- E. Freestanding signs for non-residential uses shall be permitted subject to the following regulations.

- (1) Number: One sign at each street access, up to a maximum of two signs per lot.
- (2) Area: Each sign shall have a maximum area of 32 square feet per sign face.
- (3) Height: Signs shall have a maximum height of six feet.
- (4) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.

a. External illumination

F. Wall and projecting signs for non-residential uses shall be permitted subject to the following regulations.

- (1) Number: One sign per tenant per building frontage up to a maximum of two signs per tenant.
- (2) Area: Each sign shall have a maximum area of 20 square feet per sign face.
- (3) Height: Signs shall have a maximum height equal to the eaveline or the bottom of the second story window sill, whichever is lower.
- (4) Illumination: These signs shall be non-illuminated.

G. Window signs for non-residential uses shall be permitted subject to the following regulations.

- (1) Area: A maximum of 15% of the total window area of any single building frontage may be used for signs.
- (2) Illumination: These signs shall be non-illuminated.

H. Summary Table for Signs in Agricultural, Rural, and Open Space Districts.

	Agricultural, Rural, and Open Space Districts		
	Wall and Projecting	Window	Freestanding
Maximum Number	Non-Residential Uses: 1 per tenant per building frontage, up to a maximum of 2 signs per tenant	N/A	Parks and Open Space: 1 per street access plus 1 freestanding scoreboard per playing field Non-Residential Uses: 1 per street access up to a maximum of 2 signs per lot
Maximum Area (sq. ft.)	Parks and Open Space: Signs on the interior walls or fence of an open stadium: 24 Non-Residential Uses: 20	Non-Residential Uses: 15% of total window area	Parks and Open Space: 24 (entrance), 200 (scoreboard), 10(signs interior to the site) Non-Residential Uses: 32
Maximum Height	Non-Residential Uses: The eaveline or the	N/A	Parks and Open Space: 10 ft.

	bottom of the second story window sill, whichever is lower.		(entrance), 20 ft. (scoreboard), 8 ft. (signs interior to the site) Non-Residential Uses: 6 ft.
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§ 560-1815 Signs in Residential Districts

In addition to the exempt signs described in § 560-1805 Signs Exempt from Permit Requirements, the following numbers and types of signs may be erected in the R1 Low Density Residential District, R2 Medium Density Residential District, and R3 High Density Residential District, subject to the conditions specified here and in § 560-1807 through § 560-1812.

- A. Any limited duration sign as defined and regulated in § 560-1810 Regulations by Sign Type: Limited Duration Signs.
- B. Any temporary sign as defined and regulated in § 560-1811 Regulations by Sign Type: Temporary Signs.
- C. Home Occupations.
 - (1) One freestanding sign shall be permitted subject to the following regulations.
 - a. Area: Each sign shall have a maximum area of six square feet per sign face.
 - b. Height: Signs shall have a maximum height of six feet.
 - c. Illumination: These signs shall be non-illuminated.
 - (2) One wall or projecting sign shall be permitted, up to two square feet in area.
 - a. Height: Signs shall have a maximum height equal to the eaveline or the bottom of the second story window sill, whichever is lower.
 - b. Illumination: These signs shall be non-illuminated.
- D. Freestanding signs for residential developments or **Multifamily Buildings** containing more than ten units shall be permitted subject to the following regulations:
 - (1) Number: One sign per street frontage.
 - (2) Area: Each sign shall have a maximum area of 15 square feet per sign face.
 - (3) Height: Signs shall have a maximum height of eight feet.
 - (4) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. Internal illumination
 - b. External illumination
- E. Summary Table for Signs in Residential Districts.

		Residential Districts	
		Wall and Projecting	Freestanding
Maximum Number	Home Occupations: 1 per lot	Home Occupations: 1 per lot	Residential Developments: 1 per lot

Maximum Area (sq. ft.)	Home Occupations: 2	Home Occupations: 6 Residential Developments: 15
Maximum Height	The eaveline or the bottom of the second story window sill, whichever is lower.	Home Occupations: 6 ft. Residential Developments: 8 ft.

§ 560-1816 Signs in INS Institutional District

In addition to the exempt signs described in § 560-1805 Exempt Signs, the following numbers and types of signs may be erected for the INS Institutional District subject to the conditions specified here and in § 560-1807 through § 560-1812.

- A. Any limited duration sign as defined and regulated in § 560-1810 Regulations by Sign Type: Limited Duration Signs.
- B. Any temporary sign as defined and regulated in § 560-1811 Regulations by Sign Type: Temporary Signs.
- C. Any portable sign as defined and regulated in § 560-1812 Regulations by Sign Type: Portable Signs.
- D. Any street pole banner as defined and regulated in § 560-1813 Regulations by Sign Type: Street Pole Banners.
- E. Signs associated with a park or open space use in an institutional district shall comply with § 560-1814 Signs in OS Open Space District.
- F. Signs associated with a residential use or parcel within an institutional district shall comply with § 560-1815 Signs in Residential Districts.
- G. Freestanding signs for institutional uses, other than parks and open space, shall be permitted subject to the following regulations.
 - (1) Number: One sign per street access, up to two signs per property held in single and separate ownership.
 - (2) Area: Each sign shall have a maximum area based on the lot size of the property as follows:
 - a. On lots less than two acres: 24 square feet.
 - b. On lots of two acres or more but less than five acres: 40 square feet.
 - c. On lots of five acres or more: 60 square feet.
 - (3) Height: Signs shall have a maximum height of ten feet.
 - (4) Illumination: The following illumination types shall be permitted subject to the regulations in § 1806F Sign Illumination.
 - a. Internal illumination
 - b. External Illumination
 - c. Message center sign
- H. Freestanding signs located on the interior of the site used to identify facilities, on-site traffic direction, hours of operation, and other information are exempt from permit requirements, subject to the following:
 - (1) Area: Each sign shall have a maximum area of ten square feet.
 - (2) Height: Each sign shall have a maximum height of eight feet.

- (3) Illumination: These signs shall be non-illuminated.
- I. Building signs, including wall signs, awning or canopy signs, projecting signs, and window signs, are permitted for institutional uses. The total maximum sign area of all building signs shall be based on the lot size of the property and wall area of the building as follows:
- (1) Area:
 - a. On lots less than two acres:
 1. Total sign area of all building signs shall not exceed five percent of the total wall area for all walls that directly face a public street or parking lot.
 2. No single building sign shall exceed 24 square feet.
 - b. On lots of two acres or more but less than five acres:
 1. Total sign area of all building signs shall not exceed six percent of the total wall area for all walls that directly face a public street or parking lot.
 2. No single building sign shall exceed 36 square feet.
 - c. On lots of five acres or more:
 1. Total sign area of all building signs shall not exceed seven percent of the total wall area for all walls that directly face a public street or parking lot.
 2. No single building sign shall exceed 60 square feet.
 - (2) Height: Signs shall have a maximum height equal to the eaveline.
 - (3) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. Internal illumination
 - b. External illumination
 - c. Halo illumination or back-lit letters
- J. Optional: Upper-level building identification signs shall be permitted subject to the following regulations.
- (1) Number: Two signs per building.
 - (2) Area: Each sign shall have a maximum area of 200 square feet.
 - (3) Height: Signs shall have a maximum height of ten feet and shall not extend vertically beyond the eaveline.
 - (4) Location: Signs shall be limited to buildings at least three stories in height and shall be located only on the top floor of such buildings.
 - (5) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. Internal illumination
- K. Summary Table for Signs in Institutional Districts.

Institutional Districts		
Wall, Awning/Canopy, Projecting, and Window	Freestanding	Optional: Building Identification

Maximum Number		N/A	1 per street access, up to 2 per lot	2 per building
Maximum Area	Lots < 2 acres:	5% of the total wall face area of walls that directly face a public street or parking lot. No single wall sign shall exceed 24 sq. ft.	24 sq. ft.	200 sq. ft.
	Lots \geq 2 and < 5 acres:	6% of the total wall face area of walls that directly face a public street or parking lot. No single wall sign shall exceed 36 sq. ft.	40 sq. ft.	
	Lots \geq 5 acres:	7% of the total wall face area of walls that directly face a public street or parking lot. No single wall sign shall exceed 60 sq. ft.	60 sq. ft.	
Maximum Height		The eaveline	10 ft.	The eaveline

§ 560-1817: Signs in NC Neighborhood Commercial District

In addition to the exempt signs described in § 560-1805 Signs Exempt from Permit Requirements, the following numbers and types of signs may be erected in the NC Neighborhood Commercial district subject to the conditions specified here and in § 560-1807 through § 560-1812.

- A. Any sign permitted in residential districts, for the appropriate uses, as defined and regulated in § 560-1815 Signs in Residential Districts.
- B. Any portable sign as defined and regulated in § 560-1812 Regulations by Sign Type: Portable Signs.
- C. Any street pole banner as defined and regulated in § 560-1813 Regulations by Sign Type: Street Pole Banners.
- D. The total area of all wall, awning/canopy, and projecting signs shall be limited to two square feet per one linear foot of building frontage that faces a public street or parking lot, subject to maximum size limitations based on sign type.
- E. Wall signs for non-residential uses shall be permitted subject to the following regulations.
 - (1) Number: One (1) sign per tenant per street frontage, up to a maximum of two signs per tenant. Where a property has entrances facing both a street and a parking lot, an additional sign is permitted to face the parking lot.
 - (2) Area: No single wall sign shall exceed 24 square feet in area.
 - (3) Height: Signs shall have a maximum height equal to the eaveline or the bottom of the second story window sill, whichever is lower.
 - (4) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.

- a. External illumination
 - b. Halo illumination or back-lit letters
 - c. Neon lighting
- F. Awning or canopy signs for non-residential uses shall be permitted subject to the following regulations.
 - (1) Height: Signs shall have a maximum height equal to the eaveline or the bottom of the second story window sill, whichever is lower.
 - (2) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. External illumination.
- G. Projecting signs for non-residential uses shall be permitted subject to the following regulations.
 - (1) Number: One sign per ground floor establishment, plus one sign per building entrance serving one or more commercial tenants without a ground floor entrance.
 - (2) Area: Each sign shall have a maximum area of twelve square feet per sign face.
 - (3) Height: Signs shall have a maximum height equal to the eaveline or the bottom of the second story window sill, whichever is lower.
 - (4) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. External illumination
 - b. Neon lighting
- H. Window signs for non-residential uses shall be permitted subject to the following regulations.
 - (1) Area: A maximum of 15% of the total window area of any single storefront may be used for permanent signs that are etched, painted, or otherwise permanently affixed to the window. A maximum of 25% of the total window area of any single storefront may be covered by a combination of permanent and temporary window signs.
 - (2) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. Neon lighting
- I. Marquee signs for non-residential uses shall be permitted subject to the following regulations.
 - (1) Number: One marquee structure per building.
 - (2) Area: The total area of all signs on a single marquee structure shall not exceed 150 square feet in area.
 - (3) Height: Signs shall have a maximum height equal to the eaveline.
 - (4) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. Internal illumination
 - b. Message center sign
- J. Summary Table for Signs in the NC District.

Main Street Districts

	Wall and Awning/Canopy	Projecting	Window	Marquee
Maximum Number	Wall: 1 per tenant per street frontage (up to 2 per tenant) Awning/Canopy: N/A (See § 560-1807)	1 per ground floor establishment, plus 1 per building entrance serving tenants without a ground floor entrance	N/A	1 per building
Maximum Area (Total)	2 sq. ft. per linear ft. of building frontage facing a public street or parking lot, subject to maximum size limitations based on sign type		N/A	N/A
Maximum Area (Individual)	Wall: 24 sq. ft. Awning/Canopy: N/A (See § 560-1807)	12 sq. ft.	15% of total window area (permanent signs); 25% total window area (all signs)	150 sq. ft.
Maximum Height	The eaveline or the bottom of the second story window sill, whichever is lower.		N/A	The eaveline

§ 560-1818 Signs in GC General Commercial and Industrial Districts

Except as noted below, the following numbers and types of signs may be erected in the GC General Commercial District, LIC Light Industrial Commercial District, or GIC General Industrial Commercial District, subject to the conditions specified here and in § 560-1807 through § 560-1812.

- A. Any sign permitted in residential districts, for the appropriate uses, as defined and regulated in § 560-1815 Signs in Residential Districts.
- B. Any portable sign as defined and regulated in § 560-1812 Regulations by Sign Type: Portable Signs.
- C. Any street pole banner as defined and regulated in § 560-1813 Regulations by Sign Type: Street Pole Banners.
- D. The total area of all wall, awning/canopy, and projecting signs for non-residential uses shall be limited to 1.5 square feet per one linear foot of building frontage that faces a public street or parking lot, subject to maximum size limitations based on sign type.
- E. Wall signs for non-residential uses shall be permitted subject to the following regulations.
 - (1) Number: One sign per tenant per street frontage, up to a maximum of two signs per tenant. Where a store has entrances facing both a street and a parking lot, a second sign is permitted to face the parking lot.
 - (2) Area: Each sign shall have a maximum area of 32 square feet per sign face.
 - (3) Height: Signs shall have a maximum height equal to the eaveline.
 - (4) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.

- a. Internal illumination
 - b. External illumination
 - c. Halo illumination or back-lit letters
 - d. Neon lighting
- F. Awning or canopy signs for non-residential uses shall be permitted subject to the following regulations.
 - (1) Height: Signs shall have a maximum height equal to the eaveline.
 - (2) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. External illumination
- G. Projecting signs for non-residential uses shall be permitted subject to the following regulations.
 - (1) Number: One sign per ground floor establishment, plus one sign per building entrance serving one or more commercial tenants without a ground floor entrance.
 - (2) Area: Each sign shall have a maximum area of twenty (square feet per sign face.
 - (3) Height: Signs shall have a maximum height equal to the eaveline.
 - (4) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. External illumination
 - b. Neon lighting
- H. Window signs for non-residential uses shall be permitted subject to the following regulations.
 - (1) Area: A maximum of 25% of the total window area of any single storefront may be used for permanent signs that are etched, painted, or permanently affixed to the window. A maximum of 35% of the total window area of any single storefront may be covered by a combination of permanent and temporary window signs.
 - (2) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. Neon lighting
- I. Marquee signs for non-residential uses shall be permitted subject to the following regulations.
 - (1) Number: One marquee sign per building.
 - (2) Area: The total area of signs on a single marquee structure shall not exceed 200 square feet in area.
 - (3) Height: Signs shall have a maximum height equal to the eaveline.
 - (4) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. Internal illumination
 - b. Message center sign
 - c. Digital display
- J. In addition to building signs, freestanding signs for non-residential uses shall be permitted subject to the following regulations.

- (1) Number: One sign per street frontage, up to two signs per property held in single and separate ownership.
 - a. For permitted gas stations, one additional freestanding sign per street frontage shall be permitted for the advertising of gas prices and identification of the gas station only, up to two additional signs per property.
 - b. For permitted drive-through establishments, one additional freestanding sign shall be permitted for the advertising items for sale to users of the drive-through lane only.
 - (2) Area: Each sign shall have a maximum area of 50 square feet plus an additional 10 square feet per tenant up to a maximum of 100 square feet.
 - a. Height: Signs shall have a maximum height of 20 feet.
 - b. Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - 1. Internal illumination
 - c. Message center sign
 - d. Digital display
- K. Optional: Upper-level building identification signs shall be permitted subject to the following regulations.
- (1) Number: One sign per building.
 - (2) Area: Each sign shall have a maximum area of 200 square feet.
 - (3) Height: Signs shall have a maximum height of ten feet and shall not extend vertically beyond the eaveline.
 - (4) Location: Signs shall be limited to buildings at least three stories in height and shall be located only on the top floor of such buildings.
 - (5) Illumination: The following illumination types shall be permitted subject to the regulations in § 560-1806F Sign Illumination.
 - a. Internal illumination
- L. Billboards shall be permitted, subject to the regulations detailed in §560-1809.
Regulations by Sign Type: Off-Premises Billboard Signs (Billboards).
- M. Summary Table for Signs in Commercial and Industrial Districts.

General Commercial and Industrial Districts					
Wall and Awning/Canopy	Projecting	Window	Marquee	Freestanding	<i>Optional:</i> Upper-Level Building Identification

Maximum Number	Wall: 1 per tenant per street frontage (up to 2 per tenant) Awning/Canopy: N/A (see §560-1807)	1 per ground floor establishment, plus 1 per building entrance serving tenants without a ground floor entrance	N/A	1 per building	1 per street frontage, up to 2 per lot (additional signs allowed for gas stations and drive-thru establishments)	1 per building (≥ 3 stories high)
Maximum Area (Total)	1.5 sq. ft. per linear ft. of building frontage facing a public street or parking lot, subject to maximum size limitations based on sign type		N/A	N/A	N/A	N/A
Maximum Area (Individual)	Wall: 32 sq. ft. Awning/Canopy: N/A (see §7)	20 sq. ft.	25% total window area (permanent signs); 35% (all signs)	200 sq. ft.	50 sq. ft. plus an additional 10 sq. ft. per tenant up to 100 sq. ft.	200 sq. ft.
Maximum Height	The eaveline		N/A	The eaveline	20 ft.	The eaveline

§ 560-1819 Removal of Unsafe, Unlawful, or Abandoned Signs

A. Unsafe or Unlawful Signs.

- (1) Upon written notice by the borough, the owner, person, or firm maintaining a sign shall remove the sign when it becomes unsafe, is in danger of falling, or it becomes so deteriorated that it no longer serves a useful purpose of communication, or it is determined by the borough to be a nuisance, or it is deemed unsafe by the borough, or it is unlawfully erected in violation of any of the provisions of this Article.
- (2) The borough may remove or cause to be removed the sign at the expense of the owner and/or lessee in the event of the owner of the person or firm maintaining the sign has not complied with the terms of the notice within 30 days of the date of the notice. In the event of immediate danger, the borough may remove the sign immediately upon the issuance of notice to the owner, person, or firm maintaining the sign.

B. Abandoned Signs.

- (1) It shall be the responsibility of the owner of any property upon which an abandoned sign is located to remove such sign within 180 days of the sign becoming abandoned as defined in this section. Removal of an abandoned sign shall include the removal of the entire sign including the sign face, supporting structure, and structural trim.
- (2) Where the owner of the property on which an abandoned sign is located fails to remove such sign in 180 days, the borough may remove such sign. Any expense directly incurred in the removal of such sign shall be charged to the owner of the property. Where the owner fails to pay, the borough may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign.

§ 560-1820 Permits & Applications

- A. It shall be unlawful for any person, firm, or corporation to erect, alter, repair, or relocate any sign within the borough without first obtaining a sign permit, unless the sign is specifically exempt from the permit requirements as outlined in § 560-1805 Exempt Signs.
- B. In order to apply for a sign permit, the applicant must provide the following information, in writing, to the borough:
 - (1) Name of organization and location.
 - (2) Name, address, and telephone number of the property owner, and the signature of the property owner or duly authorized agent for the owner.
 - (3) Contact person and contact information.
 - (4) Description of the activities occurring on the site where the sign will be installed.
 - (5) Description of any existing signage that will remain on the site.
 - (6) Identification of the type of sign(s) to be erected by the applicant.
 - (7) Site plan depicting the locations of proposed signage and existing remaining signage.
 - (8) Two copies of a plan drawn to scale depicting:
 - a. Lot dimensions, building frontage, and existing cartways, rights-of-way and driveways.
 - b. The design of each sign face and sign structure, including dimensions, total area, sign height, depth, color scheme, structural details, materials, lighting scheme and proposed location.
 - c. Building elevations, existing and proposed facades, parapet walls, eaveline and the location and size of all proposed and existing permanent signage.
 - d. Current photographs showing existing signs on the premises and certifying the date on which photographs were taken.
 - (9) A permit fee, to be established from time to time by Resolution of the Borough, shall be paid.
- C. The borough shall have ten business days from the receipt of a complete application to review the application.

- D. A permit shall be issued on or before the end of the ten business day review period if the application for a new sign or renewal complies with the regulations contained herein.
- E. If the borough does not issue a determination within the ten business day period, the sign permit is deemed approved.
- F. An application for a sign permit may be denied by the borough within the ten business day review period if the application fails to comply with the standards contained herein. The borough shall inform the applicant of the reasons for denying the application for sign permit by certified mail.
- G. Upon denial of an application for a sign permit, the applicant has 30 business days to revise and resubmit the application for review by the borough. In the alternative, the applicant may also appeal the decision of the borough to the governing body within the 30 business day time period. The borough at its next regularly scheduled meeting, shall review the borough's denial of the application.
- H. With the exception of lighting permits for digital signs, these permits shall not expire provided that such signs are not abandoned or destroyed. In the instance that substantial repair or replacement becomes necessary (i.e., repairs that costs more than 50% of the replacement cost of the damaged sign); the organization must apply for a new sign permit, and pay an additional fee, if required.

§ 560-1821 Nonconforming Signs

- A. Signs legally in existence at the time of the adoption of this Ordinance, which do not conform to the requirements of this Ordinance, shall be considered nonconforming signs.
- B. All permanent signs and sign structures shall be brought into conformance with the sign regulations when and if the following occurs:
 - (1) The sign is removed, relocated, or significantly altered. Significant alterations include changes in the size or dimension of the sign. Changes to the sign copy or the replacement of a sign face on a nonconforming sign shall not be considered a significant alteration.
 - (2) If more than 50% of the sign area is damaged, it shall be repaired to conform to this Ordinance.
 - (3) An alteration in the structure of a sign support.
 - (4) A change in the mechanical facilities or type of illumination
 - (5) A change in the material of the sign face.
 - (6) The property on which the nonconforming sign is located submits a subdivision or land development application requiring municipal review and approval.
 - (7) The property on which the nonconforming sign is located undergoes a change of land use requiring the issuance of either a use and occupancy permit or a change of use and occupancy permit by the borough.
- C. To determine the legal status of existing signs in each of the cases listed in § 560-1821B, the applicant shall submit the following information to the borough Zoning Officer:
 - (1) Type(s) of existing sign(s) located on the property.
 - (2) The area and height of all signs.
 - (3) For freestanding signs, the distance between the curblin e or shoulder and the nearest portion of the sign.

- (4) Type of sign illumination.
 - (5) The material of which the sign is constructed.
 - (6) The building frontage.
 - (7) If a billboard, the applicant shall also submit the plan requirements listed in § 560-1809M.
- D. Prior to the events listed in § 560-1821B, nonconforming signs may be repainted or repaired up to 50% of the replacement cost of the sign, the sign copy may be changed, and sign faces may be replaced provided that these actions do not increase the dimensions of the existing sign, and do not in any way increase the extent of the sign's non-conformity.
- E. Nonconforming signs shall be exempt from the provisions of § 560-1821B, under the following conditions:
- (1) The nonconforming sign possesses documented historic value.
 - (2) The nonconforming sign is of a unique nature or type by virtue of its architectural value or design, as determined by the National Park Service, Pennsylvania Historical and Museum Commission, or local historical commission.
 - (3) When a nonconforming sign is required to be moved because of public right of way improvements.
- F. All nonconforming temporary signs, portable signs, and banners must be permanently removed within 90 days of the effective date of this Article, unless specific approval is granted as provided for herein.

§ 560-1822 Signs on the Premises of Legally Nonconforming Uses.

- A. Signs on the premises of legally nonconforming uses (such as an office in a residential area) may remain until the existing use of the premises is discontinued.
- B. If a sign wears out or is damaged (including rust, faded colors, discoloration, holes, or missing parts or informational items), or is changed for any other reason, the number, size, and area of all signs relating to the premises shall not be increased beyond the characteristics of the sign or signs that existed on that property at the time this Article was adopted.

§ 560-1823 Substitution Clause

Notwithstanding any provision of this chapter to the contrary, to the extent that this Chapter allows a sign containing commercial copy, it shall allow a non-commercial sign to the same extent. The non-commercial message may occupy the entire sign area or any portion thereof, and may substitute for or be combined with the commercial message. The sign message may be changed from commercial to non-commercial, or from one noncommercial message to another, as frequently as desired by the sign's owner, provided that the sign is not prohibited and the sign continues to comply with all requirements of this Chapter.

§ 560-1824 Violations

The placement of a sign that requires a sign permit without a sign permit shall be unlawful. Violations of this Ordinance shall be treated as strict liability offences regardless of intent.

Violators shall be fined a daily fee per sign displayed in violation of this Ordinance. The fee amount shall be established from time to time by Resolution of the Borough.

Article XIX. General Regulations

§ 560-1901 Frontage onto improved streets.

Each proposed new lot shall directly abut a public street, a street proposed to be dedicated to the Borough by the subdivision plan which created or creates such lot, or a private street which meets all of the requirements of the Borough Subdivision and Land Development Ordinance.

§ 560-1902 Number of principal uses and principal buildings per lot.

- A. A lot in a nonresidential district may include more than one permitted principal use per lot and/or more than one permitted principal building per lot, provided that all other requirements in this chapter are met for each use and each building. If differing dimensional requirements apply for different uses on the lot, then the most restrictive requirement shall apply.
- (1) For example, if Use One requires a one-acre minimum lot area and Use Two, on the same lot, requires a two-acre minimum lot area, then the minimum lot shall have a minimum lot area of two acres.
 - (2) The applicant shall submit a site plan that demonstrates that each structure would meet the requirements of this chapter.
 - (3) The land shall be in common ownership. However, a condominium form of ownership of individual buildings, with a legally binding property owners' association, may be established if the applicant proves to the satisfaction of the Zoning Officer, based upon review by the Borough Solicitor, that there will be appropriate legal mechanisms in place.
- B. A lot within a residential district shall not include more than one principal use and shall not include more than one principal building unless specifically permitted by this chapter.
- (1) A condominium residential development or **Multifamily Building/Unit** development may include more than one principal building per lot, provided all other requirements of this chapter and applicable state law are met. Proper agreements acceptable to the Borough shall be required to ensure proper maintenance of any commonly owned facilities.

§ 560-1903 Minimum size of dwellings.

In accordance with the Fair Housing Act, enacted in 1968 and amended in 1988, the Borough prohibits discrimination in housing based on race, color, religion, sex, national origin, familial status, and disability. Each dwelling unit created after the effective date of this chapter shall include, at a minimum, bathing facilities, a separate kitchen and a separate bedroom. Each dwelling unit shall include the following minimum amounts of enclosed, habitable, and heated indoor space, which shall be primarily above the ground level:

- A. One-bedroom or efficiency dwelling units: 650 square feet.
- B. Two-bedroom dwelling units: 1,000 square feet.
- C. Three- or more bedroom dwelling units: 1,200 square feet.

§ 560-1904 Height exceptions.

The maximum structure height specified for each district shall not apply to: antennas that meet the requirements of this chapter, water towers, clock or bell towers, steeples of places of

worship, electrical transmission lines, elevator shafts, windmills, skylights, chimneys or other appurtenances usually required to be and customarily placed above the roof level and not intended for human occupancy. See also definition of "Height" in Article II.

§ 560-1905 Special lot and yard requirements, sight distance and buffer yards.

- A. In general: No lot, structure or use shall be created or developed in such a way that it would result in another lot, building or use not being able to meet the requirements of this chapter. This includes, but is not limited to, setback areas, pervious areas and off-street parking areas.
- B. Exceptions to minimum lot areas, lot widths and yards.
 - (1) Corner lots: For a corner lot, the minimum side yard depth abutting a public street shall be equal to the minimum depth of the front yard except if the side yard is abutting an alley.
 - (2) Projections into required yards:
 - (a) In all districts no building and no part of a building shall be erected within or shall project into a required yard except cornices, eaves, gutters or chimneys projecting not more than 24 inches, bay windows not extending through more than one story and not projecting more than five feet and uncovered steps and ramps.
 - (b) Handicapped ramps necessary to provide entrance to a building may be located within a required setback area.
 - (3) Front yard setback exceptions:
 - (a) An unenclosed front porch may encroach up to 10 feet into the required minimum front yard setback.
 - (b) In any district within a block (both sides of the street between the first two perpendicular streets) containing a lot proposed for a construction or expansion of a building, where 50% or more of the improved lots within the block currently have front yards of less depth than is currently required for that district and where the clear majority of lots within the block are already developed, by conditional use Borough Council may permit the average of such existing front setbacks to establish the minimum front yard depth for the remainder of the frontage.
- C. Sight clearance at intersections: The provisions of the Subdivision and Land Development Ordinance shall apply.
- D. Buffer yards: The provisions of the Subdivision and Land Development Ordinance shall apply.

§ 560-1906 Landscaping.

Street trees shall be planted along all public rights of way in compliance with § 495-63.

§ 560-1907 Staging of development.

If a development is to be carried out in stages, each stage shall be so planned that all requirements of this Chapter shall be fully complied with at the completion of any stage.

§ 560-1908 Nonconformities.

- A. All buildings, structures, uses of land, uses of buildings, lots, and signs which do not comply with the applicable regulations of the zoning district in which they are located shall be considered nonconforming, provided that:
 - (1) They existed on the date of adoption of this chapter; or
 - (2) They existed on the date of an amendment to the Official Zoning Map or on the date of an amendment to or re-enactment of the text of this chapter, and such amendment or re-enactment caused the noncompliance.
- B. Proof and registration of nonconformities: It shall be the responsibility of, with the burden of proof upon, a party asserting a nonconformity to provide the evidence that it is lawful. A property owner may request a written statement of nonconformity from the Zoning Officer after providing sufficient evidence.
- C. Mapping and Recording of Nonconforming Uses, Buildings, Structures, and Lots. The Zoning Officer may perform a survey of the Borough and record and map all uses, buildings, structures, and lots nonconforming to the district requirements set forth in this chapter, or its amendment(s). Such record and map shall be available for inspection at the Borough Municipal Building. For each property identified, the Zoning Officer shall have on file a written record documenting the evidence and reasoning that led to the assignment of nonconforming status. If the survey, record, and map are not done, or are incomplete, the nonconforming status may be determined when applications are filed with the Borough.
- D. Jurisdiction. In all matters pertaining to nonconforming status, the Zoning Officer shall make the initial determination.
 - (1) The Zoning Officer may seek the advice of the Borough Solicitor, and/or others in making a determination.
 - (2) If it cannot be determined by means of positive documentation that a use, building, structure, or sign was in lawful existence at the time an ordinance or amendment would have rendered it nonconforming, the Zoning Officer must refuse to confer the nonconforming status.
 - (3) If the applicant disagrees with the Zoning Officer's determination, the applicant may appeal to the Zoning Hearing Board as provided in the Municipalities Planning Code (Pennsylvania Act 247, as amended).
- E. Continuation: A lawful nonconforming use, structure or lot as defined by this chapter may be continued and may be sold and continued by new owners. Any expansion of, construction upon or change in use of a nonconformity shall only occur in conformance with this section.
- F. Expansion of or construction upon nonconformities.
 - (1) Nonconforming structure.
 - (a) The Zoning Officer shall permit a nonconforming structure to be reconstructed or expanded, provided:
 - [1] That such action will not increase the severity or amount of the nonconformity (such as the area of the building extending into the required yard) or create any new nonconformity; and

- [2] That any expanded area will comply with the applicable setbacks in that district and other requirements of this chapter.
- (b) In the case of a nonconforming structure which is used by a nonconforming use, any expansion shall also meet the requirements of this section regarding nonconforming uses.
 - (c) Extension along a nonconforming setback: If an existing building has a lawfully nonconforming building setback, additions may occur to increase the height above such setback or to extend other portions of the building out to the nonconforming side or rear setback line, provided that:
 - [1] The structure shall not be extended beyond the existing nonconforming setback line;
 - [2] No additional nonconformity shall be created;
 - [3] The new nonconforming extension shall not be greater than 25% of the existing floor area;
 - [4] All other requirements of this chapter shall be met; and
 - [5] Such addition shall not be permitted for a nonresidential building that abuts an existing primarily residential use.
- (2) Nonconforming lots.
- (a) New permitted structures for a single permitted by right principal use and its customary accessory uses may be constructed, reconstructed or expanded on a nonconforming lot of record held in single and separate ownership as a permitted by right use if minimum setback requirements are met.
- (3) Expansion of a nonconforming nonresidential use: A nonconforming use or a building used by a nonconforming use shall not be expanded, except in accordance with the following provisions.
- (a) An expansion of more than 10% in total building floor area shall require special exception approval from the Zoning Hearing Board under Article I.
 - (b) Such reconstruction or expansion shall only be upon the same lot that the nonconforming use was located at the time the use became nonconforming.
 - (c) The total building floor area used by a nonconforming use or the total land area covered by the nonconforming use, whichever is more restrictive, shall not be increased by greater than 25% beyond what existed in the nonconforming use at the time the use first became nonconforming.
 - [1] The above maximum increase shall be measured in aggregate over the entire life of the nonconformity. All expansions of the nonconforming use and/or building(s) that occurred since the use originally became nonconforming shall count towards the above maximum increase.
 - (d) Any expansion of a nonconforming use shall meet the required setbacks and other requirements of this chapter.

- (4) Expansion of a nonconforming residential use: An existing nonconforming residential use may be expanded as a permitted by right use in accordance with the following:
 - (a) The number of dwelling units or rooming house units are not increased.
 - (b) The expansion meets all applicable setbacks.
 - (c) No new types of nonconformities are created.
 - (d) A nonconformity is not made more severe.
 - (5) Nonconforming sign: See Section 560-1821 Nonconforming Signs.
- G. Damaged or destroyed nonconformities:
- (1) A nonconforming structure that has been destroyed or damaged may be rebuilt in a nonconforming fashion only if:
 - (a) The application for a building permit is submitted within 18 months after the date of damage or destruction;
 - (b) Work begins in earnest within 12 months of submission of the application and continues; and
 - (c) No nonconformity may be created or increased by any reconstruction. The property shall be properly secured during such time in such a way to keep out trespassers and to avoid harm to neighboring properties.
 - (2) Nothing in this Ordinance shall prevent the strengthening or restoration to a safe condition of any walls, floor, foundation, or roof which has been declared unsafe by the Borough Building Inspector.
- H. Abandonment of a nonconformity:
- (1) If a nonconforming use of a building or land is discontinued, razed, removed or abandoned for 12 or more months, subsequent use of such building or land shall conform with the regulations of the district in which it is located, except:
 - (a) As provided for in the "Damaged or destroyed nonconformities" provisions of this section.
 - (2) If requested in writing by the Zoning Officer, the applicant shall be responsible to provide written information regarding how the building or land was used over a certain time period.
- I. Changes from one nonconforming use to another:
- (1) Once changed to a conforming use, a structure or land shall not revert to a nonconforming use. In order to receive a permit for a conforming use, the Borough may require the applicant to sign a written statement that the nonconforming use has been abandoned.
 - (2) A nonconforming use may be changed to a different nonconforming use only if permitted as a special exception by the Zoning Hearing Board. However, special exception approval is not needed for a simple change within an existing building from one lawful nonconforming retail store use to another retail store use or from one lawful nonconforming personal service use to another personal service use, provided that the new use complies with any Zoning Hearing Board conditions that applied to the previous use and is not more objectionable in

external effects than the previous use [see Subsection I.(3), below, for more on objectionable external effects].

- (3) Where special exception approval is required for a change of a nonconforming use, the Board shall determine whether the applicant has provided sufficient proof to show that the proposed new use will be equal or less objectionable in external effects than the preexisting nonconforming use with regard to:
 - (a) Traffic safety and generation (especially truck traffic);
 - (b) Noise, dust, fumes, vapors, gases, odor, glare, vibration, fire, hazardous substances, and explosive hazards;
 - (c) Amount and character of outdoor storage;
 - (d) Hours of operation if the use would be close to dwellings; and
 - (e) Compatibility with the character of the surrounding area.
 - (4) A nonconforming use shall not be changed to a nonconforming adult use.
- J. Contiguous undeveloped lots. Where two or more contiguous undeveloped lots are held in single ownership within a subdivision which has been duly recorded prior to the effective date of this chapter, which lots are individually not of the required minimum area or width for the district in which they are situated, no variance shall be required for the issuance of building permits, provided that such lots shall be developed in groups or fractions thereof as single lots to provide the minimum lot frontage required for each structure.

§ 560-1909. Dumpster screening and location.

- A. Any newly placed solid waste dumpster shall be screened as necessary to screen views from public streets and dwellings.
- B. Such screening shall consist of decorative masonry walls, mostly solid weather-resistant wood fencing, fencing of a similar appearance, or plantings which are primarily evergreen.
- C. Setback from dwellings: To the maximum extent feasible, an outdoor solid waste container with a capacity of over 15 cubic feet shall be kept a minimum of 20 feet from the walls of a dwelling on an abutting lot.
- D. If a solid waste dumpster is moved from one part of a lot to another part of a lot, then it shall come into compliance with this section.
- E. This section shall not apply to dumpsters temporarily placed during actual construction or demolition on the premises nor containers holding cardboard or paper for recycling.
- F. To the maximum extent feasible, any newly placed solid waste dumpster shall be set back a minimum of 10 feet from the right-of-way of any public street.

§ 560-1910. Keeping of animals and fowl.

The regulations of § 302-72 shall apply.

§ 560-1911. Requirements and Standards for Communications Facilities.

- A. General and specific requirements for communications antennas. The following regulations shall apply to all communications antennas, except those operated by a federally licensed amateur radio operator:

- (1) Standard of care. All communications antennas shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including but not limited to the most recent editions of the Pennsylvania Uniform Construction Code, American National Standards Institute (ANSI) Code, and National Electrical Code. Communications antennas shall at all times be kept and maintained in good condition, order, and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the Borough.
- (2) Permitted in all zoning districts. Communications antennas are permitted pursuant to this zoning ordinance in all zoning districts throughout the Borough, so long as they comply with all of the terms and conditions of this Zoning Ordinance.
- (3) Historic areas. To the extent permitted by state and federal law, no communications antenna may be located upon any property, or on a building or structure that is listed on either the National Register of Historic Places (either inside or outside the public rights-of-way), or that is deemed by the Borough to be of specific historical significance.
- (4) Wind. Communications antennas structures shall be designed to withstand the effects of wind gusts of at least one hundred (100) miles per hour in addition to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI/TIA-222, as amended).
- (5) Aviation safety. Communications antennas shall comply with all federal and state laws and regulations concerning aviation safety.
- (6) Public safety communications and other communications services. Communications antennas shall not interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.
- (7) Radio frequency emissions. A communications antenna shall not, by itself or in conjunction with other antennas and/or communications towers, generate radio frequency emissions in excess of the standards and regulations of the FCC, including but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.
- (8) Removal. In the event that use of a communications antenna is discontinued, the owner shall provide written notice to the Borough of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned communications antennas, or portions of communications antennas, shall be removed as follows:
 - (a) All abandoned or unused communications antennas and related equipment shall be removed within two (2) months of the cessation of operations at the site unless a time extension is approved by the Borough.
 - (b) If the communications antenna or related equipment is not removed within two (2) months of the cessation of operations at a site, or within any longer period approved by the Borough, the communications antenna and/or

related equipment may be removed by the Borough. As security, the Borough reserves the right to the salvage value of any removed Communications antenna and/or related equipment, if such communications antenna and/or related equipment are not removed by the owner within the specific timeframe enumerated in this Chapter.

- (9) Indemnification. Each person that owns or operates a communications antenna shall, at its sole cost and expense, indemnify, defend and hold harmless the Borough, its elected and appointed officials, employees and agents, at all times against any and all claims for personal injury, including death, and property damage arising in whole or in part from, caused by or connected with any act or omission of the person, its officers, agents, employees or contractors arising out of, but not limited to, the construction, installation, operation, maintenance or removal of the communications antenna. Each person that owns or operates a communications antenna shall defend any actions or proceedings against the Borough in which it is claimed that personal injury, including death, or property damage was caused by the construction, installation, operation, maintenance or removal of a communications antenna. The obligation to indemnify, hold harmless and defend shall include, but not be limited to, the obligation to pay judgments, injuries, liabilities, damages, reasonable attorneys' fees, reasonable expert fees, court costs and all other costs of indemnification.
 - (10) Maintenance. To the extent permitted by law, the following maintenance requirements shall apply:
 - (a) The communications antenna shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.
 - (b) Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the Borough's residents.
 - (c) All maintenance activities shall utilize nothing less than the best available technology for preventing failures and accidents.
 - (11) Removal, Replacement and Modification.
 - (a) To the extent permitted by law, the removal and replacement of communications antennas and/or related equipment for the purpose of upgrading or repairing the communications antenna is permitted, so long as such repair or upgrade does not substantially change the overall size of the wireless support structure.
 - (b) To the extent permitted by law, any material modification to a communications antenna shall require notice to be provided to the Borough, and possible supplemental permit approval to the original permit or authorization.
- B. Regulations for specific applications. The following regulations shall apply only to communications antennas or other communications facilities installations that fall under the Pennsylvania Wireless Broadband Collocation Act and/or the mandatory-approval provisions of the FCC's October 2014 Report and Order, as amended:
- (1) Permit required. Communications antenna applicants proposing changes to an existing communications tower, base pad, related equipment, or communications antenna that do not substantially change the dimensions of the existing wireless support structure or otherwise fall under the WBCA or pertinent provisions of the

FCC's October 2014 Report and Order, shall obtain a building permit from the Borough. In order to be considered for such a permit, the applicant must submit a permit application to the Borough in accordance with applicable permit policies and procedures.

- (2) Timing of approval for applications that fall under the WBCA and/or FCC's October 2014 Report and Order, as amended. Within thirty (30) calendar days of the date that an application for a communications antenna is filed with the Borough, the Borough shall notify the applicant in writing of any information that may be required to complete such application. Within sixty (60) calendar days of receipt of a complete application, the Borough shall make its final decision on whether to approve the application and shall advise the applicant in writing of such decision.
 - (3) Permit fees. The Borough may assess appropriate and reasonable permit fees directly related to the Borough's actual costs in reviewing and processing the application for approval of a communications antenna or \$1,000, whichever is less.
- C. Additional regulations for communications antennas that do not fall under the WBCA. In addition to the regulations enumerated in Section 560-1911A General and specific requirements for communications antennas, the following regulations shall apply to communications antennas that do not fall under the Pennsylvania Wireless Broadband Collocation Act or the mandatory-approval provisions of the FCC's October 2014 Order and Report, as amended:
- (1) Prohibited on certain structures. Communications antennas shall not be located on any **Single-Family Detached Dwelling, Single-Family Semi-Detached Dwelling (Twin), Two-Family Detached Dwelling (Duplex), or Single-Family Attached Dwelling (Townhouse)**.
 - (2) Conditional use approval required. Any applicant proposing the construction of a new communications antenna, or a material modification to an existing antenna, shall first obtain conditional use authorization from Borough Council. New constructions, modifications, and replacements that fall under the WBCA, or the applicable provisions of the FCC's October 2014 Report and Order, shall be not be subject to the conditional use process. The conditional use application, and accompanying documentation, shall demonstrate that the proposed facility complies with all applicable provisions in this Section of the Borough of Bridgeport Zoning Ordinance.
 - (3) Retention of experts. The Borough may hire any consultant(s) and/or expert(s) necessary to assist the Borough in reviewing and evaluating the application for approval of the communications antenna and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of these Communications antenna provisions. The applicant and/or owner of the communications antenna shall reimburse the Borough for all costs of the Borough's consultant(s) in providing expert evaluation and consultation in connection with these activities.
 - (4) Permit fees. The Borough may assess appropriate and reasonable permit fees directly related to the Borough's actual costs in reviewing and processing the

application for approval of a communications antenna, as well as inspection, monitoring, and all other related costs.

- (5) Development regulations. Communications antennas shall be co-located on existing wireless support structures subject to the following conditions:
 - (a) The total height of any wireless support structure and mounted communications antenna shall not exceed twenty (20) feet above the maximum height permitted in the underlying zoning district.
 - (b) In accordance with industry standards, all communications antenna applicants must submit documentation to the Borough justifying the total height of the communications antenna. Documentation shall be analyzed in the context of such justification on an individual basis.
 - (c) If the applicant proposes to locate the related equipment in a separate building, the building shall comply with the minimum requirements for the applicable zoning district, and landscaping shall be required to screen as much of the equipment building as possible. The screening method chosen by the applicant shall comply with the requirements enumerated in the Borough of Bridgeport Zoning Code.
 - (6) Security fence. A security fence with a maximum height of ten (10) feet shall surround any separate communications equipment building. Vehicular access to the communications equipment building, or any structure housing related equipment, shall not interfere with the parking or vehicular circulation on the site for the principal use.
 - (7) Non-commercial usage exemption. Borough residents utilizing satellite dishes and antennas for the purpose of maintaining television, phone, radio and/or internet connections at their respective residences, as well as amateur radio operators, shall be exempt from the regulations enumerated in this section of the Zoning Ordinance.
 - (8) Design regulations. Communications antennas shall employ stealth technology or shall be treated to match the wireless support structure to which they are mounted in order to minimize aesthetic impact. The application of the stealth technology/color treatment chosen by the applicant shall be subject to the approval of the Borough.
 - (9) Inspection. The Borough reserves the right to inspect any communications antenna to ensure compliance with the provisions of the Zoning Ordinance and any other provisions found within the Borough Code or state or federal law. The Borough and/or its agents shall have the authority to enter the property upon which a communications antenna is located, upon reasonable notice to the operator, to ensure such compliance.
 - (10) Insurance. Each person that owns or operates a communications antenna shall provide the Borough with a certificate of insurance, naming the Borough as an additional insured, and evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the communications antenna.
- D. Additional regulations applicable to all communications antennas located in the public rights-of-way (“ROW”). In addition to the regulations enumerated in 560-1911A, the

following regulations shall apply to communications antennas located in the public rights-of-way:

- (1) Co-location. Communications antennas in the ROW shall be co-located on existing infrastructure, such as existing utility poles or light poles. If co-location is not technologically or economically feasible, the applicant, with the Borough's approval, shall locate its communications antennas on existing poles or freestanding structures in the public rights-of-way that do not already act as wireless support structures.
- (2) Conditional use approval required. Any applicant proposing the construction of a new communications antenna shall first obtain conditional use authorization from Borough Council. New constructions, modifications, and replacements that fall under the WBCA or the applicable provisions of the FCC's October 2014 Report and Order, shall be not be subject to the conditional use process. The conditional use application, and accompanying documentation, shall demonstrate that the proposed facility complies with all applicable provisions in the Borough of Bridgeport Zoning Ordinance.
- (3) Design requirements:
 - (a) To the extent permitted by state and federal law, communications antenna installations located above the surface grade in the public ROW including, but not limited to, those on streetlights and utility poles, shall consist of equipment components that are no more than six (6) feet in height and that are compatible in scale and proportion to the structures upon which they are mounted. All equipment shall be the smallest and least visibly intrusive equipment feasible.
 - (b) Communications antennas and related equipment shall be treated with stealth technology by the communications antenna owner and/or applicant to match the wireless support structure upon which they are mounted, and may be required to be painted, or otherwise coated, to be visually compatible with the support structure upon which they are mounted.
- (4) Time, place and manner. The Borough shall determine the time, place and manner of construction, maintenance, repair and/or removal of all communications antennas in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the Borough and the requirements of the Public Utility Code.
- (5) Equipment location. Communications antennas and related equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the Borough. In addition:
 - (a) Ground-mounted related equipment shall be located between the sidewalk and the curb. For reasons of safety and aesthetics, such equipment shall neither protrude onto the curb, nor obstruct the sidewalk.
 - (b) Ground-mounted related equipment that cannot be placed underground shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the Borough.

- (c) Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the Borough.
 - (d) Graffiti on any wireless support structures or any related equipment shall be removed at the sole expense of the owner.
 - (e) Any proposed underground vault related to Communications antennas shall be reviewed and is subject to approval by the Borough.
- (6) Relocation or removal of facilities. Within two (2) months following written notice from the Borough, or such longer period as the Borough determines is reasonably necessary or such shorter period in the case of an emergency, the owner of a communications antenna in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any communications antenna when the Borough, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:
- (a) The construction, repair, maintenance or installation of any Borough or other public improvement in the right-of-way;
 - (b) The operations of the Borough or other governmental entity in the ROW;
 - (c) Vacation of a street or road or the release of a utility easement; or
 - (d) An emergency as determined by the Borough.
- E. General and specific requirements for all communications towers. The following regulations shall apply to all communications towers, excluding any non-commercial tower that is owned and operated by a federally licensed amateur radio operator.
- (1) Standard of care. All communications towers shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including but not limited to, the most recent editions of the Pennsylvania Uniform Construction Code, American National Standards Institute (ANSI) Code, Electrical Code, as well as the accepted and responsible workmanlike industry practices of the National Association of Tower Erectors. At all times, communications towers shall be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the Borough.
 - (2) Notice. Upon submission of an application for a communications tower and the scheduling of the mandatory public hearing before Borough Council, the applicant shall mail notice to all owners of every property within five hundred (500) feet of the proposed facility. The applicant shall provide proof of the notification to the Borough.
 - (3) Conditional use authorization required. Communications towers are permitted by conditional use in certain zoning districts, at a height necessary to satisfy their function in the applicant's wireless communications system. No applicant shall have the right under these regulations to erect a tower to the maximum height specified in this section unless it proves the necessity for such height. The applicant shall demonstrate that the proposed communications tower is the minimum height necessary for its service area.

- (a) Prior to Borough Council's consideration of a conditional use application authorizing the construction and installation of a communications tower, it shall be incumbent upon the applicant for such conditional use approval to prove to the reasonable satisfaction of Borough Council that the applicant cannot adequately extend or infill its communications system by the use of equipment such as redoes, repeaters, communications antennas, and other similar equipment installed on existing structures, such as utility poles or their appurtenances and other available tall structures. The applicant shall further demonstrate that the proposed communications tower must be located where it is proposed in order to serve the applicant's service area and that no other viable alternative location exists.
 - (b) The conditional use application shall be accompanied by a propagation study evidencing the need for the proposed tower or other communication facilities and equipment, a description of the type and manufacturer of the proposed transmission/radio equipment, the frequency range (megahertz band) assigned to the applicant, the power in watts at which the applicant transmits, and any relevant related tests conducted by the applicant in determining the need for the proposed site and installation.
 - (c) The conditional use application shall be accompanied by documentation demonstrating that the proposed communications tower complies with all state and federal laws and regulations concerning aviation safety.
 - (d) Where the communications tower is located on a property with another principal use, the applicant shall present documentation to Borough Council that the owner of the property has granted an easement for the proposed communications tower and that vehicular access will be provided to the facility.
 - (e) The conditional use application shall be accompanied by documentation demonstrating that the proposed communications tower complies with all applicable provisions in this Chapter.
- (4) Engineer inspection. Prior to Borough Council's issuance of a permit authorizing construction and erection of a communications tower, a structural engineer registered in Pennsylvania shall issue to the Borough a written certification of the proposed communications tower's ability to meet the structural standards offered by either the Electronic Industries Association or the Telecommunication Industry Association and certify the proper construction of the foundation and the erection of the structure. This certification shall be provided during the conditional use proceedings before Borough Council, or at a minimum, be made as a condition attached to any approval given such that the certification be provided prior to issuance of any building permits.
- (5) Visual appearance. All communications towers and related equipment shall be aesthetically and architecturally compatible with the surrounding environment and shall maximize the use of a like facade to blend with the existing surroundings and neighboring buildings to the greatest extent possible. Borough Council shall consider whether its decision upon the subject application will promote the harmonious and orderly development of the zoning district and/or surrounding area involved; encourage compatibility with the character and type of

development existing in the area; benefit neighboring properties by preventing a negative impact on the aesthetic character of the community; preserve woodlands and trees existing at the site to the greatest possible extent; and encourage sound engineering and construction principles, practices and techniques.

- (6) Co-location and siting. An application for a new communications tower shall first demonstrate that the proposed communications tower cannot be accommodated on land or structures owned by the Borough of Bridgeport. If such accommodation is not possible, the applicant shall demonstrate that the proposed tower cannot be sited on structures already approved for the placement of wireless facilities. Borough Council may deny an application to construct a new communications tower if the applicant has not made a good faith effort to mount a communications antenna on an existing structure. The applicant shall demonstrate that it contacted the owners of tall structures, buildings, and towers within a one quarter ($\frac{1}{4}$) of a mile radius of the site proposed, sought permission to install a communications antenna on those structures, buildings, and towers and was denied for one of the following reasons:
 - (a) The proposed antenna and related equipment would exceed the structural capacity of the existing building, structure or tower, and its reinforcement cannot be accomplished at a reasonable cost.
 - (b) The proposed antenna and related equipment would cause radio frequency interference with other existing equipment for that existing building, structure, or tower and the interference cannot be prevented at a reasonable cost.
 - (c) Such existing buildings, structures, or towers do not have adequate location, space, access, or height to accommodate the proposed equipment or to allow it to perform its intended function.
 - (d) A commercially reasonable agreement could not be reached with the owner of such building, structure, or tower.
- (7) Permit required for modifications. To the extent permissible under applicable state and federal law, any applicant proposing the modification of an existing communications tower, which substantially changes the overall height of such wireless support structure, shall first obtain a building permit from the Borough.
- (8) Gap in coverage or capacity. The applicant must demonstrate that a significant gap in wireless coverage or capacity exists in the applicable area and that the type of communications tower being proposed is the least intrusive means by which to fill that gap. The existence or non-existence of a gap in wireless coverage or capacity shall be a factor in Borough Council's decision on an application for approval of communications tower.
- (9) Additional communications antennas. The applicant shall provide the Borough with a written commitment that it will allow other service providers to co-locate communications antennas on communications towers where technologically and economically feasible. To the extent permissible under federal and state law, the owner of a communications tower shall not install any additional communications antennas without obtaining the prior written approval of the Borough.
- (10) Wind. All communications towers shall be designed to withstand the effects of wind gusts of at least one hundred (100) miles per hour in addition to the standard

designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI/EIA/TIA-222), as amended.

- (11) Height. In all zoning districts except, the maximum height of any communications tower shall be one hundred fifty (150) feet. Communications towers in the ROW shall not exceed a height comparable to the average height of utility poles or electrical poles within a two (2) block radius of the proposed facility, unless the applicant proves to the satisfaction of the Zoning Hearing Board that it cannot infill its gap in coverage or capacity at such height.
- (12) Related Equipment. Either one single-story wireless communications equipment building not exceeding two hundred fifty (250) square feet in area, or up to five boxes placed on a pad not exceeding ten (10) feet by twenty (20) feet in area housing related equipment or a base station, may be located on the site for each unrelated company sharing space on the communications tower.
- (13) Public safety communications and other communications services. No communications tower shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.
- (14) Maintenance. The following maintenance requirements shall apply:
 - (a) A communications tower shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.
 - (b) Such maintenance shall be performed to ensure the upkeep of the communications tower in order to promote the safety and security of the Borough's residents, and utilize the best available technology for preventing failures and accidents.
- (15) Radio frequency emissions. A communications tower shall not, by itself or in conjunction with other communications towers or antennas, generate radio frequency emissions in excess of the standards and regulations of the FCC, including but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.
- (16) Historic buildings or districts. To the extent permitted by state and federal law, no communications tower may be located upon any property, or on a building or structure, that is listed on either the National Register of Historic Places (either inside or outside the public rights-of-way), or that is deemed by the Borough to be of local historic significance.
- (17) Signs. All communications towers shall post a sign in a readily visible location identifying the name and phone number of a party to contact in the event of an emergency. The only other signage permitted on the communications tower shall be those required by the FCC, or any other federal or state agency.
- (18) Lighting. No communications tower shall be artificially lighted, except as required by law. If lighting is required, the applicant shall provide a detailed plan for sufficient lighting, demonstrating as unobtrusive and inoffensive an effect as is permissible under state and federal regulations. The applicant shall promptly report any outage or malfunction of FAA-mandated lighting to the appropriate governmental authorities and the Borough Manager.

- (19) Noise. Generators shall be located below grade and suitably soundproofed so that noise volumes measured at all property lines do not exceed levels as outlined in the Zoning Code of the Borough of Bridgeport, or by state law.
- (20) Aviation safety. Communications towers shall comply with all federal and state laws and regulations concerning aviation safety.
- (21) Retention of experts. The Borough may hire any consultant and/or expert necessary to assist the Borough in reviewing and evaluating the application for approval of the communications tower and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of these provisions. The applicant and/or owner of the communications tower shall reimburse the Borough for all costs of the Borough's consultant(s) in providing expert evaluation and consultation in connection with these activities.
- (22) Timing of approval pursuant to FCC regulations, as amended. Within thirty (30) calendar days of the date that an application for a communications tower is filed with the Borough, the Borough shall notify the applicant in writing of any information that may be required to complete such application. All applications for communications towers shall be acted upon within one hundred fifty (150) days of the receipt of a fully completed application for the approval of such communications tower and the Borough shall advise the applicant in writing of its decision.
- (23) Non-conforming uses. Non-conforming communications towers which are hereafter damaged or destroyed due to any reason or cause may be repaired and restored at their former location, but must otherwise comply with the terms and conditions of this section.
- (24) Removal. In the event that use of a communications tower is planned to be discontinued, the owner shall provide written notice to the Borough of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned communications towers, or portions of communications towers, shall be removed as follows:
 - (a) All unused or abandoned communications towers and related equipment shall be removed within two (2) months of the cessation of operations at the site unless a time extension is approved by the Borough.
 - (b) If the communications tower and/or related equipment is not removed within two (2) months of the cessation of operations at a site, or within any longer period approved by the Borough, the communications tower and related equipment may be removed by the Borough and the cost of removal assessed against the owner of the communications tower. As security, the Borough reserves the right to the salvage value of any removed communications tower and/or related equipment, if such communications tower and/or related equipment are not removed by the owner within the timeframes enumerated in this Chapter.
 - (c) Any unused portions of communications towers, including antennas, shall be removed within two (2) months of the time of cessation of operations. The Borough must approve all replacements of portions of a communications tower previously removed.

- (25) Permit Fees. The Borough may assess appropriate and reasonable permit fees directly related to the Borough's actual costs in reviewing and processing the application for approval of a communications tower, as well as related inspection, monitoring, and related costs.
- (26) FCC license. Each person that owns or operates a communications tower over forty (40) feet in height shall submit a copy of its current FCC license, including the name, address, and emergency telephone number for the operator of the facility.
- (27) Insurance. Each person that owns or operates a communications tower greater than forty (40) feet in height shall provide the Borough with a certificate of insurance naming the Borough as an additional insured, and evidencing general liability coverage in the minimum amount of \$5,000,000 per occurrence and property damage coverage in the minimum amount of \$5,000,000 per occurrence covering the communications tower. Each person that owns or operates a communications tower forty (40) feet or less in height shall provide the Borough with a certificate of insurance naming the Borough as an additional insured, and evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering each communications tower.
- (28) Indemnification. Each person that owns or operates a communications tower shall, at its sole cost and expense, indemnify, defend and hold harmless the Borough, its elected and appointed officials, employees and agents, at all times against any and all claims for personal injury, including death, and property damage arising in whole or in part from, caused by or connected with any act or omission of the person, its officers, agents, employees or contractors arising out of, but not limited to, the construction, installation, operation, maintenance or removal of the communications tower. Each person that owns or operates a communications tower shall defend any actions or proceedings against the Borough in which it is claimed that personal injury, including death, or property damage was caused by the construction, installation, operation, maintenance or removal of the Communications tower. The obligation to indemnify, hold harmless and defend shall include, but not be limited to, the obligation to pay judgments, injuries, liabilities, damages, reasonable attorneys' fees, reasonable expert fees, court costs and all other costs of indemnification.
- (29) Engineer signature. All plans and drawings for a communications tower shall contain a seal and signature of a professional structural engineer, licensed in the Commonwealth of Pennsylvania.
- (30) Financial security. Prior to receipt of a zoning permit for the construction or placement of a communications tower, the applicant shall provide to the Borough financial security sufficient to guarantee the construction of the communications tower. Said financial security shall remain in place until the communications tower is fully constructed. Should the communications tower be abandoned by the owner and/or operator, and not removed within two (2) months of such abandonment, the Borough shall have the authority to remove the communications tower and sell all of its pieces, as well as related equipment, used

in the operation of the communications tower, in order to recover the cost of said removal.

F. Additional requirements for communications towers located outside the public rights-of-way. In addition to the regulations enumerated in Section 560-1911E, the following regulations shall apply to Communications towers located outside the Public Rights-of-Way:

(1) Development regulations.

- (a) Communications Towers are permitted via conditional use, subject to the prohibitions contained herein, in the MUR Mixed-Use Riverfront District.
- (b) Sole use on a lot. A communications tower shall be permitted as a sole use on a lot, provided that the underlying lot meets the minimum size specifications set forth in the Borough Zoning Code.
- (c) Combined with another use. A communications tower may be permitted on a property with an existing use, or on a vacant parcel in combination with another use, except residential, subject to the following conditions:

[1] The existing use on the property may be any permitted use in the applicable district, and need not be affiliated with the communications tower.

[2] Minimum lot area. The minimum lot shall comply with the requirements for the applicable zoning district and shall be the area needed to accommodate the communications tower and guy wires, the equipment building, security fence, and buffer planting if the proposed communications tower is greater than forty (40) feet in height.

[3] Minimum setbacks. The minimum distance between the base of a communications tower and any adjoining property line or street right-of-way line shall be equal to one hundred percent (100%) of the height of the communications tower. The underlying lot must be large enough to accommodate related equipment and all other features typically found within the immediate area of a communications tower.

(2) Design regulations.

- (a) The communications tower shall employ the most current stealth technology available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact. Application of the stealth technology chosen by the applicant shall be subject to the approval of the Borough Zoning Hearing Board.
- (b) To the extent permissible by law, any height extensions to an existing communications tower shall require prior approval of the Borough.
- (c) Any proposed communications tower shall be designed structurally, electrically, and in all respects, to accommodate both the applicant's communications antennas and comparable antennas, for the maximum amount of future users based on the size of the proposed communications tower.
- (d) Any communications tower over forty (40) feet in height shall be equipped with an anti-climbing device, as approved by the manufacturer.

- (3) Surrounding environs.
 - (a) The applicant shall ensure that the existing vegetation, trees and shrubs located within proximity to the communications tower shall be preserved to the maximum extent possible.
 - (b) The applicant shall submit a soil report to the Borough complying with the standards of Appendix I: Geotechnical Investigations, ANSI/EIA-222, as amended, to document and verify the design specifications of the foundation of the communications tower, and anchors for guy wires, if used.
- (4) Fence/screen.
 - (a) A security fence with a maximum height of ten (10) feet shall completely surround any communications tower greater than forty (40) feet in height, as well as guy wires, or any building housing related equipment.
 - (b) The base of a communications tower shall be landscaped so as to screen the foundation, base and communications equipment building from abutting properties. Existing vegetation on and around the site shall be preserved to the greatest extent possible. The landscaping and/or screening method chosen by the applicant shall comply with all applicable regulations enumerated in the Borough Zoning Code.
- (5) Related equipment.
 - (a) Ground-mounted related equipment associated to, or connected with, a communications tower shall be placed underground or screened from public view using stealth technologies or plant screening, as described herein.
 - (b) All related equipment shall be architecturally designed to blend into the environment in which it is situated and shall meet the minimum setback requirements of the underlying zoning district.
 - (c) Upon application for a communications towers, information shall be provided, detailing the contents of the proposed equipment building servicing the proposed communications tower. The information shall include, but not be limited to, the type and quantity of oil, gasoline, batteries, propane, natural gas or any other fuel stored within the building. Information shall also be submitted which demonstrates that any hazardous materials stored on site, including but not limited to fuel sources shall be housed to minimize the potential for any adverse impact on adjacent land uses. Materials safety data sheets for any hazardous material stored or utilized in the equipment building shall be submitted to the municipality. The use of fuels and hazardous materials shall also be consistent with any federal, state or municipal requirements regarding the same.
- (6) Access road. An access road, turnaround space and parking shall be provided to ensure adequate emergency and service access to communications towers. The access road shall be a dust-free all-weather surface for its entire length. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion. Where applicable, the communications tower owner shall present documentation to the Borough that the property owner has granted an easement for the proposed facility.

- (7) Parking. For each communications tower greater than forty (40) feet in height, there shall be two off-street parking spaces.
 - (8) Inspection. The Borough reserves the right to inspect any communications tower to ensure compliance with the Zoning Ordinance and any other provisions found within the Borough Code or state or federal law. The Borough and/or its agents shall have the authority to enter the property upon which a communications tower is located at any time, upon reasonable notice to the operator, to ensure such compliance.
- G. Additional requirements for communications towers located within the public ROW. In addition to the regulations enumerated in Section 560-1911E, the following regulations shall apply to communications towers located in the public rights-of-way.
- (1) Location and development standards.
 - (a) Communications towers in the ROW shall not exceed a height comparable to the average height of utility poles or electrical poles within a two (2) block radius of the proposed facility.
 - (b) Communications towers shall not be located in the front façade area of any structure.
 - (c) Communications towers shall be permitted along certain roads by conditional use throughout the Borough, regardless of the underlying zoning district. A listing of such roads is kept on file at the Borough Zoning Office and is adopted via Resolution of Borough Council.
 - (2) Time, place and manner. The Borough shall determine the time, place and manner of construction, maintenance, repair and/or removal of all communications towers in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the Borough and the requirements of the Public Utility Code.
 - (3) Equipment location. Communications towers and related equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the Borough. In addition:
 - (a) Ground-mounted related equipment shall be located between the sidewalk and the curb. For reasons of safety and aesthetics, such equipment shall neither protrude onto the curb, nor obstruct the sidewalk.
 - (b) Ground-mounted related equipment that cannot be placed underground shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of Borough Council.
 - (c) Required electrical meter cabinets shall be screened to blend in with the surrounding area.
 - (d) Any graffiti on the tower or on any related equipment shall be removed at the sole expense of the owner.
 - (e) Any underground vaults related to communications towers shall be reviewed and approved by Borough Council.
 - (4) Design regulations.

- (a) A communications tower shall employ the most current stealth technology available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact. The application of the stealth technology chosen by the applicant shall be subject to the approval of the Borough Council.
 - (b) To the extent permissible under state and federal law, any height extensions to an existing communications tower shall require prior approval of the Borough, and shall not violate the provisions described herein.
 - (c) A communications tower shall be designed structurally, electrically, and in all respects to accommodate both the applicant's communications antennas and comparable antennas for the maximum amount of future users based on the size of the proposed communications tower.
 - (d) The siting and construction of communications towers and related equipment along the Borough's streets and sidewalks shall not impact the Borough's obligations outlined in the Americans with Disabilities Act (ADA), as amended.
 - (e) The base of a communications tower shall not impede pedestrian walkways or extend into the cartway.
- (5) Relocation or removal of facilities. Within sixty (60) days following written notice from the Borough, or such longer period as the Borough determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a communications tower in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any communications tower when the Borough, consistent with its police powers and applicable Public Utility Commission regulations, shall determine that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:
- (a) The construction, repair, maintenance or installation of any Borough or other public improvement in the right-of-way;
 - (b) The operations of the Borough or other governmental entity in the right-of-way;
 - (c) Vacation of a street or road or the release of a utility easement; or
 - (d) An emergency as determined by the Borough.
- (6) Reimbursement for ROW use. In addition to permit fees as described in this section, every communications tower in the ROW is subject to the Borough's right to fix annually a fair and reasonable fee to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the Borough's actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising and other ROW management activities by the Borough. The owner of each communications tower shall pay an annual fee to the Borough to compensate the Borough for the Borough's costs incurred in connection with the activities described above.

§ 560-1912. Transportation impact study.

- A. Intent. A Transportation Impact Study (TIS) is intended to enable the Borough to assess the transportation impacts of a proposal. Specifically, its purpose is to:

- (1) Ensure a safe and efficient transportation network for all users, including drivers, pedestrians and bicyclists.
 - (2) Identify any transportation problems that may be created in the existing transportation system as a result of the proposed development.
 - (3) Identify solutions to potential problems and to present mitigation improvements to be incorporated into the proposal.
 - (4) Assist in the protection of air quality and the conservation of energy, and to encourage the use of public transit where available.
- B. Preparation of study.
- (1) The TIS shall be prepared by a qualified traffic engineer and/or transportation planner in accordance with PennDOT Publication 282, Appendix A, "Policies and Procedures for Transportation Impact Studies," current edition, as amended, with the cost borne by the applicant. The traffic study shall include sufficient information to assess the impact of the proposed development on all roads within a quarter-mile radius of the subject property. The study must demonstrate that the proposed development will not adversely affect traffic circulation in surrounding areas, or else identify any traffic problems that might be caused or aggravated by the use, and delineate solutions to those problems. Based on the findings of the study, the reviewing body may require on-site improvements, which will alleviate hazardous or congested situations, as a condition for approval.
 - (a) The anticipated number of trips per day shall be determined through the use of the most recent addition of the Institute of Transportation Engineers' (ITE) Trip Generation Report. The proposed use or development shall be identified using the appropriate ITE land use code as agreed upon by the applicant and the Borough Engineer.
- C. Applicability. A TIS shall be submitted when explicitly required by this chapter. Any application that requires a TIS shall not be considered complete until the TIS is submitted to the appropriate review body in accordance with the provisions of this Section.

Bridgeport Permitted Use & Parking Requirement Matrix

For full standards, see Article III Use Regulations and Article XVII Off-Street Parking and Loading

A= permitted only as an accessory use • P= permitted by right • C= permitted by conditional use • S= permitted by special exception

Residential Uses	OS	R1	R2	R3	INS	NC	GC	LIC	GIC	MUR	TOD	Parking Requirements
Boardinghouse							P		C			1 space per room for rent
Multifamily Building/Unit				P		P	P	C		P	P	1.5 spaces per studio/1br dwelling unit, 2 spaces per all other units
Single-Family Detached Dwelling		P	P									2 spaces per dwelling unit
Single-Family Semi-Detached Dwelling (Twin)		P	P	P								2 spaces per dwelling unit
Two-Family Detached Dwelling (Duplex)				P								2 spaces per dwelling unit
Single-Family Attached Dwelling (Townhouse)			P	P								2 spaces per dwelling unit
Group Home		P	P									1 for each bed, plus 1 for each 8 beds for guest parking
Mobile Home Park							C	C	C			2 spaces per dwelling unit

Commercial Uses	OS	R1	R2	R3	INS	NC	GC	LIC	GIC	MUR	TOD	Parking Requirements
Adult Use									C			1 space per 500 square feet of gross floor area
After-Hours Club									C			1 space per 500 square feet of gross floor area
Athletic/Health Club						P	P	P	P	P	A	1 space per 500 square feet of gross floor area
Bank						P	P	P	P	P	A	1 space per 500 square feet of gross floor area
Brewery/Distillery/Winery						P	P	P	P	P	P	1 space per 400 square feet of gross floor area
Car Wash							P	P	P			5 spaces per lane
Convenience Store						P	P	P	P			1 space per 500 square feet of gross floor area
Dry Cleaners or Laundromat								P	P	P	A	1 space per 500 square feet of gross floor area
Event Facility						P	P	P	P	A	A	1 per 400 square feet of gross floor area
Firing Range								P	P			1 per 400 square feet of gross floor area, excluding range area
Funeral Home						P	P	P	P			1 space per 500 square feet of gross floor area
Hotel/Motel							P	P	P	P		1 space per rental unit
Massage Therapy Establishment						C	P	P	P	P	P	1 space per 500 square feet of gross floor area
Medical Marijuana Dispensary							C					1 space per 500 square feet of gross floor area
Microbrewery/Microdistillery/Microwinery						P	P	P	P	P	P	1 space per 400 square feet of gross floor area
Mixed-Use Building				C		P	P	C	P	P	P	Combined total of all uses
Parking Structure										C		N/A
Personal Care Buisness						P	P	P	P	P	P	1 space per 500 square feet of gross floor area
Professional Service Business						P	P	P	P	P	P	1 space per 500 square feet of gross floor area
Recreation, Indoor						P	P	P	P	P	A	1 space per 400 square feet of gross floor area
Recreation, Outdoor						P	P	P	P	P		1 space for every 1,000 square feet of recreation court area; plus 1 space for every 2,000 square feet of publicly-accessible area (excluding the parking area); plus 20 spaces, or portion thereof, per acre of active recreation field (e.g., baseball, soccer)
Restaurant, Dine-In						P	P	P	P	P	P	1 space per 300 square feet of gross floor area
Restaurant, Take-Out						P	P	P	P	P	P	1 space per 400 square feet of gross floor area

Retail Establishment				C		P	P	P	P	P	P		1 space per 500 square feet of gross floor area
Storage Facility (Self-Service)							C	P	P				1 per 20 storage units
Studio						P	P	P	P	P	P		1 space per 500 square feet of gross floor area
Supermarket						P	P	P	P				1 space per 500 square feet of gross floor area
Tavern/Bar/Nightclub						P	P	P	P	P	P		1 space per 400 square feet of gross floor area
Theater						P	P	P	P	P			1 space per 5 seats

Community Service and Institutional Uses	OS	R1	R2	R3	INS	NC	GC	LIC	GIC	MUR	TOD		Parking Requirements
Cemetery	C				C	C							Net total of the parking requirement for accessory office, place of worship, etc.
Conservation/Recreation	P	P	P	P	P	P	P	P	P	P	P		1 space per 2,000 square feet of publicly owned or publicly operated recreational facility or park
Day Care Facility				C	P	P	P	P	P	P	P		1 space per 300 square feet of interior floor area dedicated to child care
Educational Institution				C	P	P	P	P	P	P	P		1 space per 5 fixed seats or 1 space per 200 sq. ft. GFA, whichever is greater, for the largest place of public assembly
Emergency Services				C	C	C	P	P	P	P	P		1 space per 300 square feet of gross floor area
Government Facility	C		C	C	P	P	P	P	P	C	C		1 for each 1,000 square feet excluding office space, plus 1 space per 500 square feet of office
Hospital							P	P	P				1 space per 4 beds
Library, Museum, or Community Center	P				P	P	P	P	P	P	P		1 space per 800 square feet in public use
Membership Club						P	P	P	P	P	P		1 space per 150 square feet
Place of Worship				C	P	P	P	P	P	P	P		1 space per 100 square feet of gross floor area
Plant Nursery	C					P	P	P	P				1 space per 400 square feet of gross floor area
Residential Care Facility				C		P	P	P	P	P	P		1 space per 4 beds
Substance Abuse Treatment and Rehabilitation Facility									P				0.5 spaces per maximum residential capacity
Swimming Pool, Non-Household	P			C	P		P	P	P	P			1 per 50 square feet of water surface

Office Uses	OS	R1	R2	R3	INS	NC	GC	LIC	GIC	MUR	TOD		Parking Requirements
Co-Working Space						P	P	P	P	P	P		1 space per 500 square feet of gross floor area
Office, Business/Professional						P	P	P	P	P	P		1 space per 500 square feet of gross floor area
Medical Office or Clinic						P	P	P	P				1 space per consultation or exam room
Research Facility								P	P	P			1 for each 1,000 square feet excluding office space, plus 1 space per 500 square feet of office

Industrial Uses	OS	R1	R2	R3	INS	NC	GC	LIC	GIC	MUR	TOD		Parking Requirements
Animal Care						P	P	P	P		N		1 per employee
Artisan Manufacturing								P	P	P	P		1 space per 500 square feet of gross floor area
Assembly Plant								P	P	C			1 for each 1,000 square feet excluding office space, plus 1 space per 500 square feet of office

Auto, Boat And/Or Mobile/Manufactured Home Sales								P	P	P				1 space per 500 square feet of indoor gross floor area, plus 1 space per 5,000 square feet of outdoor sales area
Auto Repair Garage								C	P	P				1 space per service bay
Auto Service Station								C	P	P				1 space per 4 fuel pumps, in addition to any required by Convenience Store
Building Supply or Lumber Yard								P	P	C				1 space per 500 square feet of gross floor area
Communications Facility								C	P	P	C	C		1 for each 1,000 square feet excluding office space, plus 1 space per 500 square feet of office
Contractor's Office/Storage								P	P	P				1 space per 500 square feet of gross floor area
Junkyard										C				1 space per 250 square feet of enclosed gross floor area
Kennel										C				1 for each 400 square feet of gross floor area
Manufacturing, Processing, and Production									C	C				1 for each 2,000 square feet excluding office space, plus 1 space per 500 square feet of office
Medical Marijuana Grower/Processor									C	C				1 for each 2,000 square feet excluding office space, plus 1 space per 500 square feet of office
Mineral Extraction										C				1 per employee
Recycling Center									C	C				1 for each 1,000 square feet excluding office space, plus 1 space per 500 square feet of office
Solid Waste Transfer Facility										C				1 for each 1,000 square feet excluding office space, plus 1 space per 500 square feet of office
Warehouse								C	A	A	A			1 for each 2,000 square feet excluding office space, plus 1 space per 500 square feet of office
Wholesale Sales								P	P	P				1 for each 1,000 square feet excluding office space, plus 1 space per 500 square feet of office
Other Uses Not Expressly Permitted														See § 560-1702A.2

Accessory Uses	OS	R1	R2	R3	INS	NC	GC	LIC	GIC	MUR	TOD	Parking Requirements
Accessory Structures, Residential		A	A	A			A					N/A
Accessory Structures, Nonresidential							A	A		A		N/A
Bed and Breakfast Home			C	C	C		A					1 space per guest room in addition to all required per dwelling unit
Commercial Vehicle Parking	See § 560-305F.4											
Communications Antenna/Tower										C	C	N/A
Daycare Home, Family or Group	C	A	A	A	A		A		A			1 space per 300 square feet of interior floor area dedicated to child care in addition to all required per dwelling unit
Drive-Through Facilities							A					N/A
Fences, Walls, and Berms	A	A	A	A	A	A	A	A	A	A	A	N/A
Garage Sale		A	A	A	A							N/A
Home Occupation		A	C	C		C	A			C		N/A
Keeping of Pets		A		A		A						N/A
Livestock								C	C			N/A
Mobile Food Vending	A			A	A	A	A	A	A	A	A	N/A
No-Impact Home-Based Business		A	A	A		A	A			A		N/A

Outdoor Dining						A					A		1 space per 400 square feet of outdoor dining in addition to spaces required for principle use
Outdoor Storage and Waste Disposal							P	P	P		C		N/A
Parking Lot	See § 560-305F.17											See § 560-305F.17	
Recreational Vehicle Storage		P	P	P									N/A
Refuse Collection Facilities	A	A	A	A	A	A	A	A	A	A	A	A	N/A
Renewable Energy Systems	A	A	A	A	A	A	A	A	A	A	A	A	N/A
Rooftop Dining						A					C		1 space per 400 square feet of rooftop dining in addition to spaces required for principle use
Satellite Dishes or Antennae	See § 560-305F.22											N/A	
Short-Term Rental		P	P	P	P	P							1 space per bedroom
Swimming Pool, Residential		A	A	A									N/A
Unit for Care of Relative		C	C	C	C								1 space per unit in addition to all required per dwelling unit
Water Feature	A	A	A	A	A	A	A	A	A	A	A	A	N/A

Bridgeport Borough

Montgomery County, Pennsylvania



Municipality of Norristown



Proposed Zoning

- GC - General Commercial
- GIC - General Industrial Commercial
- INS - Institutional
- LIC - Light Industrial Commercial
- MUR - Mixed Use Riverfront
- NC - Neighborhood Commercial
- OS - Open Space
- R1 - Low Density Residential
- R2 - Medium Density Residential
- R3 - High Density Residential
- TOD - Transit Oriented Development

- U.S. Interstate
- U.S. Route
- Pennsylvania Route
- Trail
- Municipal Building

Montgomery County Planning Commission
 Montgomery County Courthouse - Planning Commission
 PO Box 311 Norristown PA 19404-0311
 (p) 610 278-3722 (f) 610 278-3941
 www.montcopa.org/plancom

0 400 800 1,600 Feet
 Base map prepared October 2025

This map is based on aerial photography and official sources. Property lines were compiled from individual block maps from the Montgomery County Board of Assessment Appeals, with no verification from the deed. This map is not meant to be used as a legal definition of properties or for engineering purposes.

Proposed boundaries as of October 2025