

Borough of Pottstown

**1 APPENDIX A3
DISTRICTS**

SECTION A300. Establishment of Districts.

The Borough of Pottstown is divided hereby into zoning districts. The boundaries of said zoning districts are established hereby as shown on the map in the office of Pottstown's Zoning Officer and listed immediately below:

Conservation (Overlay District)	NR	Neighborhood Residential
	TTN	Traditional Town Neighborhood
	D	Downtown
Gateway (Overlay District)	NB	Neighborhood Business
	DG	Downtown Gateway
	GE	Gateway East
	GW	Gateway West
	P	Park
Contemporary	FO	Flex-Office
	HB	Highway Business
	HM	Heavy Manufacturing
Special Overlay District		Floodplain
		Airport

SECTION A301. Zoning Map.

The official map on file in the Office of the Zoning Officer is declared hereby to be a part of this Article and shall be known and may be cited as the "Pottstown Borough Zoning Map."

SECTION A301.1. Interpretation of the Zoning Map.

1. Where, due to the scale, lack of detail or illegibility of the zoning map, there is any uncertainty, contradiction or conflict as to the intended location of any zoning district boundary, as shown thereon, the Zoning Officer shall make an interpretation of said map upon request of any person. Any person aggrieved by any such interpretation may appeal such interpretation to the Zoning Hearing Board. The Zoning Officer and the Zoning Hearing Board in interpreting the zoning map or deciding any appeal shall abide by the following standards:

- A. The zoning district boundary lines are intended to follow lot lines or be parallel or perpendicular thereto, or to be along the centerlines of alleys, streets, rights-of-way or water courses unless such boundary lines are fixed by dimensions as shown on the zoning map.
- B. Where zoning district boundary lines are so indicated that they approximately follow lot lines such lot lines shall be construed to be such boundary lines.
- C. Where a zoning district boundary line divides a lot, the location of any such zoning district boundary line, unless indicated by dimensions shown on the zoning map, shall be determined by the use of the map scale shown thereon.
- D. If, after the application of the foregoing rules, uncertainty still exists as to the exact location of the zoning district boundary line, the boundary line shall be determined in a reasonable manner considering the history of uses of property and the history of zoning ordinances and amendments in the Borough of Pottstown as well as all other relevant facts.
- E. The floodplain and airport districts are overlay districts, the maps of which are available for inspection in the office of the Zoning Officer.

SECTIONS A302 through A303.

No additional regulations

SECTION A304. Conservation District – Review Procedure. [Ord. No. 2203, 4/12/2021]

CONSERVATION DISTRICT SUMMARY CHART		
This chart is designed for quick reference only. Specific requirements are stated in the design guidelines, Section 306 through Section 317		
Category	Existing Buildings	New Buildings
Demolition	Applicant must demonstrate there is no viable alternative	Design review required for new buildings replacing demolished structures
Architectural style	Retain architectural features wherever possible	Shall be compatible with the architectural style of existing historic buildings
Building placement		Should have the average setbacks as existing buildings on the same block within a radius of 250 feet
Building size and width		Should be the average size as existing buildings on the same

CONSERVATION DISTRICT SUMMARY CHART		
This chart is designed for quick reference only. Specific requirements are stated in the design guidelines, Section 306 through Section 317		
Category	Existing Buildings	New Buildings
		block within a radius of 250 feet, or appear to be from the street
Building height		Should be the average height of existing buildings on the same block within 250 feet
Base, body, cap		Should have base, body, cap similar to adjoining buildings
Proportion of building walls to openings	Window and door openings visible from the street in existing historic buildings should not be enlarged or reduced	The proportion of walls to openings on walls visible from the street should be from 2:1 to 1:1
Building form		Buildings should match existing buildings on the same block as either vertical or horizontal form.
Texture and pattern of exterior materials	New materials, such as siding, should appear similar to original materials No vinyl siding over brick or stone walls	Exterior building materials should be compatible with the materials used in nearby historic buildings
Additions	Additions should be at the rear, in a very few cases the side, but not the front. Additions should be similar in form, scale and materials to existing building.	
Porches	Front porches and side porches facing a street should not be enclosed. If enclosure is absolutely necessary, the original elements, including proportion of walls to openings, must be retained	Porches needed on new buildings if adjacent buildings on the block have porches facing the street. The new porches should be similar in form, scale, and materials to existing porches

CONSERVATION DISTRICT SUMMARY CHART		
This chart is designed for quick reference only. Specific requirements are stated in the design guidelines, Section 306 through Section 317		
Category	Existing Buildings	New Buildings
Accessory Buildings		Garages should be same general size, height and placement as existing garages and similar accessory buildings on the same block within 250 feet radius. Storage sheds shall be no larger than 120 square feet
Fences and walls	Restrictions on materials for front and side fences facing a street	Restrictions on materials for front and side fences facing a street
	Height: Front fences: 4 feet	Height: Front fences: 4 feet
	Side fences facing street: 4 feet	Side fences facing street: 4 feet
	Interior side and rear fences: 6 feet	Interior side and rear fences: 6 feet
Parking lots	Should be located to the rear of buildings whenever possible. Second choice: Side of buildings. Access should be from alley or side street whenever possible	Should be located to the rear of buildings whenever possible
		Second choice: Side of buildings
		Access should be from alley or side street whenever possible

SECTIONS A305 through A318.

No additional regulations

SECTION A319. Special Exceptions. [Ord. 2136, 5/11/2015; Ord. 2138, 6/8/2015; Ord. No. 2231, 5/13/2024]

The following uses shall be permitted by the Zoning Hearing Board as special exceptions where an applicant shall meet or exceed the following regulations and criteria:

1. Adult Day Care
 - A. An adult day care shall register and maintain at all times with the Code Enforcement Officer accurate information regarding its location, together with the general type of services provided, maximum number of residents, and identity and contact information for any sponsoring government agency.
 - B. All floors above grade shall have a direct means of escape to ground level.
 - C. No bedroom shall be occupied by more than two persons.
 - D. An adult day care shall be adequately supervised by a staff qualified by the sponsoring government agency on a 24-hour-per-day basis.
 - E. Any employee or staff meeting shall be limited to a maximum of three persons per day.
 - F. An adult day care shall maintain at all times any and all required federal, state, and local licenses and certifications.
 - G. An adult day care shall comply with all other Borough Ordinances.
 - H. An adult day care home shall maintain all approved systems for sewage disposal and water supply.
 - I. All off-street parking spaces shall be a minimum of five feet from the property line and screened from adjoining properties.
 - J. No sign shall identify the use.
 - K. No kitchen facilities shall be located in any bedroom.
 - L. An adult day care must be built, maintained, and operated so as to avoid potential or actual adverse influences and impacts upon surrounding properties and the general health, safety, and welfare; and maintain the appearance of a single-family home compatible with the surrounding neighborhood.
 - M. The applicant shall present a safety and security plan, and the Zoning Hearing Board, at its discretion, shall attach to any approval any other conditions ensuring appropriate security measures to protect the health, safety, and welfare of the staff, lodgers, and surrounding community.

2. Bed-and-Breakfast/Tourist Home

- A. Any building or structure used as a bed-and-breakfast/tourist home shall be no less than 2,000 square feet but no more than 3,500 square feet.
- B. Rooms smaller than 150 square feet shall not be used for lodging guests.
- C. All floors above grade shall have a direct means of escape to ground level.
- D. No lodging room shall be occupied by more than two persons.
- E. A bed-and-breakfast/tourist home may lodge a maximum of six guests per any twenty-four-hour period.
- F. A bed-and-breakfast/tourist home shall be owner-occupied.
- G. A bed-and-breakfast/tourist home shall be adequately supervised by a staff on a twenty-four-hour-per-day basis.
- H. Any employee or staff meeting shall be limited to a maximum of three persons, per day.
- I. A bed-and-breakfast/tourist home shall maintain at all times any and all required federal, state, and local licenses and certifications.
- J. A bed-and-breakfast/tourist home shall comply with all other Borough Ordinances.
- K. A bed-and-breakfast/tourist home shall maintain all approved systems for sewage disposal and water supply.
- L. All off-street parking spaces shall be a minimum of five feet from the property line and screened from adjoining properties.
- M. Commercial outdoor signs shall be prohibited. Identification and directional signs shall be permitted as authorized by other Borough Ordinances.
- N. No kitchen facilities shall be located in any bedroom.
- O. A bed-and-breakfast/tourist home must be built, maintained, and operated so as to avoid potential or actual adverse influences and impacts upon surrounding properties and the general health, safety, and welfare; and maintain the appearance of a single-family home compatible with the surrounding neighborhood.
- P. The applicant shall present a safety and security plan, and the Zoning Hearing Board, at its discretion, shall attach to any approval any other

conditions ensuring appropriate security measures to protect the health, safety, and welfare of the staff, lodgers, and surrounding community.

3. Boarding Home

- A. Any building or structure used as a boarding home shall be no less than 3,500 square feet.
- B. Rooms smaller than 150 square feet shall not be used for lodging guests.
- C. All floors above grade shall have a direct means of escape to ground level.
- D. No lodging room shall be occupied by more than one person.
- E. A boarding home may lodge a maximum of six guests per any 24-hour period.
- F. A boarding home shall be owner-occupied.
- G. A boarding home shall be adequately supervised by a staff on a 24-hour-per-day basis.
- H. Any employee or staff meeting shall be limited to a maximum of three persons per day.
- I. A boarding home shall maintain at all times any and all required federal, state, and local licenses and certifications.
- J. A boarding home shall comply with all other Borough Ordinances.
- K. A boarding home shall maintain all approved systems for sewage disposal and water supply.
- L. All off-street parking spaces shall be a minimum of five feet from the property line and screened from adjoining properties.
- M. Commercial outdoor signs shall be prohibited. Identification and directional signs shall be permitted as authorized by other Borough Ordinances.
- N. No kitchen facilities shall be located in any bedroom.
- O. A boarding home must be built, maintained, and operated so as to avoid potential or actual adverse influences and impacts upon surrounding properties and the general health, safety, and welfare; and maintain the appearance of a single-family home compatible with the surrounding neighborhood.

- P. The applicant shall present a safety and security plan, and the Zoning Hearing Board, at its discretion, shall attach to any approval any other conditions ensuring appropriate security measures to protect the health, safety, and welfare of the staff, lodgers, and surrounding community.
- 4. (Reserved)
 - 5. Personal Care Home
 - A. A personal care home shall register and maintain at all times with the Code Enforcement Officer accurate information regarding its location, together with the general type of services provided, maximum number of residents, and identity and contact information for any sponsoring government agency.
 - B. All floors above grade shall have a direct means of escape to ground level.
 - C. No bedroom shall be occupied by more than two persons.
 - D. A personal care home shall be adequately supervised by a staff qualified by the sponsoring government agency on a 24-hour-per-day basis.
 - E. Any employee or staff meeting shall be limited to a maximum of three persons per day.
 - F. A personal care home shall maintain at all times any and all required federal, state, and local licenses and certifications.
 - G. A personal care home shall comply with all other Borough ordinances.
 - H. A personal care home shall maintain all approved systems for sewage disposal and water supply.
 - I. All off-street parking spaces shall be a minimum of five feet from the property line and screened from adjoining properties.
 - J. No sign shall identify the use.
 - K. No kitchen facilities shall be located in any bedroom.
 - L. A personal care home must be built, maintained, and operated so as to avoid potential or actual adverse influences and impacts upon surrounding properties and the general health, safety, and welfare and maintain the appearance of a single-family home compatible with the surrounding neighborhood.
 - M. The applicant shall present a safety and security plan, and the Zoning Hearing Board, at its discretion, shall attach to any approval any other

conditions ensuring appropriate security measures to protect the health, safety, and welfare of the staff, lodgers, and surrounding community.

SECTION A320. Downtown (Conservation). [Ord. No. 2226, 4/10/2023]

1. Hookah Bar.
 - A. Location. Each hookah bar shall be located no closer than 1,200 feet from any other hookah bar, tobacco store/smoke shop, and/or neighborhood convenience store.
 - B. Parking. Parking shall comply with § 601, Off-Street Parking Standards.
 - C. Hours of Operation. Hookah bars shall not be permitted to operate within the hours of 12:00 midnight to 8:00 a.m.
 - D. Alcoholic Beverages. Alcoholic beverages shall not be permitted to be brought onto the premises for on-premises consumption. The sale and service of alcohol shall comply with all federal, commonwealth and local laws.
 - E. Ventilation. Any establishment that will allow any sort of smoking on site shall provide adequate ventilation. The requirements imposed by the Pottstown Fire Department may be more comprehensive than current building codes to prevent negative health and nuisance impacts on neighboring properties, including a requirement for a separate system to prevent smoke and vapors from migrating to adjoining suites or buildings. The ventilation shall, at a minimum, prevent smoke and vapors from migrating into adjacent buildings and/or suites and to outdoor public areas. A mechanical exhaust hood system shall be required if an establishment heats coals indoors.
 - F. Compliance. All hookah bars shall comply with all current federal, commonwealth and local laws including, but not limited to, the Clean Indoor Air Act.
 - G. Noise. Any noise shall be subject to the regulations established in the Borough of Pottstown Code.
 - H. Age Limits. No person under the age of 21 years old is permitted to be on the premises of any hookah bar.

SECTIONS A321 through A333.

No additional regulations

SECTION A334. Special Exceptions. [Ord. 2138, 6/8/2015]

The following use shall be permitted by the Zoning Hearing Board as a special exception where an applicant shall meet or exceed the following regulations and criteria:

1. Rooming House
 - A. 120 square feet per bedroom shall be required for each occupant, but no bedroom shall be occupied by more than two persons per 24-hour period.
 - B. All floors above grade shall have a direct means of escape to ground level.
 - C. A rooming house shall be adequately supervised by a staff on a 24-hour-per-day basis.
 - D. A rooming house shall maintain at all times any and all required federal, state, and local licenses and certifications.
 - E. A rooming house shall comply with all other Borough ordinances.
 - F. A rooming house shall maintain all approved systems for sewage disposal and water supply.
 - G. Commercial outdoor signs shall be prohibited. Identification and directional signs shall be permitted as authorized by other Borough ordinances.
 - H. No kitchen facilities shall be located in any bedroom.
 - I. The applicant shall present a safety and security plan, and the Zoning Hearing Board, at its discretion, shall attach to any approval any other conditions ensuring appropriate security measures to protect the health, safety, and welfare of the staff, lodgers, and surrounding community.

SECTION A335.

No additional regulations.

SECTION A336. Special Exceptions. [Ord. 2138, 6/8/2015; Ord. 2171, 1/8/2018]

The following uses shall be permitted by the Zoning Hearing Board as special exceptions where an applicant shall meet or exceed the following regulations and criteria:

1. Continuing Care Home.
 - A. The minimum lot size for a continuing care home shall be 30,000 square feet, and the maximum building coverage area for a continuing care home shall

not exceed 35% of the total land area of the lot. A minimum of 25% of the developable land area, exclusive of streets and delineated wetlands, shall be set aside and held, maintained, and used permanently as open space.

- B. No continuing care home shall be located or operated within 1,000 feet of another continuing care home; 500 feet of a residential zoning district or use; or 500 feet of a school, religious establishment, playground, park, camp, community center, child-care facility, or other area where children assemble or congregate.
- C. A continuing care home shall be adequately supervised by a staff qualified by the sponsoring government agency on a twenty-four-hour-per-day basis.
- D. A continuing care home shall maintain at all times any and all required federal, state, and local licenses and certifications.
- E. Adequate provisions shall be made for emergency and fire vehicles.
- F. The applicant shall present a safety and security plan, and the Zoning Hearing Board, at its discretion, shall attach to any approval any other conditions ensuring appropriate security measures to protect the health, safety, and welfare of the staff, lodgers, and surrounding community, including, but not limited to, fencing or other barriers, cameras, lighting, guards, sign-in and sign-out sheets, curfews for residents, guard dogs, sirens, and direct alarms with the Police Department.

2. Criminal Housing Facility.

- A. The minimum lot size for a criminal housing facility shall be 30,000 square feet, and the maximum building coverage area for a criminal housing facility shall not exceed 35% of the total land area of the lot. A minimum of 25% of the developable land area, exclusive of streets and delineated wetlands, shall be set aside and held, maintained, and used permanently as open space.
- B. No criminal housing facility shall be located or operated within 1,000 feet of another criminal housing facility; 500 feet of a residential zoning district or use; or 500 feet of a school, religious establishment, playground, park, camp, community center, child-care facility, or other area where children assemble or congregate.
- C. A criminal housing facility shall be adequately supervised by a staff qualified by the sponsoring government agency on a twenty-four-hour-per-day basis.
- D. A criminal housing facility shall maintain at all times any and all required federal, state, and local licenses and certifications.
- E. Adequate provisions shall be made for emergency and fire vehicles.

- F. The applicant shall present a safety and security plan, and the Zoning Hearing Board, at its discretion, shall attach to any approval any other conditions ensuring appropriate security measures to protect the health, safety, and welfare of the staff, lodgers, and surrounding community, including, but not limited to, fencing or other barriers, cameras, lighting, guards, sign-in and sign-out sheets, curfews for residents, guard dogs, sirens, and direct alarms with the Police Department.

3. Rooming House.

- A. One hundred twenty square feet per bedroom shall be required for each occupant, but no bedroom shall be occupied by more than two persons per 24-hour period.
- B. All floors above grade shall have a direct means of escape to ground level.
- C. A rooming house shall be adequately supervised by a staff on a 24-hour-per-day basis.
- D. A rooming house shall maintain at all times any and all required federal, state, and local licenses and certifications.
- E. A rooming house shall comply with all other Borough ordinances.
- F. A rooming house shall maintain all approved systems for sewage disposal and water supply.
- G. Commercial outdoor signs shall be prohibited. Identification and directional signs shall be permitted as authorized by other Borough ordinances.
- H. No kitchen facilities shall be located in any bedroom.
- I. The applicant shall present a safety and security plan, and the Zoning Hearing Board, at its discretion, shall attach to any approval any other conditions ensuring appropriate security measures to protect the health, safety, and welfare of the staff, lodgers, and surrounding community.

4. Treatment Center.

- A. The minimum lot size for a treatment center shall be 30,000 square feet, and the maximum building coverage area for a treatment center shall not exceed 35% of the total land area of the lot. A minimum of 25% of the developable land area, exclusive of streets and delineated wetlands, shall be set aside and held, maintained, and used permanently as open space.
- B. No treatment center shall be located or operated within 1,000 feet of another treatment center; 500 feet of a residential zoning district or use; or 500 feet of a school, religious establishment, playground, park, camp, community

center, child-care facility, or other area where children assemble or congregate.

- C. A treatment center shall be adequately supervised by a staff qualified by the sponsoring government agency on a 24-hour-per-day basis.
- D. A treatment center shall maintain at all times any and all required federal, state, and local licenses and certifications.
- E. Adequate provisions shall be made for emergency and fire vehicles.
- F. The applicant shall present a safety and security plan, and the Zoning Hearing Board, at its discretion, shall attach to any approval any other conditions ensuring appropriate security measures to protect the health, safety, and welfare of the staff, lodgers, and surrounding community, including, but not limited to, fencing or other barriers, cameras, lighting, guards, sign-in and sign-out sheets, curfews for residents, guard dogs, sirens, and direct alarms with the Police Department.

SECTION A337. Special Exceptions. [Ord. 2138, 6/8/2015; Ord. No. 2226, 4/10/2023]

The following use shall be permitted by the Zoning Hearing Board as a special exception where an applicant shall meet or exceed the following regulations and criteria:

- 1. Rooming House.
 - A. 120 square feet per bedroom shall be required for each occupant, but no bedroom shall be occupied by more than two persons per 24-hour period.
 - B. All floors above grade shall have a direct means of escape to ground level.
 - C. A rooming house shall be adequately supervised by a staff on a 24-hour-per-day basis.
 - D. A rooming house shall maintain at all times any and all required federal, state, and local licenses and certifications.
 - E. A rooming house shall comply with all other Borough Ordinances.
 - F. A rooming house shall maintain all approved systems for sewage disposal and water supply.
 - G. Commercial outdoor signs shall be prohibited. Identification and directional signs shall be permitted as authorized by other Borough Ordinances.
 - H. No kitchen facilities shall be located in any bedroom.

- I. The applicant shall present a safety and security plan, and the Zoning Hearing Board, at its discretion, shall attach to any approval any other conditions ensuring appropriate security measures to protect the health, safety, and welfare of the staff, lodgers, and surrounding community.
2. Tobacco Store/Smoke Shop.
 - A. Location. Each tobacco store/smoke shop shall be located no closer than 1,200 feet from any other tobacco store/smoke shop, hookah bar and/or neighborhood convenience store.
 - B. Parking. Parking shall comply with § 601, Off-Street Parking Standards.
 - C. Hours of Operation. Tobacco stores/smoke shops shall not be permitted to operate within the hours of 12:00 midnight to 8:00 a.m.
 - D. Ventilation. Any establishment that will allow any sort of smoking on site shall provide adequate ventilation. The requirements imposed by the Pottstown Fire Department may be more comprehensive than current building codes to prevent negative health and nuisance impacts on neighboring properties, including a requirement for a separate system to prevent smoke and vapors from migrating to adjoining suites or buildings. The ventilation shall, at a minimum, prevent smoke and vapors from migrating into adjacent buildings and/or suites and to outdoor public areas. A mechanical exhaust hood system shall be required if an establishment heats coals indoors.
 - E. Compliance. All tobacco stores/smoke shops shall comply with all current federal, commonwealth and local laws, including, but not limited to, the Clean Indoor Air Act.

SECTION A338.

No additional regulations.

SECTION A339. (Reserved)

[Repealed by Ord. No. 2219, 11/14/2022]

SECTION A340 through A341.

No additional regulations

SECTION A342. Airport Overlay District.

1. Short Title. This Section shall be known as the "Pottstown Municipal Airport Zoning Ordinance."
2. Purpose. This Section is enacted, pursuant to Act 164 of 1984, codified at 74 Pa. Cons. State Section 95101 et seq., to protect the lives and property of users of the Pottstown Municipal Airport and of occupants of land in its vicinity, and to protect the utility of the airport and the public investment therein by preventing the creation or establishment of airport hazards, and by the elimination, removal, alteration, mitigation or marking and lighting of existing airport hazards.
3. Applicability. These provisions shall apply to all lands within the Borough that are shown on the Official Zoning Map as being located within the boundaries of any airport zone. The Airport District map shall be kept for public inspection in the office of the Zoning Officer.
4. Creation of District and Overlay Concept. The Airport District is created hereby and the airport zones described herein shall be overlays to the existing underlying districts as shown on the Official Zoning Map and, as such, the provisions for the airport zones shall serve as a supplement to the underlying district provisions. Where there happens to be any conflict between the provisions or requirements of any of the airport zones and those of any underlying district, the more restrictive provisions shall apply.
5. Definitions. As used in this Section, the following words and phrases shall be interpreted as follows, unless the context clearly indicates otherwise:

AIRPORT – the Pottstown Municipal Airport.

AIRPORT ELEVATION –256 feet above the mean sea level.

APPROACH SURFACE – a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitations slope set forth in subsection (7) hereof. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.

APPROACH, TRANSITIONAL, HORIZONTAL AND CONICAL ZONES – those zones described in subsection (6) hereof.

CONIAL SURFACE – a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of 4,000 feet.

HAZARD TO AIR NAVIGATION or HAZARD – an obstruction determined to have a substantial adverse effect of the safe and efficient utilization on the navigable airspace.

HEIGHT – as measured from 256 feet above mean sea level elevation, or airport elevation, unless specified, or indicated clearly, otherwise.

HORIZONTAL SURFACE – a horizontal plane 150 feet above the established airport elevation, the perimeter of which, in plan, coincides with the perimeter of the horizontal zone.

LARGER THAN UTILITY RUNWAY – a runway that is constructed for and intended to be used by propeller-driven aircraft of greater than 12,500 pounds maximum gross weight and by jet-powered aircraft.

NONCONFORMING USE – any structure, object of natural growth or use of land that is inconsistent with provisions of this Section or amendment thereto and that is in existence as of the effective date of this Section or of such amendment hereto, as the case may be.

NONPRECISION INSTRUMENT RUNWAY – a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.

OBSTRUCTIONS – any structure, growth or other object, including a mobile object, that exceeds a limiting height set forth in subsection (7) hereof.

PRECISION INSTRUMENT RUNWAY – a runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

PRIMARY SURFACE – a surface centered longitudinally on a runway. When the runway has a specifically prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. The width of the primary surface is set forth in subsection (6) hereof. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

RUNWAY – a defined area on an airport prepared for landing and take-off of aircraft along its length.

STRUCTURE – an object, including a mobile object, constructed or installed by man, including, but not limited to, buildings, towers, cranes, smokestacks, earth formations, and overhead transmission lines.

TRANSITIONAL SURFACES – those surfaces extending outward at 90° angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the sides of the conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90° angles to the extended runway centerline.

TREE – any object of natural growth.

UTILITY RUNWAY – a runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight and less.

VISUAL RUNWAY – a runway intended solely for the operation of aircraft using visual approach procedures.

6. Establishment of Zones. In order to carry out the provisions of this Section, there are created and established, hereby, certain zones that include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to the Pottstown Municipal Airport Height Limitation and Zoning District Map, prepared by the Pennsylvania Department of Transportation, Bureau of Aviation, dated 1989, which is attached to this Article and made part hereof. An area located in more than one of the following zones is considered to be in only the zone with the more restrictive height limitation. The various zones are established hereby and are defined as follows:
 - A. Utility Runway Visual Approach Zone. The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone extends outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
 - B. Transitional Zones. The transitional zones are the areas beneath the transitional surfaces.
 - C. Horizontal Zone. The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways, designated utility or visual, and 10,000 feet for all others from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zone.
 - D. Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.
7. Airport Zone Height Limitations. Except as provided otherwise in this Section, no structures shall be erected, altered or maintained, and no tree shall be allowed to grow in any zone created by this Section to a height in excess of the applicable height established herein for such zone. Such applicable height limitations are established hereby for each of the zones in question as follows:
 - A. Utility Runway Visual Approach Zone. Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

- B. Transitional Zones. Slopes seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and extending to a height of 150 feet above the airport elevation. In addition to the foregoing, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and the same elevation as the approach surface and extending a horizontal distance of 5,000 feet measured at 90° angles to the extended runway centerline.
 - C. Horizontal Zone. Established at 150 feet above the airport elevation.
 - D. Conical Zone. Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.
 - E. Excepted Height Limitations. Nothing in this Section shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to 35 feet above the surface of the land
8. Use Restrictions. Notwithstanding any other provision of this Section, no use may be made of the land or water with any zone established by this Section in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.
9. Nonconforming Uses.
- A. The regulations prescribed in this Section shall be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Section, or otherwise interfere with continuance of a legal nonconforming use. Nothing contained herein shall require any change of the construction, alteration, or intended use of any structure, the construction or alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Section and is diligently prosecuted.
 - B. Notwithstanding the preceding subsection, the owner of any existing legal nonconforming structure or tree is required hereby to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary by the airport to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstructions.

10. Future Uses. Except as provided, specifically in Subsections (A), (B), and (C) hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone created hereby unless a permit therefor shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient information to permit it to be determined whether the resulting use, structure or tree would conform to the regulations prescribed herein. If each determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Section shall be granted unless a variance has been approved pursuant to subsection (13) hereof.
 - A. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required by this Section for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
 - B. In areas lying within the limits of the approach zones, but at a horizontal distance o, not less than 4,200 feet from each end of the runway, no permit shall be required by this Section for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such approach zones.
 - C. In areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required by this Section for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such transition zones. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits of this Section except as set forth in subsection (7) hereof.

11. Existing Uses. No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this Section or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.
12. Nonconforming Uses Abandoned or Destroyed. Whenever the Zoning Officer determines that a nonconforming tree or structure has been abandoned or more than 80% torn down, physically deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.
13. Appeal to Zoning Hearing Board. The Zoning Hearing Board is empowered to grant variances in order to prevent or lessen such practical difficulties and unnecessary physical hardships inconsistent with [the] objectives of this Section as would result from strict or literal interpretation and enforcement of certain of the regulations prescribed herein, provided that the relief granted would not be contrary to the public interest, would not violate the spirit of this Section, and would not contravene any rule or regulation of any Commonwealth or Federal body having jurisdiction over the airport, and, provided that any relief granted may be subject to any reasonable conditions that the Board may deem necessary to effect the purposes of this Section. In granting any variance under this Section the Board may, if it deems such action advisable to effect the purposes of this Section and reasonable in the circumstances, so condition such variance as to require the owner of the structure or tree in question, at his or her own expense, to install, operate and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard. Appeals shall be taken pursuant to Section 9909(3) et seq., except that the following additional regulations shall apply:
 - A. The application for a variance shall be accompanied by a determination from the Federal Aviation Administration and from the Pennsylvania Department of Transportation, Bureau of Aviation, as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace.
 - B. No application for a variance may be considered by the Board unless a copy of the application has been furnished, by the Zoning Officer to the Airport Manager for advice as to the aeronautical effects of the proposal. If the Airport Manager does not respond within 15 days after the receipt of the application, it shall be presumed that the Airport Manager has approved the proposal. An unfavorable report or failure to report shall not be binding on the Board.

SECTION A343. District Boundaries.

There are no additional regulations.

SECTION A344. Effect.

There are no additional regulations.