

ARTICLE XVIII
Commercial District C-2

§ 180.56. Permitted uses; ACCESSORY USES; conditional uses.

In this district, the land may be used and BUILDINGS and STRUCTURES may be erected, altered or used for the following purposes and no other:

180.56.1. Permitted uses. Any of the following uses when conducted in an enclosed BUILDING and not obnoxious outside the BUILDING by reason of dust, noise, odor or sight:

180.56.1.1. PROFESSIONAL OFFICES.

180.56.1.2. Banks or other financial institutions.

180.56.1.3. Sales or brokerage offices.

180.56.1.4. Picture, art or professional studios.

180.56.1.5. Barbershops, beauty salons, hair- dressing salons.

180.56.1.6. Any BOROUGH or PUBLIC BUILDING.

180.56.1.7. Mortuary, funeral home or undertaking establishment.

180.56.1.8. Retail furniture establishment.

180.56.1.9. Multiple DWELLING or apartment house, subject to the regulations and restrictions contained in §§ 180.31, 180.32 and 180.33 of this chapter. **[Added 9-4-63 by Ord. No. 388]**

180.56.1.10. New automobile sales agency, not to include used car LOT other than operated by a new car franchise dealer immediately adjacent to the sales agency and not to include a trailer sales agency, subject to the regulations and restrictions contained in §§ 180.57, 180.59 and 180.60 of this Article. **[Added 9-4-63 by Ord. No. 388]**

180.56.1.11. Health club if conducted as an exclusive and total use of the BUILDING and if combining all functions of exercise and physical body DEVELOPMENT, but not to include individual use of gymnasiums, massage parlors, food stores and restaurants or other separate health functions unless they are conducted as part of an overall program. This use is subject to the rules and regulations contained in §§ 180.57, 180.59 and 180.60 of this Article and § 180.94 of Article XXVIII. **[Added 7-2-69 by Ord. No. 464]**

180.56.1.12. Business activity that entails the offering of improvements

to residential and business property and the storage and sale of insulation material for residential and business property, doors and windows for residential and business property, kitchen and bath facilities and roofing materials. **[Added 11-18-81 by Ord. No. 631; amended 7-1-87 by Ord. No. 716; 5-16-90 by Ord. No. 755]**

180.56.1.13. OFFICE BUILDINGS three (3) stories or more in height, subject to pertinent regulations contained in § 180.36.2 and in §§ 180.38 and 180.39. **[Added 9-17-69 by Ord. No. 466]**

180.56.1.14. A franchised self-propelled RECREATIONAL VEHICLE sales agency, not to include a used car or used vehicle LOT other than as operated by a franchised self-propelled RECREATIONAL VEHICLE dealer on the same premises; provided, however, that this business activity, alone or in conjunction with other permitted uses, shall be conducted in a BUILDING of no less than one thousand (1,000) square feet, which may be on more than one (1) floor, confined to a single business entity and a single owner. **[Added 12-2-81 by Ord. No. 632]**

180.56.1.15. A franchised auto rental agency, including the rental of used vehicles; provided, however, that this business activity, alone or in conjunction with other permitted uses, shall be conducted in a BUILDING of no less than one thousand (1,000) square feet, which may be on more than one (1) floor, confined to a single business entity and a single owner. **[Added 12-2-81 by Ord. No. 632]**

180.56.1.16. Business activity that entails the sale of television videocassette, professional audio equipment, medical aids, party goods and power tools, and the rental of all sale goods in addition to lawn and garden equipment, light-duty digging equipment, air compressors and skid steer loaders; provided, however, that this business activity shall be conducted in a BUILDING of no less than three thousand (3,000) square feet on one (1) floor, confined to a single business entity and a single owner. Subletting of all or a portion of the premises or operation of any one (1) but not all of the business activities permitted under this use is prohibited. **[Added 3-16-78 by Ord. No. 581]**

180.56.1.17 RETIREMENT COMMUNITY, subject to the following standards: **[Added 4-18-18 by Ord. No. 1107]**

180.56.1.18 LOW-TURNOVER RESTAURANT **[Added 9-4-19 by Ord. No. 1121]**

180.56.1.17.1 A RETIREMENT COMMUNITY shall include: (1) DWELLING units for independent living and (2) a PERSONAL CARE FACILITY. At least half of the living units within a RETIREMENT COMMUNITY shall be DWELLING units for independent living.

180.56.1.17.2 A RETIREMENT COMMUNITY shall meet all applicable licensing requirements of the Commonwealth of Pennsylvania.

180.56.1.17.3 The area and bulk regulations applicable to a MULTIPLE-FAMILY DWELLING in the C-2 District shall apply to any RETIREMENT COMMUNITY.

180.56.2. ACCESSORY USES on the same LOT with and customarily incidental to any of the above permitted uses and not seriously detrimental to the neighborhood.

180.56.3. Conditional uses.

180.56.3.1. Any land upon which is a STRUCTURE originally designed and constructed as a GASOLINE SERVICE STATION and presently so used as a prior NONCONFORMING USE may, in addition, be used as a convenience store for the sale of food, personal convenience items, carryout automotive supplies and gasoline, provided that such use is allowed by COUNCIL, subject to the standards set forth in § 180.58. **[Added 12-2-80 by Ord. No. 616; amended 3-4-81 by Ord. No. 623]**

180.56.3.2. Day care centers shall be a conditional permitted use, provided that such use is allowed by Council, subject to the standards set forth in §§ 180.58.5, 180.58.6, 180.58.7, 180.58.8, 180.58.9, 180.58.10. **[Added 1-17-96 by Ord. No. 844]**

180.56.3.3. Nursing or Convalescent homes shall be a conditional permitted use provided that such use is allowed by Council, subject to the standards set forth in §§180.57; 180.58; 180.59; and § 180.60. **[Added 4-17-96 by Ord. No. 851]**

180.56.3.4. Required parking for nursing homes shall be a conditional permitted use as set forth in Article XXX, § 180.104.1.14. **[Added 4-17-96 by Ord. No. 851]**

180.56.3.5. Solar Energy Facilities shall be a conditional permitted use as set forth in Article XLI, § 180.144.4 **[Added 4-16-14 by Ord. No. 1063]**

§ 180.57. Area and bulk regulations.

In this district, the minimum dimensions of LOTS, yards and other open spaces and the area of LOT required per BUILDING thereon shall be as follows:

180.57.1. There shall be a FRONT YARD of not less than thirty-five (35) feet at any point from the property line and not less than sixty-five (65) feet at any point from the center line of STREETS or roads.

180.57.2. There shall be a SIDE YARD of not less than ten feet (10') required except in the case of a CORNER LOT, where a FRONT YARD as required by § 180.57.1 shall be required on each STREET upon which the land abuts. **[Amended 4-6-16 by Ord. No. 1086]**

180.57.3. Where land extends through in the rear to another STREET there shall be a REAR YARD equal in depth to that required for the FRONT YARD on the opposite side of such STREET, but not less than thirty-five (35) feet, at least fifteen (15) feet of which shall be used for planting and SCREENING purposes.

180.57.4. Where the land is used for the purposes set out in this Article, there must be reserved a strip of land on any side adjoining a residential area, which strip shall be used for SCREENING purposes and shall be planted and maintained according to the following standards:

180.57.4.1. The screen shall consist of evergreen plantings and must be continuously maintained at such height and density as will provide an effective screen between the commercial and residential land use. The original and continued adequacy of the planted area shall be determined in accordance with the general requirements herein stated.

180.57.4.2. The strip for SCREENING purposes must have a constant depth of at least fifteen (15) feet.

180.57.5. There shall be a REAR YARD of not less than twenty-five (25) feet at any point. The fifteen-foot reserved strip required by § 180.57.4 need not be added to the twenty-five-foot REAR YARD.

180.57.6. The BUILDING must not occupy more than thirty-three per cent (33%) of the LOT area.

§ 180.58. Standards for conditional uses. [Added 12-2-80 by Ord. No. 616; amended 1-17-96 by Ord. No. 844]

Conditional uses as set forth in § 180.56 of this Article shall be subject to the following standards and criteria, which shall be applied by BOROUGH COUNCIL in granting or refusing a conditional use:

180.58.1. Any STRUCTURE shall contain a minimum of one thousand four hundred (1,400) square feet enclosed.

180.58.2. There shall be a buffer planting strip between any BUILDING and any adjacent residential areas. The fifteen-foot strip shall be part of and located at the

furthest part of the REAR and SIDE YARD areas. The type and amount of planting shall be shown on the site plan for approval.

180.58.3. There shall be one (1) PARKING STALL for each two hundred twenty-five (225) square feet of floor area. The location of the PARKING STALLS shall be shown on the site plan for approval.

180.58.4. Parking of commercial vehicles shall not be permitted except for actual delivery of goods.

180.58.5. Site plans shall be presented as required in Article XXVIII, § **180.94.**

180.58.6. Day care centers permitted as a conditional use shall be licensed by the Commonwealth of Pennsylvania.

180.58.7. Ingress and egress to the site to be used as a day care center shall be designed to assure safety. A safe area for discharging and receiving shall be provided which area shall not interfere with the free flow of traffic through public or private streets or parking areas of the day care site or other adjoining sites.

180.58.8. A minimum of sixty (60) square feet of exterior open space per enrollee in the day car center shall be provided, said exterior open space being usable and accessible only by day care occupants.

180.58.9. All outdoor areas of the day care site shall be enclosed with a fence that complies with this Code and shall confine and protect those using the outdoor area.

180.58.10. The facility shall comply with all provisions of this Code relating to the C-2 zoning district.

§ 180.59. Loading and access areas.

In this district, a loading and access area shall be provided to the rear of all commercial BUILDINGS. The area shall be a level strip not less than twenty (20) feet in depth. The purpose of this area, *inter alia*, shall be to grant rear access to the BUILDING for fire and police protection and for the loading and unloading of merchandise and to protect such property and the occupants thereof. Where site plans indicate the necessity of a retaining wall at the rear of the STRUCTURE, the COMMISSION may permit a properly engineered retaining wall to be used as the rear wall of the BUILDING, in which case all loading and unloading shall be performed in the BUILDING and the twenty-foot strip will not be required.

§ 180.60. Determination of district boundaries.

In this district, the depth of any LOTS or parcels so classified or zoned shall not extend beyond the line or lines of any established or approved plan of LOTS zoned for residential

purposes. Further, the commercial area shall be considered only for frontage in the area or district so zoned, and where the same extends into or onto another STREET in the rear thereof, it shall not be considered as having established a commercial zone unless all of the area in the rear and opposite the commercially zoned property has been classified as Commercial District C-2. If the property opposite the rear of the commercially zoned property is not zoned for commercial use, the STREET at the rear of the commercial property shall not be used as access to the commercial property for loading or unloading merchandise or as access to a PARKING AREA.