

ARTICLE 5

SUPPLEMENTARY REGULATIONS GOVERNING SPECIAL EXCEPTIONS AND CERTAIN OTHER USES

5.100 AMUSEMENT USES

5.110 Indoor Recreational Facilities

- a. Such uses shall be conducted entirely within an enclosed structure.
- b. The lot size shall be not less than two (2) acres.
- c. Applications for indoor theaters, bowling alleys, indoor ice and roller skating rinks, gymnasiums, and indoor handball and tennis courts, shall be accompanied by a site development plan.
- d. The site development plan shall show building placement and dimensions, parking, landscaping, internal circulation, and the size and location of signage.
- e. Parking areas shall be screened from adjoining residential properties in accordance with Subsection 4.723c.
- f. A principal structure shall be not less than twenty (20) feet from any property line, or such greater distance as may be otherwise required in the district where located or as set forth in Section 4.350.
- g. There shall be no offensive noise or vibration; such elements may be emitted only in accordance with the performance standards set forth in Article 6.

5.120 Outdoor Recreation Facilities

- a. Such uses shall include golf courses, swimming pools, tennis courts and other similar uses.
- b. Unenclosed recreational facilities shall be located not less than twenty-five (25) feet from any property line except where greater distances are otherwise required herein and shall be effectively screened from adjoining dwelling uses in accordance with the provisions of Section 4.723c.
- c. Illuminated signs and other lights shall be directed away, or shielded from adjoining residential properties in such a way as not to disturb the occupants thereof.

- d. No public address system is permitted except where such system will not be audible at any residential property line.
- e. Private swimming pools, permanent and portable, which shall be accessory to a principal non-commercial dwelling use shall be regulated as follows; except that these regulations shall not apply to portable swimming pools which shall be not more than 3 feet in height nor more than 15 feet in length.
 - 1) May be erected only on the same zone lot as the principal structure.
 - 2) May be erected only in the rear yard of such structure and shall be distant not less than ten (10) feet from any property line, principal structure or accessory structure attached thereto. The side yard setbacks, however, may be reduced to five (5) feet on nonconforming lots of insufficient width.
 - 3) The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located, and their guests, and no fee shall be charged.
 - 4) Fencing for in-ground swimming pools shall consist of fencing of the swimming pool or the property on which the pool is situated. Said fence shall be not less than four (4) feet in height and shall be designed and constructed to prevent uncontrolled access by children from the street or from adjacent properties; and, said wall or fence shall be maintained in good condition at all times.
 - 5) Above-ground pools shall be exempt from the fencing requirements of the preceding Section 5.120e.4) if it includes an attached fence or fence/deck combination, and if;
 - a) The fence is equipped with a gate that can be closed when the pool is not in use; and
 - b) The height of the fence above the entrance level of the pool is not less than thirty (30) inches.
 - 6) All swimming pools shall be approved by the Fire Underwriters for electrical safety precautions.
 - 7) Gas heating units shall be installed only by a licensed plumber, certified to install plastic pipes.
- f. Drive-in Theaters shall be subject to the following regulations and applications shall be accompanied by a site development plan:
 - 1) Situated on a minimum zone lot of ten (10) acres.
 - 2) The screen shall be obscured from public streets.

- 3) Lights shall be reflected away from adjoining property and streets.
- 4) The sounds directly appurtenant to the visual presentations at such theaters shall not be audible at the boundary line of any R-District.
- 5) Only one-way interior vehicular circulation.
- 6) Surface drainage shall be such that will not subject adjoining properties or streets to damage. A stormwater management plan and a soil erosion and sedimentation control plan shall be designed to control runoff for a ten (10) year storm, and shall be in accordance with Act 167 of 1978. Such plans shall be accompanied by evidence of approval by appropriate agencies and authorities.
- 7) Any activity that is conducted at such theater shall not be closer to any R-District than 500 feet, except where topographic considerations make such requirements excessive or unnecessary.
- 8) Areas of access and egress shall be not less than 24 feet in width, and shall be designed in such a manner so as to preclude the potential traffic hazards on adjacent rights-of-way caused by vehicles entering and leaving the establishment.

200 COMMUNITY FACILITIES AND SERVICES

5.210 Essential Services, Enclosed or Permanent Structures

Such uses are intended to include facilities for sewage treatment, electric substations, transformers, switches, and auxiliary apparatus, as well as local governmental services such as police stations, fire houses and similar uses. Where such uses are proposed to be located in a Residential District, they shall be subject to the following regulations:

- 5.211 Such facility shall not be located on a residential street (unless no other site is available), and shall be so located as to draw a minimum of vehicular traffic to and through such streets.
- 5.212 The location, design and operation of such facility shall not adversely affect the character of the surrounding residential area.
- 5.213 Adequate fences, barriers and other safety devices shall be provided, and shall be landscaped in accordance with the provisions of Section 4.723c.
- 5.214 Noise emitted from electric substations shall not be greater than permitted in accordance with the performance standards set forth herein.

5.220 Essential Services, Open

Such uses shall be limited to the erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare. Such uses shall not include sanitary landfills and related uses such as staging areas or other means of solid waste disposal. Where applicable, the landscaping regulations of Section 4.723c. shall apply.

5.230 Hospitals, Churches, or other Religious or Philanthropic Institutions

All such uses shall be located on a public street which shall have a pavement width of not less than 38 feet, and they shall maintain a landscaped buffered area in accordance with the provisions of Section 4.723b. on all property lines abutting R-Districts and all residential streets. Such uses shall not be located or designed in such a manner as would be detrimental to the privacy, convenience and property values of nearby residential development.

5.240 Nursery School, Child Day Care Center and Group Day Care Home

5.241 Such uses shall be situated on a zone lot of not less than one-half ($\frac{1}{2}$) acre, except where a greater area is otherwise required herein, and shall be screened in accordance with the provisions of Section 4.723b.. Such uses shall provide evidence of all required State approvals.

5.242 Child Day Care Centers and Group Day Care Homes shall also comply with the following minimum space and site requirements:

- a. Each facility shall have a minimum of 40 square feet (372 square decimeters) of indoor space for each child, measured wall to wall inclusive of space occupied by cupboards, shelves, furniture, and equipment, but exclusive of halls, bathrooms, offices, kitchens, locker rooms, and related areas.
- b. Each facility shall have a minimum of 65 square feet (604 square decimeters) of accessible outdoor play space for each child. Outdoor play space is considered accessible if it is no more than $\frac{1}{2}$ mile (.8 kilometer) from the building. The following exceptions to the space requirements shall be permitted:

- 1) a minimum of 32.5 square feet (302 square decimeters) 50% less space of accessible outdoor play space shall be required for each infant; a minimum of 48.89 square feet (453 square decimeters) 25% less space of accessible outdoor play space shall be required for each child from age 18-24 months;
- 2) less outdoor space if it is offset by a large indoor activity room, as long as the 65 square feet (604 square decimeters) per child requirement is met and the indoor activity room provides for equivalent activity as outdoor play space; and
- 3) less outdoor space if it is scheduled for alternate use, provided that the 65 square feet (604 square decimeters) per child requirements is met for each child based on the number of children using the space at any one time.
- 4) if there are unsafe areas, such as open drainage ditches, wells, holes, or heavy street traffic, in or near the outdoor play space, there shall be fencing or natural barriers to restrict children from these areas.

5.250 Public and Parochial Schools and Colleges and Private Schools and Colleges for Academic Instruction

In any R-district, such uses, including play areas shall be located not less than 100 feet from any lot line, except where greater distances are otherwise required herein. Schools will be located on or within close proximity to roads having a pavement width of not less than 38 feet.

5.260 Community Buildings, Social Halls, Lodges, Fraternal Organizations, Clubs and Similar Uses in R-Districts

- 5.261 All buildings must be a minimum of 20 feet from all lot lines, except where greater distances are otherwise required herein.
- 5.262 There shall be no external evidence of any gainful activity. Access to any space used for gainful activity shall be from within the building. Retail sales shall be limited to members and guests only.
- 5.263 Any such use shall be located on a street having a pavement width of at least 30 feet, or shall be able to provide access without causing heavy traffic on local residential streets.
- 5.264 Applicants shall prove that such uses proposed to be located in R-Districts will serve primarily the residents of the surrounding neighborhood and that no other satisfactory location exists.

5.300 CONDITIONAL USES

5.310 General. Conditional Uses shall be allowed only in the districts where they are designated, and only upon a determination by the Borough Council that they comply with the standards and criteria set forth herein.

5.311 Additional Requirements. The Borough Council may, upon a review of the application including the environmental assessment, establish such additional requirements for the development and the operation of the conditional use as may be required to protect the public health, safety and general welfare of the community.

5.320 Administrative Procedures

5.321 Application. Application for a Conditional Use shall be made directly to the governing body. Applications shall be in accordance with Section 9.220 hereof and as otherwise specified herein. All such applications shall be referred to the Planning Commission for review; and, no such application shall be finally authorized until the Planning Commission has submitted its review findings, or until 30 days after referral to the Planning Commission, whichever occurs first.

5.322 Public Hearing. No Conditional Use shall be authorized without a public hearing thereon. Hearings shall be conducted pursuant to Section 8.140 hereof; provided, however, that such hearings shall be conducted by the Borough Council.

5.330 Standards and Criteria for Conditional Uses

5.331 General Criteria

- a. That the use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.
- b. That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
- c. That the use shall be compatible with adjoining development and the proposed character of the zone district where it is to be located.
- d. That adequate landscaping and screening is provided as required in Section 4.700 and as otherwise provided herein.
- e. That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.

- f. That the use conforms with all applicable regulations governing the district where located, except as may otherwise be determined for large-scale developments.
- g. That the use is compatible with the Borough's Master Plan.
- h. An environmental assessment shall be submitted with all applications for conditional uses in accordance with Section 5.340 hereof.

5.332 Standards

- a. Traffic. The proposed development shall not be located on a site where primary access to the site is from a minor street designed primarily to provide vehicular access to abutting properties. The development shall be designed in a manner which will not be injurious to the safe and convenient flow of vehicular traffic. A traffic plan, with estimates of the number of vehicles shall be submitted to the Borough.
- b. Performance Standards. The proposed development will comply with the performance standards specified in Article 6 hereof and such additional performance standards that shall be specified by the Borough Council to protect the health, safety and welfare of the Borough.
- c. Permits. There shall be provided evidence of all required State and Federal permits.
- d. Distance from Existing Development. No Conditional Use shall be nearer to existing development than 1,000 feet or such greater distance as may be required to assure the health, safety and welfare of the Community, or any lesser distance specified in this ordinance.
- e. Transfer of Products and Waste. Vehicles used in the transfer of waste shall be designed to preclude the accidental dumping of any part of such wastes while in transit; and, transportation routes shall be designed to minimize traversing densely populated areas except for waste pick-ups.

5.340 Environmental Assessment

5.341 General. All applications for a Conditional Use must be accompanied by an Environmental Assessment as specified herein; provided, however, that upon the request of the developer, components of the Environmental Assessment may be waived by the Borough Council when such components are deemed unnecessary for certain Conditional Uses.

5.342 Purpose. The purpose of the Environmental Assessment is to provide the Borough Council with sufficient information to determine if the proposed use will be harmful or beneficial to the Borough; and to determine corrective actions if needed to mitigate potential impacts.

5.343 Assurances: Due to the importance of securing professional, objective data in the Environmental Assessment, the selection of the professionals to be engaged in its preparation shall be subject to the approval of the Borough Council. The developer will further provide the Borough Council with assurances, adequate to protect the Borough from violations of non-compliance with measures required to mitigate identified adverse environmental impacts.

5.344 Content of the Environmental Assessment

a. Description of the Proposal

Describe the proposed or recommended actions, its purpose, where it is to be located, when it is proposed to take place, and its interrelationship with other projects or proposals, including information and technical data sufficient to permit assessment of environmental impact by the Borough.

b. Description of the Environment

Include a comprehensive description of the existing environment without the proposal and the probable future environment with the proposal. This description should focus both on the environmental details most likely to be affected by the proposal and on the broader regional aspects of the environment, including ecological interrelationships. Particular attention should be given to the potential effects of past or present use of the site as a repository for toxic or hazardous wastes.

c. The Environmental Impact of the Proposed Activities

Describe the environmental impacts of the proposed action. These impacts are defined as direct or indirect changes in the existing environment, both beneficial or detrimental. Whenever possible these impacts should be quantified. This discussion should include the impact not only upon the natural environment but upon land use as well. Provide separate discussion for such potential impacts as man-caused accidents and natural catastrophes and their probabilities and risks. Specific mention should also be made of unknown or partially understood impacts.

d. Mitigating Measures Included in the Proposed Action

Include a description of measures which are proposed to be taken or which are required to be taken to enhance, protect, or mitigate impacts upon the environment, including any associated research or monitoring.

e. Any Adverse Effects which Cannot be Avoided Should the Proposal be Implemented

Include a discussion of the unavoidable adverse impacts described in 5.344c and 5.344d, above, and an analysis of who or what will be affected and the degree of impact.

f. The Relationship Between Local Short-Term Use of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity

Describe the local short-term use of the environment involved in the proposed action in relation to its cumulative and long-term impacts and give special attention to its relationship to trends of similar actions which would significantly affect ecological interrelationships or pose long-term risk to health or safety. Short-term and long-term do not refer to any fixed time period, but should be viewed in terms of the various significant ecological and geophysical consequences of the proposed action.

g. Any Irreversible and Irretrievable Commitments of Resources Which Would be Involved in the Proposed Action Should it be Implemented

Describe, and quantify where possible, any irrevocable uses of resources, including such things as resource extraction, erosion, destruction of archaeological or historical sites, elimination of endangered species' habitat, and significant changes in land use.

h. Alternatives to the Proposed Action

Identify alternatives to the proposed action, and describe the environmental impacts, both beneficial and adverse, of the various alternatives considered.

5.345 Outline Considerations for Developing Environmental Assessment

a. Description of the Proposal

1. Who is proposing the action?
2. What is the nature of the action to be taken?
3. What is it designed to accomplish? What identified needs will be met and to what degree?
4. Where will it take place?
5. When will it take place? Indicate phasing of acquisition and development activities, if applicable, and timetables for completion.

6. How does it fit in with local planning efforts, comprehensive plans, etc.

b. Description of the Environment

1. Present and past land uses of the site and of the surrounding area.
2. Special topographic features which may be present.
3. Describe the site's surface and subsurface geologic characteristics.
4. Describe the nature of the soils in the area, particularly their fertility and susceptibility to erosion.
5. Describe the area's water resources, with specific reference to ground water, water quality, aquifers and aquifer recharge areas, and areas subject to flooding.
6. Describe the area's vegetation, including species composition, distribution, commercial utility and aesthetics. Special reference should be made to unusual or unique species.
7. Describe the nature of existing transportation routes in the immediate area and the accessibility to the project site.

c. Environmental Impact of the Proposed Action

1. What will be the effect on land uses in the area?
2. Will the project affect a site listed on the National Register of Historic Places?
3. In what way will soils and topography be affected? Consider such things as soil compaction, erosion, exposure of slopes, excavation which may create unstable slope/soil configurations, cutting and filling, removal of topsoil, paving, loss of existing natural landscape qualities, blockage of viewlines to landmarks, blockage of view corridors, etc.
4. Will solid wastes be generated? How and where will they be disposed of? Indicate what types and volumes will be generated and how and where it will be stored prior to disposal and method of disposal. Discuss removal of clearance, demolition, and construction wastes.
5. How will water resources be affected? Consider the water table, runoff, sewer systems, rivers and streams, water supply, etc. Indicate content of any effluent which will be discharged. Address loss of floodwater absorption capacity in natural absorption areas, effects on stream volume, velocity, and seasonal flows, diversion or blockage of surface water, alterations of natural watercourses, introduction of

increase of effluents or toxic, hazardous, or radioactive substances to runoff or water bodies, effects on aquatic life, any blockage or impairment of access to watercourses, effects on groundwater recharge, release of groundwater supply, withdrawal of groundwater supplies, blockage of groundwater flow, contamination of groundwater supply, effect on water temperatures, sedimentation, changes in levels of water bodies.

6. How will vegetation be affected? Discuss the removal of ground cover, loss of valuable local species, loss of wildlife habitat, introduction of vegetation which will spread to adjacent lands, introduction of exotic vegetation, creation of areas of highly visible, drying, or decaying vegetation.
7. How will fauna be affected? Consider habitat destruction, reduction of population, impact caused by human intrusion, mobility restrictions, food chains, etc.
8. How will transportation routes be affected? Consider congestion, hazards, capacities of affected roads and intersections and traffic to be generated, generation of truck traffic.
9. Effect on air quality and ambient noise level? Include what odors will originate; types and concentrations of gases, vapors, particulates, and smoke; noise and vibration levels at property lines and the level of heat and/or glare. Indicate levels of electromagnetic radiation at property lines. Indicate effects on local temperatures and wind circulation and whether there are any plants, animals, or materials in the area that are particularly susceptible to expected emissions. Indicate the nature, concentration and quantity of radioactive material to be discharged to the environment, pathways for entering the environment, dose to populations and biota, and possible concentrations through food chains.
10. Describe management practices proposed for the area.

d. Mitigating Measures Included in the Proposed Action

Describe actions or measures which will be taken to avoid or alleviate adverse environmental effects. Include reference to erosion control methods and adherence to air, noise or water pollution control techniques and standards.

e. Unavoidable Adverse Effects

If adverse effects have been identified under other sections of the Environmental Impact Study and cannot be mitigated, they should be again identified here. Describe who or what will be affected, and to what degree. Quantify wherever possible.

f. Relationship Between the Local Short-Term Use of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity

What are the impacts of the proposal in the context of other similar projects? In what way will future generations be affected by the currently proposed actions?

How do the immediate and long-range impacts on the area with the project compare with the immediate and long-range impacts without the project?

g. Any Irreversible and Irretrievable Commitments of Resources

Describe any irrevocable commitments of resources resulting from implementation of the proposal. An evaluation must be made of the extent to which the proposed action curtails or restricts the range of possible resources uses. Such commitments may occur because of resources extraction, erosion, destruction of archaeological, geological or historic features, destruction of fragile habitat or endangered species habitat, unalterable changes in land use, and resources used in project development.

h. Alternatives to the Proposed Action

Identify alternatives which may be considered, including modification of the present proposal and different approaches to gaining the same result.

The beneficial and adverse effects of the alternatives should be discussed, along with the reasons for rejection. where appropriate, consideration should be given to alternate construction methods which may avoid environmental degradation.

5.400 RESIDENTIAL AND RESIDENTIAL-RELATED COMMERCIAL USES

5.410 Two-Family and Multi-Family Dwellings

5.411 All two-family, townhouse and other multi-family development sites shall be provided with an existing or approved public and/or community type water supply and sanitary sewer system, approved by appropriate local and State health authorities having jurisdiction. Excepted from this regulation is the development of a two-family dwelling on an individual zone lot.

5.412 Minimum Lot Area, Coverage and Yard Requirements

a. Two Family Dwellings. The minimum lot area per dwelling unit shall be as specified in Article 3 hereof for the zone district where situated. Minimum frontage, depth, yards, and maximum coverage shall be as specified for the zone district where situated.

b. Multi-Family Dwellings

- (1) Minimum Lot Size. Garden apartment, townhouse, or other multi-family developments shall not be erected on a zone lot of less than 40,000 sq. ft.. The minimum width of such a lot shall not be less than 150 feet at the front property line.
 - (2) Yards. The following yard requirements shall not apply to townhouses, or to 2-family dwellings on individual lots.
 - (a) Front Yard: no structure shall be located nearer to a front street property line than fifty (50) feet.
 - (b) Rear Yard: no structure shall be located nearer to a rear property line than fifty (50) feet.
 - (c) Side Yard: no structure shall be located nearer to a side property line than thirty (30) feet.
 - (d) A building wall exposing both windows and an entrance way shall be located not closer to another building than a distance equal to the height of the taller building of the two, but in no case less than fifty (50) feet.
 - (e) A building wall exposing only windows or only an entrance way shall be located no closer to another building than a distance equal to the height of the taller building of the two, but in no case less than twenty-five (25) feet.
- 5.413 Maximum Number of Dwelling Units. Garden apartments and townhouses shall not exceed eight (8) dwelling units per structure.
- 5.414 Permanent Open Space. In addition to the yard, setback, and off-street parking requirements of this Ordinance, there shall be provided a minimum of 10 percent of the gross area of the site to be permanently set aside for a usable open recreation area, which shall be for the common use of the residents thereof.
- 5.415 Off-Street Parking. Provision for off-street parking shall be as required in Section 5.700.
- 5.416 Approval of Site Plan. The plans for any proposed two-family, or multi-family development other than a two-family dwelling structure on a single lot shall require the approval of the Zoning Hearing Board.

5.420 Motels, Motor Courts, Motor Hotels and Similar Uses

- 5.421 Such uses shall have a minimum area for each unit of occupancy of 150 square feet and shall include a minimum of one (1) bedroom and an enclosed bathroom containing a bathtub or shower, commode and lavatory and be supplied with hot and cold running water.
- 5.422 Illuminated signs and other lights shall be directed away from or shielded from adjoining residential properties in such a way as not to disturb the occupants thereof.
- 5.423 Such uses shall not be closer than two hundred (200) feet to an R-District, shall be located on a major public street, and shall provide ingress and egress so as to minimize traffic congestion.

5.424 Site Development Standards

- a. A site development plan shall accompany each application and shall show: building placement, parking, vehicular safety control features, specific landscaping components, and the size and location of signage.
- b. Lot size shall be not less than two (2) acres.
- c. Lot width shall be not less than two hundred and fifty (250) feet.
- d. Surface drainage shall be such that will not subject adjoining properties or streets to damage. A stormwater management plan and a soil erosion and sedimentation control plan shall be designed to control runoff for a ten (10) year storm, and shall be in accordance with Act 167 of 1978. Such plans shall be accompanied by evidence of approval by appropriate agencies and authorities.
- e. An architectural rendering showing the appearance of the facade(s) of the structure(s) visible from the highway which it faces must be submitted along with the site development plan.

5.430 Manufactured Housing

Manufactured housing, other than recreation vehicles, which are not placed on a permanent foundation, shall be permitted only in mobile home parks.

5.440 Conversions, Year-Round Dwellings. Conversion of a single-family residence to a two-family residence shall be permitted only in an R-2 district provided that:

- a. The minimum lot area per dwelling shall be as required for the zone district where the zone lot to be converted shall be located.

- b. Where such conversion is undertaken there shall be provided on the same zone lot not less than two (2) additional off-street parking spaces in accordance with the provisions of Section 5.700 hereof.
- c. Such structure shall contain not less than 1,700 square feet of living space and no dwelling unit therein shall contain less than 850 square feet of living space.
- d. There shall be no structural alteration to the exterior so it would appear as other than a single-family structure.

5.450 Conversion of Non-Dwelling Structures. Non-dwelling structures may be converted to other non-dwelling structures which shall be of equal or greater restrictiveness than the use being converted. No non-dwelling structure having plate glass windows shall, however, be converted to a residential use unless such windows are removed from the structure; and, no such building which has already been converted shall be further converted to provide for additional dwelling units unless the plate glass windows are removed.

- 5.451 Vacant structures in a C-1 zone may be converted to residential use in accordance with the following requirements.
- a. Nonresidential structures may be converted to dwelling structures which may contain not more than 4 dwelling units.
 - b. For each dwelling unit to be created, such conversions shall further comply with the requirements of Section 5.440b. and 5.440c., hereof.

5.460 Home Occupations

Permitted home occupations operated in any dwelling unit may be operated only if it complies with all of the following conditions:

- 5.461 Where Permitted. Within a single dwelling unit, and only by the person or persons maintaining a dwelling therein and not more than two (2) additional persons shall be employed in the home occupation; provided, however, that the total number of persons employed in the home occupation shall not exceed four (4) regardless of their place of residence. Such restrictions on the number of employees shall apply to all home occupations, except as otherwise provided herein.
- 5.462 Evidence of Use. Does not display or create outside the building any evidence of the home occupation, except that one (1) unanimated, non-illuminated sign having an area of not more than two (2) square feet shall be permitted on each street front of the zone lot on which the building is situated.
- 5.463 Extent of Use. Does not include more than one (1) home occupation; and does not utilize more than twenty (20%) percent of the gross floor area of the dwelling unit (except foster family care), and except that professional offices may utilize not more than fifty (50%) percent of the gross floor area of the dwelling unit.
- 5.464 Permitted Uses. Includes not more than one (1) of the following uses:
- a. Professional offices in accordance with provisions of Section 5.700 for off-street

- b. Rooming and/or boarding of not more than two (2) unrelated persons. Adequate off-street parking shall be provided pursuant to Section 5.710 hereof.
- c. Custom dressmaking, tailoring, millinery.
- d. Foster family care (for not more than four (4) children simultaneously).
- e. Commercial photography and other similar uses, excluding studios for individual and group portraits.
- f. Barber shop and beauty parlor with not more than 1 non-resident employee. Adequate off-street parking shall be provided pursuant to Section 5.710 hereof.
- g. Tutoring for not more than four (4) students simultaneously. Provided that the sound produced is not audible at any property line. It is clearly incidental and secondary to the use of the dwelling unit for residential purposes.
- h. Licensed family day care homes for not more than 6 non-resident children. No non-resident employees shall be permitted.
- i. Antique repair and refinishing, catering, mail order, quilting, taxidermy service, T.V. repairs, upholstering, and other similar uses, subject to interpretation by the Zoning Hearing Board regarding their similarity to uses enumerated herein. Determination by the Zoning Hearing Board shall be based on all of the following criteria in addition to the regulations set forth in Section 5.461, 5.462 and 5.463 hereof.
 - (1) Such uses will not have an adverse affect on the residential neighborhood where they are to be located.
 - (2) Such uses shall be similar in character to the specified permitted home occupations.
 - (3) Such uses shall be limited to service and craft-types of uses. Retail sales shall be limited to products crafted or assembled on the premises.
 - (4) Certain types of uses are specifically prohibited. Such prohibited uses include:
 - (a) Retail sales of products not crafted or assembled on the premises, except when incidental to a permitted service use.
 - (b) Automobile repairs, machine shops, machine repairs, and other similar uses.
 - (c) Manufacture of products from raw materials, except ceramics and similar artistic activities.