

ARTICLE III

ZONE REGULATIONS

SECTION 301 ZONES AND BOUNDARIES

A. **Establishment of zones.** The Borough of Dallastown is divided into six zones enumerated below and shown on the map entitled "Zoning Map of Dallastown Borough."

R-O	Residential-Outlying Zone
R-T	Residential-Town Zone
C-S	Commercial-Shopping Zone
C-H	Commercial-Heavy and Highway Zone
I-G	Industrial-General Zone
S	Slope Zone

B. **Boundaries of zones.** Where uncertainty exists as to the boundaries of the zones as shown on the zoning map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways or alleys shall be construed to follow such center lines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following municipal limits shall be construed as following municipal limits.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as following utility lines or rights-of-way shall be construed to be centered upon such lines or rights-of-way.
6. Boundaries indicated as approximately following the center lines of streams or other bodies of water shall be construed to follow such center lines.
7. Boundaries indicated as parallel to or extensions of features indicated in Subsection B1 through B5 shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
8. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map or in circumstances not covered by Subsection B1 through B7, the Zoning Hearing Board shall interpret the district boundaries.

C. **Lots split by boundaries of zones.** If a lot is split by a zoning boundary, the minimum lot area and lot width for the zone in which the principal building, structure or use is to be located shall be applicable to the entire lot.

SECTION 302 USE REGULATIONS

- A. **Uses permitted.** The uses permitted in the zones established by this chapter and the permitted extent of these uses are as shown in SECTION 303 through SECTION 308. The uses shown as permitted in each zone are the only uses permitted in that zone. Unless otherwise noted, the use or dimensional standards are the requirements for each use. However:
1. Additional general provisions are set forth in ARTICLE IV.
 2. Modifications to the use or dimensional requirements are set forth in ARTICLE IV.
 3. Standards for special exception uses are set forth in ARTICLE VI.
- B. **All other uses.** Any use not specifically allowed elsewhere in this chapter shall be allowed by special exception in the zone or zones where, and to the extent that, similar uses are permitted or allowed by special exception, provided that said use meets the requirements for a special exception and does not constitute a public or private nuisance.
- C. **Accessory uses and structures.** Accessory uses and structures shall be permitted in conjunction with the principal uses permitted by this chapter and shall be further subject to the requirements for accessory uses and structures as set forth in SECTION 401.
- D. **Uses with nuisance effect.** In no case is a use permitted which by reason of noise, dust, odor, appearance or other objectionable factor creates a nuisance, hazard or other substantial adverse effect upon the reasonable enjoyment of the surrounding property unless otherwise allowed by law, as in the case of Agricultural Security Areas.

SECTION 303 RESIDENTIAL – OUTLYING ZONE (R-O)

- A. **Purpose.** The residential zones are primarily for people to live in. The Residential-Outlying Zone's purpose is to provide for the orderly expansion of residential development; to provide for the public health and to prevent the overcrowding of land through the application of maximum housing densities in areas surrounding the denser central zones of the borough to provide standards which will encourage the installation of public facilities and the preservation of open space; to provide for uses which support or do not adversely impact neighboring residences; to exclude any activities not compatible with residential development; to provide for the public convenience and avoid undue congestion on the roads; and to otherwise create conditions conducive to carrying out the purposes of this chapter.
- B. **Uses by right.** The following uses, limited to one (1) principal use per lot, are permitted by right in the R-O Zone:
1. Crops and gardening.
 2. Group home.
 3. House of worship.
 4. Single-family detached dwelling.
 5. Two-family detached dwelling. No conversion from a single-family dwelling shall be permitted.
- C. **Uses by special exception.** The following uses, limited to one (1) principal use per lot, shall be permitted as special exceptions in the R-O Zone when authorized by the Zoning Hearing Board. The Zoning Hearing Board shall hear and decide requests for such uses according to criteria established in ARTICLE VI of this Ordinance.
1. Bed-and-breakfast inn.
 2. Cemetery.
 3. Club room, club grounds, meeting hall.
 4. Convalescent home, nursing home or hospital.
 5. Day-care center (child or adult) or nursery school.
 6. Day-care home (family or group).
 7. Domiciliary care home.
 8. Funeral home.
 9. Home occupation.
 10. Medical clinic.
 11. Mobile home park.
 12. Multifamily dwelling. No conversion from a single-family dwelling shall be permitted.
 13. Nonconformity, expansion of.
 14. Outdoor commercial establishment.
 15. Park or other recreation area of a nonprofit nature.
 16. Public buildings and facilities.
 17. Public utility building or service.

D. **Lot area and width.** Lot area and lot width not less than the following dimensions shall be provided for each principal use hereafter established in the R-O Zone:

1. Minimum lot area: 10,000 square feet. (See Subsection I below.)
2. Minimum lot width: 80 feet. (See Subsection I below.)

E. **Setbacks.** Each lot shall provide front, side and rear setbacks not less than the following:

1. Front setback: 25 feet.
2. Each side setback: 10 feet.
3. Rear setback: 30 feet.
4. Accessory buildings: Rear setback- 10 feet; side setbacks- a combined total of 8 feet, but no less than 3 feet for each.

F. **Building height.** The height limit for a principal building or structure shall be 2½ stories, but not over 30 feet. The height limit for an accessory building or structure shall be two stories, but not over 25 feet.

G. **Open area.** Not less than 55% of the lot area shall be devoted to open area, as defined in this chapter.

H. **Lot coverage.** Not more than 45% of the lot area may be covered with an impervious surface, e.g., driveways, parking areas, walkways, buildings and structures.

I. **Sewer and water.** Each principal use shall be provided with public water service. If public sewer service is available to the parcel for which development is proposed and adequate capacity exists to serve the proposed use, public sewer service must be utilized. In any circumstance where public sewer service is not available to a principal use allowed in the R-O Zone, on-lot sewage disposal is permitted only when approved by the Pennsylvania Department of Environmental Protection and when the following minimum lot area and minimum lot width are provided:

Public Water Service, No Public Sewer Service		
	Minimum Lot Area	Minimum Lot Width
Single Family Detached and Two Family Detached Dwellings	30,000 sq.ft./per dwelling unit	100 ft./per dwelling unit
All Other Uses	30,000 sq.ft.	100 ft.

SECTION 304 RESIDENTIAL – TOWN ZONE (R-T)

- A. **Purpose.** The purpose of the Residential-Town Zone is to improve and encourage the orderly development and preservation of a variety of housing types compatible with existing dwellings in established, medium-density residential areas of the community by providing public facilities necessary for the health, welfare and general convenience of the population; to prevent overcrowding of the land through application of maximum housing densities; to preserve public open space; and to exclude any activities not compatible with the residential environment.
- B. **Uses by right.** The following uses, limited to one (1) principal use per lot, are permitted by right in the R-T Zone:
1. Crops and gardening.
 2. Group home.
 3. House of worship.
 4. Single-family detached dwelling.
 5. Single-family semidetached dwelling.
 6. Two-family detached dwelling.
- No conversion from a single-family dwelling shall be permitted.
- C. **Uses by special exception.** The following uses, limited to one (1) principal use per lot, shall be permitted as special exceptions in the R-T Zone when authorized by the Zoning Hearing Board. The Zoning Hearing Board shall hear and decide requests for such uses according to criteria established in ARTICLE VI of this Ordinance.
1. Bed-and-breakfast, inn.
 2. Club room, club grounds, meeting hall.
 3. Convalescent home, nursing home or hospital.
 4. Day-care center (child or adult) or nursery school.
 5. Day-care home (family or group).
 6. Domiciliary care home.
 7. Funeral home.
 8. Home occupation.
 9. Medical clinic.
 10. Multifamily dwelling.
- No conversion from a single-family dwelling shall be permitted.
11. Nonconformity, expansion of.
 12. Park or other recreation of a nonprofit nature.
 13. Personal care boarding home.
 14. Public buildings and facilities.
 15. Public or semipublic parking lot or building.
 16. Public utility building or service structure.
 17. Rooming house.
 18. Single-family attached dwelling.

- D. **Lot area and width.** Lot area and lot width not less than the following dimensions shall be provided for each principal use hereafter established in the R-T Zone:
1. Minimum lot area: 6,000 square feet.
 2. Minimum lot width: 60 feet.
- E. **Setbacks.** Each lot shall provide front, side and rear setbacks not less than the following:
1. Front setback: 15 feet.
 2. Each side setback: Single-family detached dwellings- 5 feet; all other uses- 10 feet. Semi-detached and attached dwellings shall be considered as one building for this purpose.
 3. Rear setback: 20 feet.
 4. Accessory buildings: Rear setbacks- 10 feet; side setback- a combined total of 8 feet, but no less than 3 feet for each.
- F. **Building height.** The height limit for a principal building or structure shall be 2½ stories, but not over 30 feet, except that the height limit may be extended to 3½ stories but not over 40 feet if each yard is increased one (1) foot in width for each additional foot of height over 30 feet. The height limit for an accessory building or structure shall be 2 stories, but not over 25 feet.
- G. **Open area.** Not less than 40% of the lot area shall be devoted to open area, as defined in this chapter, except that lots with a width of 40 feet or less may decrease the required open area to not less than 30%.
- H. **Lot coverage.** Not more than 60% of the lot area may be covered with an impervious surface, e.g., driveways, parking areas, walkways, buildings and structures, except as provided in Subsection G above.
- I. **Sewer and water.** Each principal use shall be connected to public water and public sewer service.

SECTION 305 COMMERCIAL – SHOPPING ZONE (C-S)

- A. **Purpose.** The purpose of the Commercial – Shopping Zone is to provide reasonable standards for the development of commercial uses which serve the day-to-day shopping needs of the residents as well as those establishments which cater to the motoring public. The standards of the C-S Zone are designed to encourage neighborhood shopping areas and provide for a community shopping center where needed.
- B. **Uses by right.** The following uses, limited to one (1) principal use per lot, except as otherwise provided in Subsection J below, are permitted by right in the C-S Zone:
1. Crops and gardening.
 2. Day-care center (child or adult) or nursery school.
 3. Financial institution, e.g., bank, savings and loan.
 4. Funeral home.
 5. House of worship.
 6. Laundry or laundromat (self-service).
 7. Personal service business.
 8. Professional or business office.
 9. Restaurant.
 10. Retail store or shop.
 11. Small processing establishment, i.e., with 2,000 sq.ft. or less of gross ground floor area (e.g., an optician.)
- C. **Uses by special exception.** The following uses, limited to one (1) principal per lot, except as otherwise provided in Subsection J below, shall be permitted as special exceptions in the C-S Zone when authorized by the Zoning Hearing Board. The Zoning Hearing Board shall hear and decide requests for such uses according to criteria established in ARTICLE VI of this Ordinance.
1. Apartment in conjunction with a commercial establishment.
 2. Club room, club grounds or meeting hall.
 3. Commercial parking lot or building.
 4. Commercial school.
 5. Convalescent home, nursing home or hospital.
 6. Group quarters.
 7. Halfway house.
 8. Home occupation.
 9. Indoor commercial recreation establishment, e.g., billiard rooms, bowling alley or video arcade.
 10. Medical clinic.
 11. Motel or hotel.
 12. Nonconformity, expansion of.
 13. Outdoor commercial recreational establishment.
 14. Personal care boarding home.
 15. Public building and facilities.
 16. Public or semipublic parking lot or building.
 17. Public utility building or service structure.

18. Rooming house.
19. Service station or convenience store dispensing fuel.
20. Shopping center, shopping mall or shopping plaza.
21. Tavern.

D. **Lot area and width.** Lot area and lot width not less than the following dimensions shall be provided for each principal use hereafter established in the C-S Zone:

1. Minimum lot area: 8,000 square feet.
2. Minimum lot width: 80 feet.

E. **Setbacks.** Each lot shall provide front, side and rear setbacks not less than the following:

1. Front setback: 15 feet.
2. Each side setback: 10 feet.
3. Rear setback: 20 feet.
4. Accessory buildings: Rear setback- 10 feet; side setbacks- a combined total of 8 feet, but no less than 3 feet for each.

F. **Building height.** The height limit for a principal building or structure shall be 2½ stories, but not more than 30 feet. The height limit for an accessory building or structure shall be two stories, but not over 25 feet.

G. **Open area.** Not less than 10% of the lot area shall be devoted to open area, as defined in this Ordinance.

H. **Lot coverage.** Not more than 90% of the lot area maybe covered with an impervious surface, e.g., driveways, parking areas, walkways, buildings and structures.

I. **Sewer and water.** Each principal use shall be connected to public water and public sewer service.

J. Two (2) uses which are permitted in the C-S Zone are permitted per lot provided that the regulations established in this Ordinance for each individual use are satisfied; for example, parking and special exception provisions. The principal building itself, however, shall be considered as a unit for purposes of lot area, lot width and setback requirements; such provisions shall not be cumulative for the individual uses established.

SECTION 306 COMMERCIAL – HEAVY AND HIGHWAY ZONE(C-H)

- A. **Purpose.** The purpose of the Commercial – Heavy and Highway Zone is to provide an area for heavy, intense commercial uses. This district and its standards are designed to locate more intense commercial development along major thoroughfares, to minimize traffic congestion and to provide buffer yards, screen plantings and other such protection where necessary to separate residential from commercial areas.
- B. **Uses by right.** The following uses, limited to one (1) principal use per lot, except as in Subsection J below, are permitted by right in the C-H Zone:
1. Crops and gardening.
 2. Laundry or laundromat (self-service).
 3. Large processing establishment, i.e., with over 2,000 square feet of gross ground floor area (e.g., industrial laundry, large appliance or equipment repair shop).
 4. Motel or hotel.
 5. Professional or business office.
 6. Restaurant.
- C. **Uses by special exception.** The following uses, limited to one (1) principal use per lot, except as otherwise provided in Subsection J below, shall be permitted as special exceptions in the C-H Zone when authorized by the Zoning Hearing Board. The Zoning Hearing Board shall hear and decide the requests for such uses according to criteria established in ARTICLE V of this Ordinance.
1. Adult-oriented facility.
 2. Animal hospital or kennel.
 3. Automobile, recreational vehicle and/or trailer sales, automobile body shop and/or automobile garage.
 4. Automobile washing facility.
 5. Building material sales.
 6. Club room, club grounds or meeting hall.
 7. Commercial parking lot or building.
 8. Drive-in business.
 9. Home occupation.
 10. Indoor commercial recreation establishment, e.g, billiard room, bowling alley or video arcade.
 11. Mobile home sales lot.
 12. Nonconformity, expansion of.
 13. Public or semipublic parking lot or building.
 14. Public utility building or service structure.
 15. Service station or convenience store dispensing fuel.
 16. Shopping center, shopping mall or shopping plaza.

- D. **Lot area and width.** Lot area and lot width not less than the following dimensions shall be provided for each principal use hereafter established in the C-H Zone:
1. Minimum lot area: 12,000 square feet.
 2. Minimum lot width: 100 feet.
- E. **Setbacks.** Each lot shall provide front, side and rear setbacks not less than the following:
1. Front setback: 25 feet.
 2. Each side setback: 20 feet.
 3. Rear setback: 10 feet.
- F. **Building height.** The height limit for a principal building or structure shall be 2½ stories, but not over 30 feet, except that the height limit may be extended to 3½ stories but not over 40 feet if each yard is increased in width one (1) foot for each additional foot of height over 30 feet. The height limit for an accessory building or structure shall be 2 stories, but not over 25 feet.
- G. **Open area.** Not less than 20% of the lot area shall be devoted to open area, as defined in this Ordinance.
- H. **Lot coverage.** Not more than 80% of the lot area may be covered with an impervious surface, e.g., driveways, parking areas, walkways, buildings and structures.
- I. **Sewer and water.** Each principal use shall be connected to public sewer and public water service.
- J. Two (2) uses which are permitted in the C-H Zone are permitted per lot provided that the regulations established in this Ordinance for each individual use are satisfied; for example, parking and special exception provisions. The principal building itself, however, shall be considered as a unit for purposes of lot area, lot width and setback requirements; such provisions shall not be cumulative for the individual uses established.

SECTION 307 INDUSTRIAL – GENERAL ZONE (I-G)

- A. **Purpose.** The purpose of the Industrial – General Zone is to permit and encourage industrial development that will be so located and designed as to constitute a harmonious and appropriate development, contribute to the soundness of the economic base of the borough and otherwise further the purposes of this chapter. The specific intent of the I-G Zone is to establish reasonable standards for buildings and other structures, for lot areas and dimensions of yards and for the provision of facilities and operation of industries to minimize air pollution, noise, glare, heat, vibration and fire and safety hazards and, furthermore, to prohibit any use which would substantially interfere with the development, continuation or expansion of industrial uses in the I-G Zone. Further, through these regulations, such uses should be located and buffered so as to minimize the negative effects on surrounding residential and commercial uses.
- B. **Uses by right.** The following uses, limited to one (1) principal use per lot, except as in Subsection J below, are permitted by right in the I-G Zone:
1. Automobile washing facility.
 2. Business or professional office.
 3. Contractor's office or shop.
 4. Crops and gardening.
 5. Greenhouse or horticultural nursery.
 6. Industrial activities.
 7. Large enclosed processing establishment, i.e., with over 2,000 square feet of gross ground floor area (e.g., industrial laundry, large appliance or equipment repair shop).
 8. Research laboratory.
- C. **Uses by special exception.** The following uses, limited to one (1) principal use per lot, except as otherwise provided in Subsection J below, shall be permitted as special exceptions in the I-G Zone when authorized by the Zoning Hearing Board. The Zoning Hearing Board shall hear and decide requests for such uses according to criteria established in ARTICLE VI of this Ordinance.
1. Animal hospital or kennel.
 2. Automobile dismantling plant or junkyard.
 3. Commercial parking lot or building.
 4. Heavy storage sales and/or service, e.g., warehouse or building material yard.
 5. Industrial park.
 6. Mini-storage facility.
 7. Nonconformity, expansion of.
 8. Public or semipublic parking lot or building.
 9. Public utility building or service structure.
 10. Solid waste processing facility.
 11. Truck or motor freight terminal.
 12. Auto body shop, provided that, in addition to any and all other criteria to be established for such use, the terms and conditions of SECTION 605 for and about auto body shops must be fulfilled, and the owner or applicant must show to the Zoning Hearing Board

that all required permits, licenses and approvals under or for all applicable state and federal pollution laws have been obtained for such use.

- D. **Lot area and width.** Lot area and lot width not less than the following dimensions shall be provided for each principal use hereafter established in the I-G Zone:
1. Minimum lot area: 15,000 square feet.
 2. Minimum lot width: 100 feet.
- E. **Setbacks.** Each lot shall provide front, side and rear setbacks not less than the following:
1. Front setback: 30 feet.
 2. Each side setback: 20 feet.
 3. Rear setback: 30 feet.
- F. **Building height.** The height limit for a principal building or structure shall be 3 stories, but not more than 35 feet. The height limit for an accessory building or structure shall be 2 stories, but not over 25 feet.
- G. **Open area.** Not less than 10% of the lot area shall be devoted to open area, as defined in this chapter.
- H. **Lot coverage.** Not more than 90% of the lot area may be covered with an impervious surface, e.g., driveways, parking areas, walkways, buildings and structures.
- I. **Sewer and water.** Each principal use shall be connected to public sewer and public water service.
- J. Two (2) uses which are permitted in the I-G Zone are permitted per lot provided that the regulations established in this Ordinance for each individual use are satisfied; for example, parking and special exception provisions. The principal building itself, however, shall be considered as a unit for purposes of lot area, lot width and setback requirements; such provisions shall not be cumulative for the individual uses established.

SECTION 308 SLOPE ZONE (S)

- A. **Purpose.** The purpose of the Slope Zone is to designate those areas where, because of natural geographic factors, it is desirable to conserve open spaces and streams or drainage courses. The land in the S Zone is predominantly steeply sloping and any development permitted in this area should take natural features into account.
- B. **Uses by right.** The following uses, limited to one (1) principal use per lot, are permitted by right in the S Zone:
1. Agriculture.
 2. Crops and gardening.
 3. Farm.
 4. Group home.
 5. House of worship.
 6. Livestock.
 7. Park or other recreation area of a nonprofit nature.
 8. Public buildings and facilities.
 9. Single-family detached dwelling.
 10. Two-family detached dwelling.
- No conversion from a single-family dwelling shall be permitted.
- C. **Uses by special exception.** The following uses, limited to one (1) principal use per lot, shall be permitted as special exceptions when authorized by the Zoning Hearing Board. The Zoning Hearing Board shall hear and decide requests for such uses according to criteria established in ARTICLES V and VI of this Ordinance.
1. Animal hospital or kennel.
 2. Cemetery.
 3. Greenhouse or horticultural nursery.
 4. Nonconformity, expansion of.
 5. Outdoor commercial recreation establishment.
 6. Park or other recreation area of a nonprofit nature.
 7. Public utility building or service structure.
- D. **Lot area and width.** Lot area and lot width not less than the following dimensions shall be provided for each principal use hereafter established in S Zone:
1. Minimum lot area: one (1) acre.
 2. Minimum lot width: 150 feet.
- E. **Setbacks.** Each lot shall provide front, side and rear setbacks not less than the following:
1. Front setback: 50 feet.
 2. Each side setback: 50 feet.
 3. Rear setback: 50 feet.

- F. **Building height.** The height limit for all buildings and structures shall be 2 stories but not more than 25 feet, except in the case of farm buildings and structures, in which case there is no height limitation.
- G. **Open area.** Not less than 65% of the lot area shall be devoted to open area, as defined in this Ordinance.
- H. **Lot coverage.** Not more than 35% of the lot area may be covered with an impervious surface, e.g., driveways, parking areas, walkways, buildings and structures.
- I. **Sewer and water.** Each principal use shall be provided with public sewer and public water service if such services are available to the parcel for which development is proposed and adequate capacity exists to serve the proposed use. In any circumstance where public sewer and/or water service is not available to a principal use in the Slope Zone, on-lot systems approved by the Department of Environmental Protection shall be utilized.