

**ARTICLE 3**

**ESTABLISHMENT OF ZONING DISTRICTS**

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**Section 300 Zoning Districts**

A. The Borough of Freeport is hereby divided into the following zoning districts:

- TR** Town Residential District
- SR** Suburban Residential District
- MR** Multi-Family Residential District
- CBD** Central Business District
- RMU** Riverfront Mixed Use District
- CT** Commercial Transition District
- HC** Highway Commercial District
- IN** Industrial District
- REC** Recreation District

B. In addition to the conventional zoning districts established by this Ordinance, the following overlay district is hereby created:

- SS** Steep Slope Overlay District

C. The district and overlay district boundaries are shown on the Official Zoning Map.

**Section 301 Zoning Map**

The Official Zoning Map adopted in conjunction with this Ordinance is hereby established as the Official Zoning Map and Zoning Districts (hereinafter “Official Zoning Map” or “Zoning Map”) of Freeport Borough, Pennsylvania. The Official Zoning Map designates the respective zoning districts in accordance with this Ordinance.

**Section 302 Interpretation of Zoning District Boundaries**

A. In determining the boundaries of districts, and establishing the provisions applicable to each district, due and careful consideration has been given to existing conditions, the character of buildings erected in each district, the most

desirable use for which the land in each district may be adapted, and the conservation of property values throughout the Borough.

- B. Wherever any uncertainty exists as to the boundary of a district as delineated on the zoning map, the following rules shall govern:
1. Where a zoning district boundary line is shown as following a street, alley, or utility right-of-way, or watercourse, it shall be construed as following the center line of the right-of-way or watercourse.
  2. Where a zoning district boundary line appears to follow or approximately coincide with a lot or property ownership line, it shall be construed as following such line.
  3. Where a public street or alley is officially vacated, the zoning designation applicable to abutting property on each side of the center line shall apply up to the center line of such street or alley.
  4. All property lines shown on the Official Zoning Map shall be construed to be those property lines and dimensions described in the proper deeds of record for the subject property.
  5. Where district boundary lines divide a lot, the more restrictive district regulations shall apply.
  6. In the case of further uncertainty, the Zoning Hearing Board shall interpret the intent of the Zoning Map as to the location of the district line in question.

### **Section 303 Permitted Land Uses**

- A. The list of land uses and supplemental regulations contained in the Permitted Land Use Table are incorporated in this section and are adopted as the basic land use regulations for the Borough. Table 303.01, which may be generally referred to as the "Land Use Table," identifies the types of land uses that are permitted within the Borough. Any land use not listed in the Permitted Land Use Table is not permitted in the Borough.
- B. To determine the zoning district(s) in which a particular land use is allowed, find the land use in the list of uses along the left-hand side of the Land Use Table and read across the use row to find the district column designations.
- C. Legend:
- P..... Use is permitted by right in a specified district.
  - A..... Use is permitted as an accessory use in a specified district.
  - C ..... Use is allowed as a conditional use in a specified district.

SE.....Use is allowed as a special exception in a specified district.

- D. The land uses listed in the Land Use Table are defined in Article 2, Definitions of this Ordinance.
- E. The supplemental regulations indicated in the right-hand column of the Land Use Table are detailed in Section 304.

**Table 303.01 Land Use Table**

Land Use	TR	SR	MR	CBD	RMU	CT	HC	IN	REC	Supplemental Regulations
Amphitheater									P	
Animal Grooming Service				P			P			
Animal Shelter						P	P			
Appliance Repair				P		P	P			1
Appliance Sales				P			P			
Art Gallery				P	P		P			
Assisted Living Facility							SE			
Athletic Field									P	
Automobile Sales / Rentals							P			
Automotive / Boat Repair							P	P		1
Automotive Paint Shop							P	P		1
Automotive Supply							P			
Automotive Tire Repair / Sales							P			1
Bakery, Retail				P	P					
Bakery, Wholesale							P	P		
Bar				P	P					
Bed and Breakfast Inn	SE	SE	SE	P	P					2
Beer Distributor				P	P	P	P			
Boarding House				SE						
Boat Slip					C					
Building Materials							P	P		
Carnival, Circus, Fairground, Amusement Entertainment (Temporary)							C	C		
Carport	A	A	A			A	A	A		
Carwash / Detailing							P			
Cemetery	P		P			P				
Church / Place of Worship	C	C		C			C			
Clinic, Medical / Dental				P			P			
Clinic, Veterinary				P			P			
Communications Antennas	P	P	P	C		C	P	P	C	9
Communications Tower								C		
Community Center				P		P				
Convenience Store, Neighborhood				P	C	P				
Country Club									C	
Dance / Social Club				P	C		P			
Day Care Facility, Adult				P		P				
Day Care Facility, Child	A	A	A	P		P				
Department Store				P			P			
Domicile Care Facility	C		C	C						
Drive-thru Facility				P		P	P			3
Driving Range, Golf									P	

Land Use	TR	SR	MR	CBD	RMU	CT	HC	IN	REC	Supplemental Regulations
Drug Store				P			P			
Dry Cleaning & Laundry Pick-up				P			P			
Dry Cleaning & Laundry Service							P	P		
Dwelling, Garage Apartment				P		P	P			
Dwelling, Mixed Use					P					4
Dwelling, Mobile Home			P							
Dwelling, Multi-family			P	P						
Dwelling, Overstore				P		P	P			5
Dwelling, Single Family Detached	P	P	P							
Emergency Shelter				C						
Essential Services	P	P	P	P	P	P	P	P	P	
Farmers' Market				C	C		C			
Financial Institution				P			P			
Flea Market				C			C			
Forestry	P	P	P	P	P	P	P	P	P	
Funeral Home	P			P			P			
Furniture Sales / Rentals				P			P			6
Garden Center							P			
Gasoline Station / Mini-mart							P			
Gasoline Service Station							P			
Golf Course									P	
Government Facility				P						
Greenhouse, Commercial						P	P			
Greenhouse, Non-commercial	A	A	A							
Grocery Store				P			P			
Group Home	P	P	P	P						
Hardware Store				P			P			
Health / Sports Club				P			P			
Heavy Machinery Sales / Rentals									P	
Helipad / Heliport							C	C		
Home Improvement Center							P	P		
Home Occupation	A	A	A	A	A	A	A			
Hospital				C			C			
Hospital, Animal				C			C			
Hotel				C			C			
Industrial Park								P		
Industrial Supply Sales							P	P		
Industry, Heavy								P		
Industry, Light								P		
Instructional Studio				P		P	P			
Kennel, Commercial							P			
Laboratory							P	P		

Land Use	TR	SR	MR	CBD	RMU	CT	HC	IN	REC	Supplemental Regulations
Laundromat				P		P	P			
Library				P						
Marina, Commercial					C			C		7
Mineral Extraction / Processing								P		
Mobile Home Park								P		
Motel				C			P			
Motorcycle Sales							P			
Movie Theater				C			P			
Nursery, Plant						P	P			
Nursing Home						P	P			
Office Building				P	C	P	P	P		
Office Park							P			
Oil Change Facility							P			
Oil or Gas Well Operation								P		12
Organization, Charitable / Fraternal / Social				P						
Parking, Commercial				C	C	C				
Pawnshop				P			P			
Personal Care Home	C		C	P						
Personal Service Establishment				P		P	P			
Personal Storage Facility								P		
Professional Service Establishment				P		P	P			
Public Park / Playground	P	P	P	P	P				P	
Recreation Facility, Commercial							P			
Recyclable Collection Center								C		8
Research / Development Facility								P		
Restaurant				P	P		P			3
Restaurant, Fast Food				P	SE		P			3
Retail Establishment				P	P	P	P			
School, Elementary / Middle	C		C							
School, High School							C			
School, Nursery / Kindergarten	C		C	C						
School, Technical / Trade							C			
Sexually-Oriented Business								C		10
Shopping Center							C			
Sidewalk Café				SE	P					
Sidewalk Vendor Stand					P					
Snack Bar / Shop				P	P	P	P			
Sporting Goods Sales				P	P		P			
State Liquor Store				P	P	P	P			
Swimming Pool, Private	A	A	A	A	A					13
Solid Waste Transfer Station								C		8

Land Use	TR	SR	MR	CBD	RMU	CT	HC	IN	REC	Supplemental Regulations
Swimming Pool, Public									P	13
Tattoo Parlor / Body Piercing Studio							P			
Warehousing / Distribution								P		
Wholesale Establishment							P	P		
Windmills	A	A	A							14
Wrecker Service							C	C		11

**Section 304 Supplemental Regulations Pertaining to Land Use Table**

A. The following supplemental regulations shall apply to the land uses indicated below:

1. Unless the use is located in an industrial district, all storage shall be indoors or screened adequately by a fence; provided, that the fence is opaque and no less than 10 feet in height.
2. In all residential districts, the proposed **BED AND BREAKFAST INN** shall retain the architectural orientation and form characteristic of the surrounding neighborhood.
3. **DRIVE-THRU FACILITIES** associated with a restaurant are not permitted in the Central Business District.
4. **MIXED USE DWELLINGS** shall be permitted in the RMU districts and shall comply with the following requirements:
  - a. Buildings shall be primarily residential with a subordinate amount of retail or office space located on the ground floor and in the front of the building facing the primary street frontage.
  - b. At least one parking space shall be provided for each residential unit.
5. **OVERSTORE DWELLINGS** shall be permitted in the CBD, CT and HC districts and shall comply with the following:
  - a. The street level space shall be retail commercial. Other commercial uses such as professional services or personal services, as permitted by this Ordinance, may be permitted on the upper levels.
  - b. Residential dwelling units, if located within the structure, shall be located above the street level space.

- c. Parking shall be in accordance with the non-residential use of the building. Tenants of the residential portion of the building shall be allowed to freely use any parking spaces associated with the non-residential portion of the building.
- 6. The use shall be conducted entirely within the buildings on the site.
- 7. **COMMERCIAL MARINAS** shall comply with the following regulations:
  - a. All applicable Federal and State rules and permit requirements shall be complied with.
  - b. The use shall be designed to maintain compatibility with natural resources and to minimize impacts on adjoining properties with regard to noise, traffic, glare, dust and odor.
  - c. No portion of the primary use shall be within thirty feet of the riparian line of an adjacent use.
  - d. All structures and other activities must be within the riparian rights area of the applicant and must be designed in a manner that will not restrict or otherwise infringe upon the riparian rights of adjacent riparian owners.
- 8. **RECYCLABLE COLLECTION CENTERS / SOLID WASTE TRANSFER STATIONS** shall comply with the following regulations:
  - a. Unloading areas for materials shall not be less than fifty feet from any adjoining property, unless unloading is conducted entirely within a building.
  - b. Portions of a site used for truck maneuvering or the storage, bailing, processing, or other handling of materials must be enclosed by an opaque fence or wall at least eight feet in height.
  - c. Loading and unloading areas must be paved.
  - d. The site must be kept clear of litter, scrap paper, or other refuse matter.
  - e. Chemical or heating processes shall not be conducted on materials on the site.
- 9. **COMMUNICATIONS ANTENNAS** refers to those mounted on an existing Pennsylvania Public Utility Commission transmission tower, building or other structure, including existing communications towers and communications equipment buildings.



10. **SEXUALLY-ORIENTED BUSINESSES** shall comply with the following:
  - a. Such businesses shall not be located within 1,000 feet of each other.
  - b. Such uses shall not be located within 500 feet of a residential district.
  - c. Such uses shall not be located within 500 feet of a school, park, library, or religious institution.
  - d. Advertisements, displays, or other promotional materials depicting, describing or relating to "specified sexual activities" (as defined in this Ordinance) or "specified anatomical areas" (as defined in this Ordinance) shall not be visible from a public sidewalk.
  - e. All doors, windows and other apertures shall be located, covered or screened in such a manner as to prevent viewing the interior of the establishment from a public street or sidewalk.
  
11. **WRECKER SERVICES** shall comply with the following:
  - a. Storage areas shall be screened from view by a minimum 8 foot high opaque fence or wall.
  - b. Stored vehicles must be currently licensed.
  - c. Vehicles may be stored on premises for a maximum of 60 days.
  - d. Storage areas must be paved.
  
12. **OIL OR GAS WELL OPERATIONS** shall comply with the following:
  - a. These regulations shall apply to the drilling of new wells as well as re-drilling, fracturing, or other procedures for the extraction of or obtaining sources of oil or gas.
  - b. The Borough Engineer shall submit to the Zoning Officer a written report on the adequacy of drainage provisions for natural or created water at and near the site, prior to action on the application by the Board.
  - c. The applicant shall provide proof of State permit approval and shall comply with all other applicable regulations.
  
13. **SWIMMING POOLS** shall comply with the following:
  - a. No pool or accessory facilities shall be located closer than 10 feet from any lot line of a residential district.
  - b. All applicable UCC requirements, including fences.

14. **WINDMILLS** used for generation of power for on-site use shall comply with the following:
  - a. A windmill may exceed the maximum height requirements of this Ordinance provided that if the windmill would have a setback from lot lines of less than its total height, the applicant shall provide a written certification from a professional engineer stating that the construction of the windmill will not create a hazard to neighboring properties or traffic as a result of severe weather conditions and any reasonably expected corrosion over time.

### **Section 305 Temporary Uses**

#### **A. Intent**

Temporary Uses shall be permitted by the granting of a Temporary Zoning Permit issued by the Zoning Officer in accordance with the requirements of this section.

#### **B. General Provisions**

1. The duration of the temporary period is stated hereinafter, provided, however, renewal of the permit may be requested. The Zoning Officer is not obligated to renew such permits if doing so leads to a defacto permanent use.
2. Temporary Uses shall be subject to all the regulations of the applicable district in which they are located.

#### **C. Permitted Temporary Uses**

1. Temporary office, model home or model apartment, and related signs, both incidental and necessary for the sale, rental, or lease of real property in the district. Maximum duration: 18 months.
2. Non-commercial concrete batching plant, both incidental and necessary to construction in the district. Maximum duration: 18 months.
3. Temporary building or yard for construction materials and equipment, both incidental and necessary to construction in the district. Maximum duration: 18 months.
4. Parking lot designated for a special event in a district. Maximum duration: 3 days.
5. Parking of recreational vehicles for visitation. Maximum duration: 7 days, with a maximum total of 14 days per year.

6. Mobile home as a temporary office during the period of construction and development. Maximum duration: 18 months.
7. Other similar uses deemed temporary by the Zoning Hearing Board and attached with such time period, conditions and safeguards as the Board may deem necessary.

D. Standards

1. Adequate access and off-street parking facilities shall be provided which shall not interfere with traffic movement on adjacent streets.
2. Public address systems or other noise-producing devices may be permitted during the hours of 8 a.m. until 10 p.m. when associated with the approved temporary use.
3. Any flood lights or other lighting shall be directed upon the premises and shall not be detrimental to adjacent properties.
4. Signs shall not flash or blink or resemble traffic and emergency warning signals, and shall be limited in number to three signs.
5. The lot shall be put in clean condition devoid of temporary use remnants upon termination of the temporary period.
6. No temporary use shall create a nuisance for surrounding property owners.

**Section 306 Accessory Structures and Uses in Residential Districts**

- A. Customary and incidental accessory buildings and uses are allowed in all residential districts, as specifically regulated in that district, provided that:
1. Accessory structures shall be subordinate in size to the principal structure on the lot.
  2. No more than two accessory structures, including a private detached garage, shall be permitted per principal structure.
  3. Accessory structures shall not be placed in the front yard. If placed in a side yard, accessory structures shall not be located closer to the street than the front building line of the principal structure.
  4. Accessory structures shall not be located closer than three feet to the rear and side property lines nor closer than 3 feet to the principal structure, unless otherwise indicated in this Ordinance.
  5. On corner lots, accessory structures shall not be located between any portion of the principal structure and either street.

6. When an accessory structure is attached to a principal structure, it shall comply in all respects with the requirements of this zoning ordinance applicable to the principal structure(s).
7. Any structure connected to another structure by an open breezeway (i.e., without enclosed walls) shall be deemed to be a separate structure.
8. The total square footage of all accessory buildings shall not exceed 50 percent of the first or ground floor area of the principal building.
9. The square footage of the first (ground) floor of the accessory structure(s) shall be included in the computation of lot coverage.
10. Accessory structures shall not exceed 18 feet in height from grade, except for accessory dwelling units. In the case of accessory structures that serve as outdoor storage sheds associated with a principal residential structure, the height limit shall be measured from grade for each level of the structure.
11. No accessory structure shall be constructed with a basement or cellar.
12. No part of any such structure, with the exception of accessory dwelling units as defined herein, shall be designed or used for sleeping purposes, and no cooking fixtures shall be placed or permitted therein.
13. A private garage may be constructed as part of a principal structure, provided that when constructed the garage walls shall be regarded as the walls of the principal structure in applying the applicable front, side and rear setback requirements.
14. Pools are subject to the accessory use provisions herein.
15. Outdoor play equipment, such as swing sets and similarly large recreational structures that are typically anchored to the ground and not easily relocated, shall be placed in side or rear yards.

**B. Fences**

1. All fences require a zoning permit regardless of the proposed height of the fence.
2. Fence height shall be measured from grade.
3. Fences may be erected, with a zoning permit, on residentially zoned parcels, provided they meet the following restrictions:
  - a. They may not exceed six and one half (6.5) feet in height at any point.

- b. No portion of an opaque fence (less than 50% open in any one square foot portion of the fence panel) erected within a clear vision triangle may exceed two and one-half (2.5) feet in height.
  - c. Fences may be constructed of stone, brick, wood, vinyl, chain link or wire, wrought iron, aluminum, and ornamental concrete block, provided all other requirements herein are met. They shall not be constructed with barbed wire, razor wire, electrified wire, corrugated fiberglass panels or other general building materials.
  - d. Fences erected within any front setback shall not exceed 4 feet in height.
4. Fences may be erected, with a building permit, on non-residentially zoned parcels, provided they meet the following restrictions:
- a. They may not exceed 10 feet in height (except for those surrounding industrial uses, in which case they may be up to 15 feet in height at any point.
  - b. No portion of an opaque fence (less than 70 percent open in any one square foot portion of the fence panel) erected within a clear vision triangle may exceed two and one-half (2.5) feet in height.
- C. Open Storage in Residential Districts
- 1. The storage, collecting, dismantling, salvaging or repairing of more than one (1) piece of machinery, inoperative, expired inspection sticker, or unlicensed, motor vehicle, or appliance is prohibited when not within an area screened from view by walls and a roof. However, one (1) inoperative, expired inspection sticker, unlicensed vehicle may be temporarily stored in an area not screened from view by walls and a roof for a period not to exceed 7 consecutive days.
  - 2. Recreational vehicles, watercraft vehicles and trailers designed to be towed by another vehicle must be stored on an improved surface and parked behind the front setback. For the purposes of this requirement, improved surface is defined as a surface covered with gravel, asphalt or concrete, at a minimum.

**ARTICLE 4**  
**TR, TOWN RESIDENTIAL DISTRICT**

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**Section 400 Purpose**

The purpose of the TR, Town Residential District is to

- A. Preserve the primary residential neighborhoods throughout the Borough. These urbanized areas are predominantly medium density and include single-family detached dwelling units.
- B. Preserve the desirable character of existing single family neighborhoods.
- C. Protect single family residential areas from change and intrusion that may cause deterioration, and provide for adequate light, ventilation, quiet, and privacy for neighborhood residents.

**Section 401 Permitted Land Uses**

See Table 303.01, Land Use Table.

**Section 402 Lot Provisions**

- A. Minimum lot size: 6,000 square feet.
- B. Minimum lot frontage: 60 feet. The frontage requirement may be waived for a parcel not fronting on an existing road if the parcel is served by a proper right-of-way.
- C. Maximum lot coverage: 60 percent.
- D. Minimum lot depth: 100 feet.
- E. Nonconforming lots shall comply with the provisions of Article 21.

### **Section 403 Setbacks**

- A. The following setbacks shall be required for all principal structures, except as otherwise provided in Article 16:
  - 1. Minimum front setback: 10 feet. Maximum front setback: 20 feet.
  - 2. Minimum side setback: 5 feet
  - 3. Minimum rear setback: 35 feet
  - 4. Accessory structures shall be set back at least 3 feet from all rear and side property lines; provided, that garages constructed adjacent to alleys shall be setback no less than 10 feet from the alley centerline.
- B. The alignment provisions in Article 16 shall apply.
- C. Architectural features may project into a required setback as provided below:
  - (1) Fire escapes, chimneys, cornices, awnings, canopies, eaves, sills, pilasters, lintels, gutters or other similar features may extend into a setback a distance not exceeding 3 feet, except that such features shall not extend closer than 3 feet from the property line.
  - (2) Unenclosed stairs, unenclosed landings and unenclosed porches shall not extend closer than 3 feet from the property line.
- D. No permitted encroachment noted above shall extend to within 3 feet of an accessory structure.
- E. Fences, walls, terraces, steps or other similar features may encroach into a required setback, except as provided in Article 16. Such appurtenances shall not be located within access, drainage, or utility easements.
- F. HVAC mechanical units may be located no closer than 3 feet to a side lot line.
- G. Parking shall be permitted in the front setback only on approved driveways.

### **Section 404 Building Height**

- A. The maximum height of a principal structure shall not exceed 2.5 stories or 35 feet, except as provided in Article 16.
- B. The maximum height of an accessory structure shall not exceed 18 feet, except as provided in Article 16.

**Section 405 Performance Standards**

All residential construction shall substantially conform in street orientation and massing to adjacent interior lot homes.

**Section 406 Parking, Loading and Internal Roadways**

See Article 17.

**Section 407 Landscaping and Screening**

See Article 18.

**Section 408 Signs**

See Article 19.



**ARTICLE 5**  
**SR, SUBURBAN RESIDENTIAL DISTRICT**  
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**Section 500 Purpose**

The purpose of the SR, Suburban Residential District is to provide for attractive single family neighborhoods on larger lots in a more suburban setting than traditional neighborhoods in the Borough.

**Section 501 Permitted Land Uses**

See Table 303.01, Land Use Table.

**Section 502 Lot Provisions**

- A. Minimum lot size: 0.33 acres. Maximum lot size: 1 acre.
- B. Minimum lot frontage: 100 feet. The frontage requirement may be waived for a parcel not fronting on an existing road if the parcel is served by a proper right-of-way.
- C. Maximum lot coverage: 40 percent.
- D. Minimum lot depth: 100 feet.
- E. Nonconforming lots shall comply with the provisions of Article 21.

**Section 503 Setbacks**

- A. The following setbacks shall be required for all principal structures, except as otherwise provided in Article 16:
  - 1. Minimum front setback: 25 feet. Maximum front setback: 50 feet.

2. Minimum side setback: 30 feet total with a minimum of 10 feet on any one side.
  3. Minimum rear setback: 50 feet.
  4. Accessory structures, other than garages, shall be set back at least 10 feet from all rear and side property lines.
  5. Attached garages shall be recessed at least 10 feet behind the front building line. Detached garages shall be located behind the rear building line.
- B. The alignment provisions in Article 16 shall apply.
- C. Architectural features may project into a required setback as provided below:
- (1) Fire escapes, chimneys, cornices, awnings, canopies, eaves, sills, pilasters, lintels, gutters or other similar features may extend into a setback a distance not exceeding 3 feet, except that such features shall not extend closer than 3 feet from the property line.
  - (2) Unenclosed stairs, unenclosed landings and unenclosed porches shall not extend closer than 3 feet from the property line.
- D. No permitted encroachment noted above shall extend to within 3 feet of an accessory structure.
- E. Fences, walls, terraces, steps or other similar features may encroach into a required setback, except as provided in Article 16. Such appurtenances shall not be located within access, drainage, or utility easements.
- F. HVAC mechanical units may be located no closer than 10 feet to a side lot line.
- G. Parking shall be permitted in the front setback only on approved driveways.

#### **Section 504 Building Height**

- A. The maximum height of a principal structure shall not exceed 2.5 stories or 35 feet, except as provided in Article 16.
- B. The maximum height of an accessory structure shall not exceed 18 feet, except as provided in Article 16.

#### **Section 505 Performance Standards**

All residential construction shall substantially conform in street orientation and massing to adjacent interior lot homes.

**Section 506 Parking, Loading and Internal Roadways**

See Article 17.

**Section 507 Landscaping and Screening**

See Article 18.

**Section 508 Signs**

See Article 19.

**ARTICLE 6**  
**MR, MULTI-FAMILY RESIDENTIAL DISTRICT**

**Contents**

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**Section 600 Purpose**

The purpose of the MR, Multi-Family Residential District is to:

- A. Stabilize and protect medium density areas by reducing hazards to the living environment.
- B. Provide for a varied, slightly denser urban residential pattern suitable to the needs of the population by encouraging a range of dwelling types.
- C. Preserve the desirable character of existing medium density family neighborhoods.
- D. Protect the medium density residential areas from change and intrusion that may cause deterioration.

**Section 601 Permitted Land Uses**

See Table 303.01, Land Use Table.

**Section 602 Lot Provisions**

- A. Single-family dwelling unit
  - 1. Minimum lot size: 6,000 square feet.
  - 2. Minimum lot area per dwelling unit: 6,000 square feet.
  - 3. Minimum lot frontage: 50 feet. The frontage requirement may be waived for a parcel not fronting on an existing road if the parcel is served by a proper right-of-way.

4. Maximum lot coverage: 60 percent.
  5. Minimum lot depth: 100 feet.
- B. Multi-family dwelling units
1. Minimum lot size: 10,000 square feet.
  2. Minimum lot area per dwelling unit: 1,000 square feet.
  3. Minimum lot frontage: 50 feet. The frontage requirement may be waived for a parcel not fronting on an existing road if the parcel is served by a proper right-of-way.
  4. Maximum lot coverage: 80 percent.
  5. Minimum lot depth: 100 feet.
- C. Nonconforming lots shall comply with the provisions of Article 21.

**Section 603 Setbacks**

- A. The following setbacks shall be required for all principal structures, except as otherwise provided in Article 16:
1. Minimum front setback: 10 feet. Maximum front setback: 20 feet.
  2. Minimum side setback:
    - a. Single-family dwelling unit: 5 feet.
    - b. Multi-family dwelling units: 10 feet.
  3. Minimum rear setback: equal to height of principal structure.
  4. Accessory structures shall be set back at least 3 feet from all rear and side property lines.
- B. The alignment provisions in Article 16 shall apply.
- C. Architectural features may project into a required setback as provided below:
- (1) Fire escapes, chimneys, cornices, awnings, canopies, eaves, sills, pilasters, lintels, gutters or other similar features may extend into a setback a distance not exceeding 3 feet, except that such features shall not extend closer than 3 feet from the property line.
  - (2) Uncovered stairs, landings and porches shall not extend closer than 3 feet from the property line.

- D. No permitted encroachment noted above shall extend to within 3 feet of an accessory structure.
- E. Fences, walls, terraces, steps or other similar features may encroach into a required setback, except as provided in Article 16. Such appurtenances shall not be located within access, drainage, or utility easements.
- F. HVAC mechanical units may be located no closer than 3 feet to a side lot line.
- G. Parking shall be permitted in the front setback only on approved driveways.

**Section 604 Building Height**

- A. The maximum height of a principal structure shall not exceed 2.5 stories or 35 feet, except as provided in Article 16.
- B. The maximum height of an accessory structure shall not exceed 18 feet, except as provided in Article 16.

**Section 605 Performance Standards**

All residential construction shall substantially conform in street orientation and massing to adjacent interior lot homes.

**Section 606 Parking, Loading and Internal Roadways**

See Article 17.

**Section 607 Landscaping and Screening**

See Article 18.

**Section 608 Signs**

See Article 19.

**ARTICLE 7**  
**CBD, CENTRAL BUSINESS DISTRICT**

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<b>701</b>	<b>Permitted Land Uses</b>
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<b>703</b>	<b>Setbacks</b>
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<b>706</b>	<b>Parking, Loading and Internal Roadways</b>
<b>707</b>	<b>Landscaping</b>
<b>708</b>	<b>Signs</b>

**Section 700 Purpose**

The purpose of the CBD, Central Business District is to accommodate the needs of existing businesses and future development within the traditional downtown area. This district is designed to provide for a variety of professional services, personal services, retail uses, entertainment uses and limited residential uses. The regulations of the CBD are designed to promote convenient pedestrian shopping and the stability of retail development by encouraging a continuous commercial frontage at street level with professional and personal service establishments and residential units located on upper floors.

**Section 701 Permitted Land Uses**

See Table 303.01, Land Use Table.

**Section 702 Lot Provisions**

- A. Non-residential uses
  - 1. No minimum lot size shall be required.
  - 2. No minimum lot frontage shall be required.
  - 3. Maximum lot coverage shall be 100 percent.
- B. Multi-family residential uses
  - 1. Multi-family dwelling units are permitted above first-floor retail uses in existing structures.

**Section 703 Setbacks**

- A. Front setback: For all uses, the front setback shall conform to the prevailing front setback pattern of developed lots within the same block fronting the same street.
- B. Side setback: In all cases, the minimum side setback shall be 0 feet.
- C. Rear setback: In all cases, the minimum rear setback shall be 0 feet.

**Section 704 Building Height**

- A. The maximum height permitted for all principal structures shall be 4 stories or 55 feet.
- B. The maximum height for an accessory structure shall not exceed 18 feet.

**Section 705 Performance Standards**

All construction shall substantially conform in street orientation to adjacent structures, except where this shall cause conflict with other provisions of this Ordinance.

**Section 706 Parking, Loading and Internal Roadways**

See Article 17.

**Section 707 Landscaping and Screening**

See Article 18.

**Section 708 Signs**

See Article 19.



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**ARTICLE 8**  
**RMU, RIVERFRONT MIXED USE DISTRICT**

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**Section 800 Purpose**

The purpose of the RMU, Riverfront Mixed Use District is to promote the development of attractive spaces along the Borough’s river frontage. The Riverfront District is intended to serve as an interconnected pedestrian-oriented cultural and recreation destination. These areas are intended for use primarily by residents, pedestrians, cyclists and recreational users of the river and shall include residential and retail uses. It is further intended that public access to the river and visibility of the river view is to be protected, to the greatest extent possible, for the enjoyment of residents and visitors. Development shall be pedestrian-scaled with future development oriented toward the river for maximum enjoyment. Design standards, including signage standards, shall be applied to promote appropriately scaled structures constructed of similar materials and in compatible styles.

**Section 801 Permitted Land Uses**

See Table 303.01, Land Use Table.

**Section 802 Lot Provisions**

- A. Single-family dwelling unit
1. Minimum lot size: 6,000 square feet.
  2. Minimum lot area per dwelling unit: 6,000 square feet.
  3. Minimum lot frontage: 60 feet.
  4. Maximum lot coverage: 60 percent.
  5. Maximum lot depth: None.

B. Duplex dwelling units

1. Minimum lot size: 6,000 square feet.
2. Minimum lot area per dwelling unit: 3,000 square feet.
3. Minimum lot frontage: 60 feet.
4. Maximum lot coverage: 60 percent.
5. Maximum lot depth: None.

C. Non-residential uses

1. Minimum lot size: 6,000 square feet.
2. Minimum lot area per dwelling unit: not applicable.
3. Minimum lot frontage: 100 feet.
4. Maximum lot coverage: 80 percent.
5. Maximum lot depth: None.

D. Nonconforming lots shall comply with the provisions of Article 21.

**Section 803 Setbacks**

A. The following setbacks shall be required for all principal structures, except as otherwise provided in Article 16:

1. Minimum front setback: 10 feet. Maximum front setback: 20 feet.
2. Minimum side setback: 5 feet.
3. Minimum rear setback on lots adjacent to the Allegheny River or Buffalo Creek: 30 feet from the high water mark. Minimum rear setback for all other lots: 50 feet.
4. Accessory structures shall be set back at least 3 feet from all rear and side property lines; provided, that accessory structures located on lots adjacent to the Allegheny River or Buffalo Creek shall be set back at least 20 feet.

B. Architectural features may project into a required setback as provided below:

- (1) Fire escapes, chimneys, cornices, awnings, canopies, eaves, sills, pilasters, lintels, gutters or other similar features may extend into a setback a distance not exceeding 3 feet, except that such features shall

not extend closer than 3 feet from the property line.

- (2) Uncovered stairs, landings and porches shall not extend closer than 3 feet from the property line.
- C. Fences, walls, terraces, steps or other similar features may encroach into a required setback, except as provided in Article 16. Such appurtenances shall not be located within access, drainage, or utility easements.
- D. HVAC mechanical units may be located no closer than 3 feet to a side lot line.

#### **Section 804 Building Height**

- A. The maximum height permitted for all principal structures shall be 3 stories or 35 feet.
- B. The maximum height for an accessory structure shall not exceed 18 feet.

#### **Section 805 Guidelines for Design**

- A. Orientation. New development should be oriented so that both river and street side facades are primary. Construction materials on the riverside of a structure should be of equal character and quality as those on the street side. Both sides shall incorporate fenestration, detailing and other building components that are dimensionally proportionate and pedestrian friendly.
- B. Construction Materials. Artificial composition-type materials (including simulated wood, brick or masonry) lacking compatibility with surrounding traditional types of building materials are strongly discouraged.
- C. Screening. Loading docks, service entrances, dumpsters, propane tanks, utility cabinets and other similar above-ground structures should not be located on either the street side or the river side of the structures and should be screened from public view with landscaping or building materials in such a way as to be integrated into the site and building design.
- D. Solar Gain. Building designs are strongly encouraged to take full advantage of solar gain for purposes of energy conservation.
- E. Rooftop Appurtenances. Rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a structure should be arranged to minimize visibility from any point at or below the roof level of the structure. Such features, in excess of 1 foot in height, should be either enclosed by outer building walls or parapets, grouped and screened in a suitable manner, or designed so that they are balanced and integrated with respect to the design and materials of the building.

**Section 806 Parking, Loading and Internal Roadways**

See Article 17.

**Section 807 Landscaping and Screening**

See Article 18.

**Section 808 Signs**

See Article 19.

**ARTICLE 9**  
**CT, COMMERCIAL TRANSITION DISTRICT**

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<b>906</b>	<b>Landscaping</b>
<b>907</b>	<b>Signs</b>

**Section 900 Purpose**

The purpose of the CT, Commercial Transition District is to provide for a buffer area between residential areas and more intensive non-residential areas.

**Section 901 Permitted Land Uses**

See Table 303.01, Land Use Table.

**Section 902 Lot Provisions**

- A. Minimum lot size: 5,000 square feet.
- B. Minimum lot depth: 100 feet.
- C. Minimum lot frontage: 50 feet.

**Section 903 Setbacks**

- A. Minimum front setback: 10 feet.
- B. Minimum side setback: 10 feet; 20 feet when adjacent to a residential lot.
- C. Minimum rear setback: 30 feet.
- D. Accessory structures shall be set back at least 10 feet from all rear and side property lines.

**Section 904 Building Height**

- A. The maximum height permitted for all principal structures shall be 3 stories or 35 feet.

B. The maximum height for an accessory structure shall not exceed 18 feet.

**Section 905 Parking, Loading and Internal Roadways**

See Article 17.

**Section 906 Landscaping and Screening**

See Article 18.

**Section 907 Signs**

See Article 19.

**ARTICLE 10**  
**HC, HIGHWAY COMMERCIAL DISTRICT**

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**Section 1000 Purpose**

The purpose of the HC, Highway Commercial District is to promote the economic viability of existing and future businesses that accommodate the commercial needs of local and regional residents. These areas are appropriately located in close proximity to major thoroughfares and where necessary infrastructure exists.

**Section 1001 Permitted Land Uses**

See Table 303.01, Land Use Table.

**Section 1002 Lot Provisions**

- A. Minimum lot size: 10,000 square feet.
- B. Minimum lot frontage: 100 feet.
- C. Minimum lot depth: 100 feet.

**Section 1003 Setbacks**

- A. Minimum front setback: 25 feet.
- B. Minimum side setback: 20 feet if abutting a residential land use, otherwise 10 feet.
- C. Minimum rear setback: 25 feet.

**Section 1004 Building Height**

- A. The maximum height permitted for all principal structures shall be 3 stories or 45 feet.

B. The maximum height for an accessory structure shall not exceed 18 feet.

**Section 1005 Parking, Loading and Internal Roadways**

See Article 17.

**Section 1006 Landscaping and Screening**

See Article 18.

**Section 1007 Signs**

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**ARTICLE 11**  
**IN, INDUSTRIAL DISTRICT**  
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**1107 Signs**

**Section 1100 Purpose**

The purpose of the IN, Industrial District is to provide appropriate space and locations for a variety of industrial uses in ways that are least intrusive to other land uses. It is further intended that these regulations permit the development of certain functions, protect the surrounding areas from incompatible industrial activities, and restrict the intrusion of non-related uses such as residential and commercial.

**Section 1101 Permitted Land Uses**

See Table 303.01, Land Use Table.

**Section 1102 Lot Provisions**

- A. Minimum lot size: There shall be no specific minimum lot size; however, the parcel shall be of sufficient size in order to achieve compliance with all appropriate development standards as required by this Ordinance.
- B. Minimum lot depth: None.
- C. Minimum lot frontage: 100 feet.

**Section 1103 Setbacks**

- A. Minimum front setback: 20 feet.
- B. Minimum side setback: 15 feet.
- C. Minimum rear setback: 20 feet; 50 feet if adjacent to a residential lot.

**Section 1104 Building Height**

- A. The maximum height permitted for all principal structures shall be 3 stories or 45

feet. The provisions of Article 16, Height Exceptions, shall not apply.

B. The maximum height for an accessory structure shall not exceed 18 feet.

**Section 1105 Parking, Loading and Internal Roadways**

See Article 17.

**Section 1106 Landscaping and Screening**

See Article 18.

**Section 1107 Signs**

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**ARTICLE 12**  
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**1207 Signs**

**Section 1200 Purpose**

The purpose of the REC, Recreation District is to provide for adequate public recreation spaces to enhance the quality of life for Borough residents. Passive and active recreation uses are permitted. Existing recreation areas are to be preserved and potential new public recreation areas are encouraged.

**Section 1201 Permitted Land Uses**

See Table 303.01, Land Use Table.

**Section 1202 Lot Provisions**

- A. Minimum lot size: There shall be no specific minimum lot size; however, the parcel shall be of sufficient size in order to achieve compliance with all appropriate development standards as required by this Ordinance.
- B. Minimum lot depth: None.
- C. Minimum lot frontage: None.

**Section 1203 Setbacks**

There are no minimum setback standards in this district.

**Section 1204 Building Height**

- A. The maximum height permitted for all principal structures shall be 1 story or 15 feet. The provisions of Article 16, Height Exceptions, shall not apply.
- B. The maximum height for accessory structures shall not exceed 8 feet.

**Section 1205     Parking, Loading and Internal Roadways**

See Article 17.

**Section 1206     Landscaping and Screening**

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**Section 1207     Signs**

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## **ARTICLE 13**

### **SS, STEEP SLOPE OVERLAY DISTRICT**

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- 1301 Overlay District Boundaries**
- 1302 Permitted Land Uses**

#### **Section 1300 Purpose**

The purpose of the Steep Slope Overlay District is to prevent development on slopes in excess of 25 percent. Development on such slopes causes soil erosion and stream sedimentation; unnecessary loss of vegetative ground cover and destruction of trees, on-site waste disposal problems; difficult street construction; and expensive street maintenance.

#### **Section 1301 Overlay District Boundaries**

The boundaries of the Steep Slope Overlay District include all areas of Freeport Borough with slopes in excess of 25 percent with an elevation change of more than 20 feet. The slope of the natural terrain shall be determinative of whether or not land is within the overlay district.

#### **Section 1302 Permitted Land Uses**

No buildings or structures shall be permitted in the Steep Slopes Overlay District. Otherwise, the following uses are permitted:

- A. Forestry and tree farming using best management practices in order to protect streams from damage and to prevent sedimentation.
- B. Wildlife refuges, conservation areas and nature trails.
- C. Open space and outdoor recreation.