




PART 4

MIXED-USE ZONING DISTRICTS

§ 27-401. Designation of Mixed-Use Zoning Districts and Purpose Statements. [Ord. No. 497, 1/8/2013]

See Table 4-1 in this section for the designations and purpose statements of the respective mixed-use zoning districts which are shown on the Borough Zoning Map.⁵⁵

Table 4-1 Mixed-Use Zoning Districts		
Mixed-Use Zoning District Name	Mixed-Use Zoning District Purpose Statement	Representative Image
Village Mixed-Use-1 Zoning District (VMU-1)	To encourage the continued use and reuse of land and buildings within established, traditional neighborhoods for a compatible mixture of moderate-density residential uses, neighborhood-oriented businesses, and those uses which are compatible with established, traditional neighborhoods	
Village Mixed-Use-2 Zoning District (VMU-2)	To encourage the continued use and reuse of land and buildings within established, traditional neighborhoods for a compatible mixture of a variety of residential uses, neighborhood and pedestrian-oriented businesses, and those uses which are compatible with established, traditional neighborhoods	
The Waterfront Zoning District (WF)	To encourage the continued use and reuse of land and buildings within the "town center along the riverfront," for a compatible mixture of a variety pedestrian-oriented businesses, residential uses, and those uses which are compatible with the "town center"	

§ 27-402. Permitted Uses. [Ord. No. 497, 1/8/2013; as amended by Ord. No. 527, 10/26/2021]

See Table 4-2 in this section for the types of uses permitted in the respective mixed-use zoning districts as set forth by this chapter. Uses are divided into those permitted by right (P) (zoning decision by Zoning Officer); permitted by special exception (SE) (zoning decision by Zoning Hearing Board,) and permitted by conditional use (CU) (zoning decision by Borough Council). Many of the uses permitted by the above three categories must comply with certain criteria which are found in Part 11 of this chapter. The specific section numbers of Part 11 where the criteria are located are noted in the table. Uses not listed in the table below or

⁵⁵. Editor's Note: The Zoning Map is included as an attachment to this chapter.

identified by "N" shall specifically not be permitted in the applicable mixed-use zoning districts:

Table 4-2 Permitted Uses - Mixed-Use Zoning Districts				
Types of Uses	Village Mixed-Use-1 Zoning District (VMU-1)	Village Mixed-Use-2 Zoning District (VMU-2)	The Waterfront Zoning District (WF)	Section Reference for Specific Use Regulations
A. Residential Uses				
Apartment conversion	N	N	SE - above ground floor story and rear 1/2 of building only	§ 27-1102
Group home	P	P	P	N/A
Mobile/manufactured home park	N	N	N	§ 27-1102
Multifamily dwelling	N	SE	P	§ 27-1102
Single-family attached dwelling	P	P	P	§ 27-1102
Single-family detached dwelling	P	P	P	N/A
Single-family semidetached dwelling	P	P	P	N/A
Two-family detached dwelling	P	P	P	§ 27-1102
B. Nonresidential Uses				
B.1 Commercial Uses				
Art gallery	N	P	P	N/A
Bank	N	N	P	N/A
Bed-and-breakfast	N	P	P	§ 27-1103
Boardinghouse	N	P	P - above ground floor stories and rear 1/2 of building only	§ 27-1103
Commercial recreation, indoor	N	N	P	
Commercial recreation, outdoor	N	N	P	§ 27-1103
Copy shop/business service	N	P	P	N/A
Craftsman/artisan studio	N	P	P	N/A
Financial service, other	N	N	P	N/A
Food service	N	P	P	N/A
Funeral home	N	SE	P	§ 27-1103
Heliport	N	N	P	N/A
Home improvement center, lumber sales, and building materials sales	N	N	P	§ 27-1103
Hotel	N	SE	P	N/A
Laundry and dry-cleaning facility, personal	N	P	P	N/A
Liquor store	N	N	P	N/A
Nightclub	N	N	CU	§ 27-1103
Office, business and professional	P	P	P	N/A
Office, medical	P	P	P	N/A

Table 4-2				
Permitted Uses - Mixed-Use Zoning Districts				
Types of Uses	Village Mixed-Use-1 Zoning District (VMU-1)	Village Mixed-Use-2 Zoning District (VMU-2)	The Waterfront Zoning District (WF)	Section Reference for Specific Use Regulations
Parking lot/parking structure	N	N	P	§ 27-1103
Personal service	P	P	P	N/A
Restaurant	N	SE	P	N/A
Retail business	N	P	P	N/A
School, commercial	N	P	P	N/A
Shopping center, town	N	N	P	N/A
Tavern/bar	N	N	CU	§ 27-1103
Theater, indoor	N	N	P	N/A
Therapeutic massage facility	N	P	P	N/A
Veterinary office	P	P	P	N/A
B.2 Industrial Uses				
Industrial use, light	N	N	P	N/A
Laundry and dry-cleaning facility, industrial	N	N	P	N/A
Outdoor storage	N	N	N	Part 7
Research and development	N	P	P	N/A
B.3 Institutional/Civic Uses				
Cemetery	N	N	P	§ 27-1105
Clinic, medical/urgent care	N	SE	P	N/A
Clubhouse or lodge, private	N	N	P	§ 27-1105
Community center	N	P	N	N/A
Continuing care retirement facility	N	N	SE	§ 27-1105
Convention center	N	N	SE	N/A
Day care, commercial	N	N	P	§ 27-1105
Emergency services	N	N	P	N/A
Group care facility	N	SE	P - above ground floor stories and rear 1/2 of building only	§ 27-1105
Hospital	N	N	SE	§ 27-1105
Library	SE	P	P	N/A
Long-term care facility or personal care facility	N	N	P	§ 27-1105
Museum	SE	P	N	N/A
Municipal-owned use	P	P	P	N/A
Park, playground, and other noncommercial outdoor recreational use	P	P	P	§ 27-1105
Place of worship	SE	P	P	N/A
Post office	SE	P	P	N/A
Public/private works facility	N	SE	SE	§ 27-1105
Recycling collection point	N	N	N	N/A
School, public or private	SE	SE	P	N/A

Table 4-2 Permitted Uses - Mixed-Use Zoning Districts				
Types of Uses	Village Mixed-Use-1 Zoning District (VMU-1)	Village Mixed-Use-2 Zoning District (VMU-2)	The Waterfront Zoning District (WF)	Section Reference for Specific Use Regulations
Treatment center	N	N	CU	§ 27-1105
University/college	N	SE	N	N/A
B.4 Forestry/Agriculture Uses				
Agricultural operation	P	P	P	§ 27-1106
Community garden	P	P	P	§ 27-1106
Forestry (timber harvesting)	P	P	P	§ 27-1106
B.5 Miscellaneous Uses				
Nontower WCF	SE	SE	SE	§ 27-1107
Tower-based WCF	N	N	N	§ 27-1107
Small WCF	P	P	P	§ 27-1107
C. Specific Accessory Uses				
Accessory apartment	SE	SE	SE - above ground floor stories and rear 1/2 of building only	§ 27-1108
Automated banking or postal facility	SE	P	P	§ 27-1108
Automated banking facility	N	N	P	§ 27-1108
Community garden	P	P	P	§ 27-1108
Day care, accessory	P	P	P	N/A
Day care, family	P	P	P	§ 27-1108
Drive-through facility for permitted use	N	N	SE	§ 27-1108
Home occupation	SE	P	P	§ 27-1108
No-impact home occupation	P	P	P	§ 27-1108
Outdoor cafe/dining	N	P	P	§ 27-1108
Outside display and sales	N	P	P	§ 27-1108
D. Specific Temporary Uses				
Accessory dwelling unit for care of relative	CU	CU	CU	§ 27-1109
E. General Accessory Structures and Uses				
Accessory structures and uses customarily incidental and subordinate to the principal uses permitted in the applicable Zoning District, other than specified elsewhere in this chapter including but not limited to Part 7 of this chapter	P	P	P	N/A

- P Permitted by right (zoning decision by Zoning Officer)
- SE Permitted by special exception use (zoning decision by Zoning Hearing Board)
- CU Permitted by conditional use (zoning decision by Borough Council)
- N Not permitted

§ 27-403. Area and Design Requirements. [Ord. No. 497, 1/8/2013]

- See Tables 4-3 through 4-5 in this section for the area and design requirements for all development activities and uses within the respective mixed-use zoning districts. Additionally, to the maximum extent feasible, all development activities and uses shall respect, maintain, and be compatible with the predominant development pattern, context, and character features of the adjacent and nearby buildings/structures and development, including height, scale, setback, orientation, lot access, and off-street parking. Unless specifically listed in this section and Part 6 of this chapter relating to FST Overlay Zoning District (FSTO), applicants for new development and uses may, and are strongly encouraged to, utilize the other building and development compatibility design guidelines and standards set forth in Part 6 of this chapter relating to FST Overlay Zoning District (FSTO):

Table 4-3 Area and Design Requirements Village Mixed-Use-1 Zoning District (VMU-1)					
Area/Design Features	Permitted Uses				
	Single-Family Detached Dwelling	Single-Family Semi-detached Dwelling	Two-Family Detached Dwelling	Other Uses, Unless Specifically Listed in Part 11	Accessory Use or Structure, Other Than Specified Here and Elsewhere in this Chapter Including Part 7, Part 9, and Part 11 of this Chapter
Net lot area - minimum	5,000 square feet per dwelling unit	2,500 square feet per dwelling unit	2,500 square feet per dwelling unit	5,000 square feet	Included as part of total minimum lot area for principal use
Lot width at lot frontage - minimum, interior lot	50 feet	25 feet	50 feet	50 feet	Included as part of total minimum lot width for principal use
Lot width at lot frontage - minimum, corner lot	65 feet	40 feet	65 feet	65 feet	Included as part of total minimum lot width for principal use
Front setback - minimum	25 feet	25 feet	25 feet	25 feet	Not permitted to be located within the front yard
Side setback - minimum	15 feet total both sides, with a minimum of 5 feet for one side	5 feet, except 0 feet at the shared lot line of lawfully attached dwellings constructed with a shared common party wall and the written consent of the owner of the abutting lot and building	15 feet total both sides, with a minimum of 5 feet for one side	15 feet total both sides, with a minimum of 5 feet for one side, except 0 feet at the shared lot line of lawfully attached dwellings constructed with a shared common party wall and the written consent of the owner of the abutting lot and building	2 feet

Table 4-3 Area and Design Requirements Village Mixed-Use-1 Zoning District (VMU-1)					
Area/Design Features	Permitted Uses				
	Single-Family Detached Dwelling	Single-Family Semi-detached Dwelling	Two-Family Detached Dwelling	Other Uses, Unless Specifically Listed in Part 11	Accessory Use or Structure, Other Than Specified Here and Elsewhere in this Chapter Including Part 7, Part 9, and Part 11 of this Chapter
Rear setback - minimum	20 feet	20 feet	20 feet	20 feet	2 feet
Impervious lot coverage - maximum	40%	45%	45%	50%	Included as part of total maximum impervious coverage for principal use
Vegetative coverage - minimum	25%	25%	25%	20%	Included as part of total minimum vegetative coverage for the principal use
Building height/structure height - maximum	40 feet	40 feet	40 feet	40 feet	25 feet or not higher than the principal structure, whichever is less

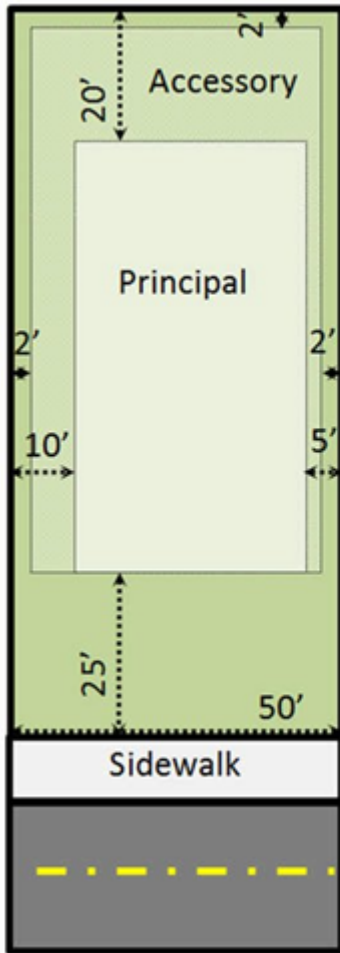


Figure 4.1
Typical VMU-1 Zoning District Area / Design Features Example
(Abutting Lots Not Developed)
(Not Drawn to Scale)

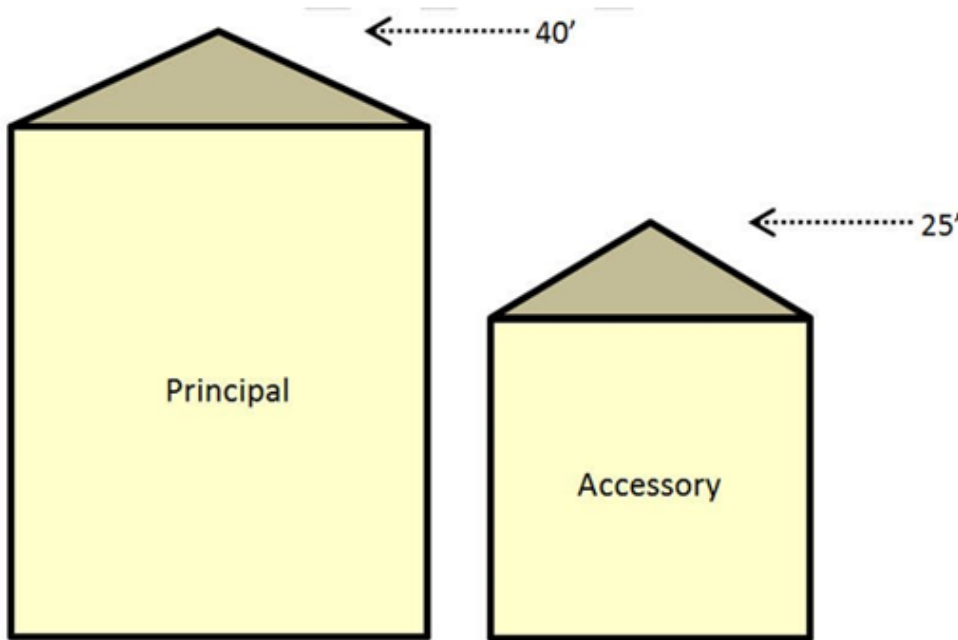


Figure 4.2 Typical VMU-1 Zoning District Building Height Example (Abutting Lots Not Developed)(Not Drawn to Scale)

Table 4-4 Area and Design Requirements Village Mixed-Use-2 Zoning District (VMU-2)					
Area/Design Features	Permitted Uses				
	Single-Family Detached Dwelling	Single-Family Semi-detached Dwelling	Two-Family Detached Dwelling	Other Uses, Unless Specifically Listed in Part 11	Accessory Use or Structure, Other Than Specified Here and Elsewhere in this Chapter Including Part 7, Part 9, and Part 11 of this Chapter
Net lot area - minimum	5,000 square feet per dwelling unit	2,500 square feet per dwelling unit	2,500 square feet per dwelling unit	5,000 square feet	Included as part of total minimum lot area for principal use
Lot width at lot frontage - minimum, interior lot	50 feet	25 feet	50 feet	50 feet	Included as part of total minimum lot width for principal use
Lot width at lot frontage - minimum, corner lot	65 feet	40 feet	65 feet	65 feet	Included as part of total minimum lot width for principal use
Front setback - minimum	20 feet	20 feet	20 feet	20 feet	Not permitted to be located within the front yard

Table 4-4 Area and Design Requirements Village Mixed-Use-2 Zoning District (VMU-2)					
Area/Design Features	Permitted Uses				
	Single-Family Detached Dwelling	Single-Family Semi-detached Dwelling	Two-Family Detached Dwelling	Other Uses, Unless Specifically Listed in Part 11	Accessory Use or Structure, Other Than Specified Here and Elsewhere in this Chapter Including Part 7, Part 9, and Part 11 of this Chapter
Side setback - minimum	15 feet total both sides, with a minimum of 5 feet for one side	5 feet, except 0 feet at the shared lot line of lawfully attached dwellings constructed with a shared common party wall and the written consent of the owner of the abutting lot and building	15 feet total both sides, with a minimum of 5 feet for one side	15 feet total both sides, with a minimum of 5 feet for one side, except 0 feet at the shared lot line of lawfully attached dwellings constructed with a shared common party wall and the written consent of the owner of the abutting lot and building	2 feet
Rear setback - minimum	15 feet	15 feet	15 feet	15 feet	2 feet
Impervious lot coverage - maximum	50%	55%	55%	60%	Included as part of total maximum impervious coverage for principal use
Vegetative coverage - minimum	25%	25%	25%	20%	Included as part of total minimum vegetative coverage for the principal use
Building height/ structure height - maximum	40 feet	40 feet	40 feet	40 feet	25 feet or not higher than the principal structure, whichever is less

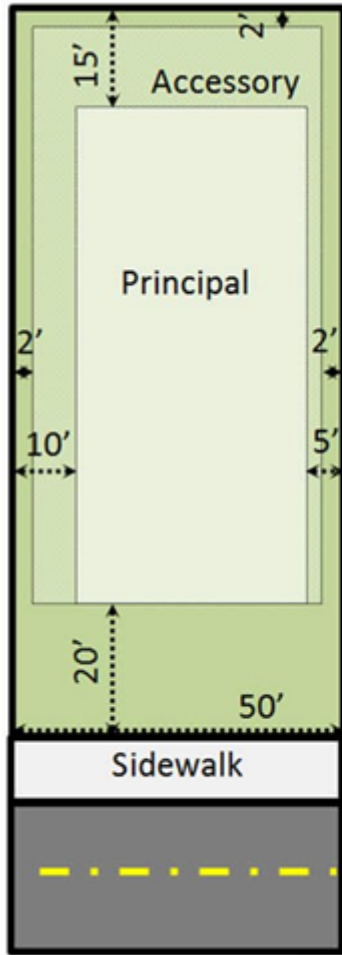


Figure 4.3
Typical VMU-2 Zoning District Area / Design Features Example
(Abutting Lots Not Developed)
(Not Drawn to Scale)

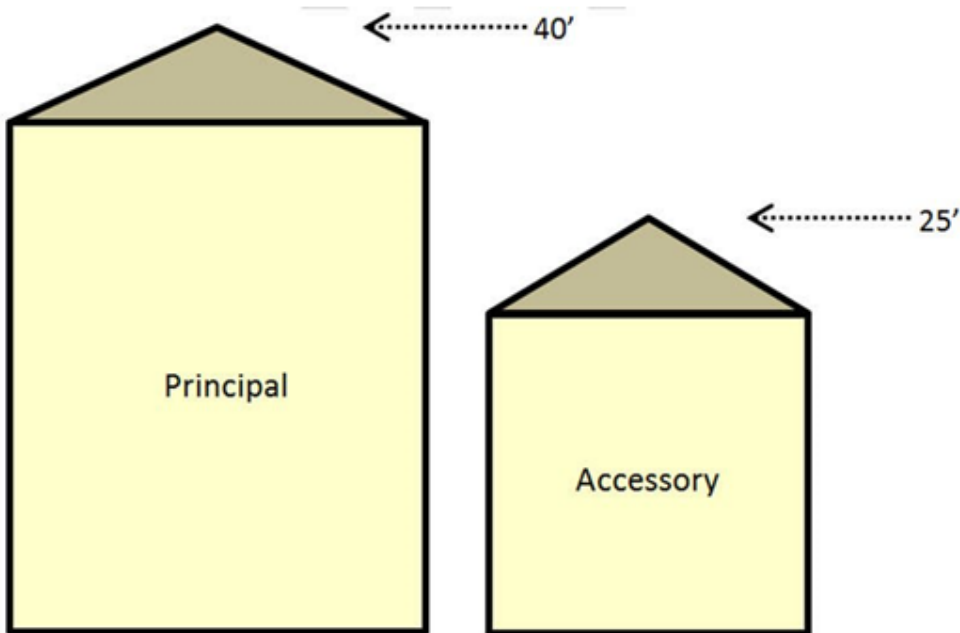


Figure 4.4 Typical VMU-2 Zoning District Building Height Example (Abutting Lots Not Developed) (Not Drawn to Scale)

Table 4-5 Area and Design Requirements The Waterfront Zoning District (WF)					
Area/Design Features	Permitted Uses				
	Single-Family Detached Dwelling	Single-Family Semi-Detached Dwelling	Two-Family Detached Dwelling	Other Uses, Unless Specifically Listed in Part 11	Accessory Use or Structure, Other Than Specified Here and Elsewhere This Chapter Including Part 7, Part 9, and Part 11 of This Chapter
Net lot area - minimum	5,000 square feet per dwelling unit	2,500 square feet per dwelling unit	2,500 square feet per dwelling unit	2,000 square feet	Included as part of total minimum lot area for principal use
Lot width at lot frontage - minimum interior lot	50 feet	25 feet	50 feet	20 feet	Included as part of total minimum lot width for principal use
Lot width at lot frontage - minimum, corner lot	65 feet	40 feet	65 feet	35 feet	Included as part of total minimum lot width for principal use
Front setback - minimum	15 feet	15 feet	15 feet	15 feet	Not permitted to be located within the front yard
Side setback - minimum	15 feet total both sides, with a minimum of 5 feet for one side	5 feet, except 0 feet at the shared lot line of lawfully attached dwellings constructed with a shared common party wall and the written consent of the owner of the abutting lot and building	15 feet total both sides, with a minimum of 5 feet for one side	15 feet total both sides, with a minimum of 5 feet for one side, except 0 feet at the shared lot line of lawfully attached dwellings constructed with a shared common party wall and the written consent of the owner of the abutting lot and building	2 feet
Rear setback - minimum	15 feet	15 feet	15 feet	15 feet	2 feet
Impervious lot coverage - maximum	60%	65%	65%	70%	Included as part of total maximum impervious coverage for principal use
Vegetative coverage - minimum	20%	20%	20%	15%	Included as part of total minimum vegetative coverage for the principal use
Building height/ structure height - maximum	40 feet	40 feet	40 feet	40 feet	25 feet or not higher than the principal structure, whichever is less

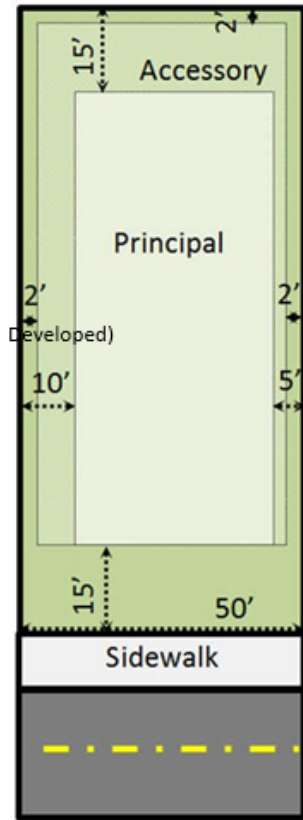


Figure 4.5 Typical WF Zoning District Area / Design Features Example (Abutting Lots Not Developed) (Not Drawn to Scale)

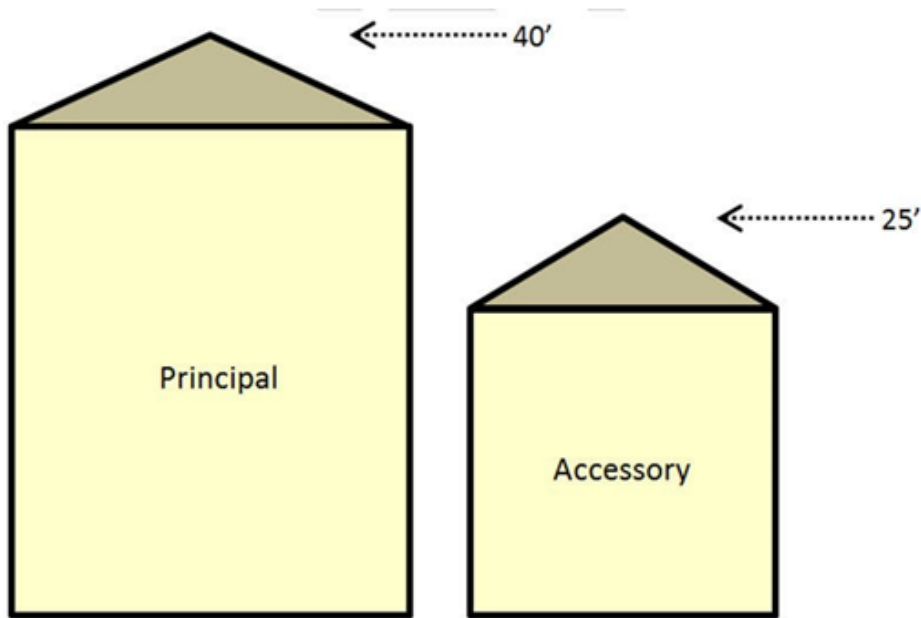


Figure 4.6 Typical WF Zoning District Building Height Example (Abutting Lots Not Developed) (Not Drawn to Scale)

2. Additional Building and Development Compatibility Design Standards. See Table 4-6 and the specific applicable sections of Part 6 of this chapter relating to FST Overlay Zoning District (FSTO) for additional standards for building and development activities and uses:

Table 4-6 Additional Building and Development Compatibility Standards			
Building and Development Compatibility Design Standard	Mixed-Use Zoning Districts		
	Village Mixed-Use-1 Zoning District (VMU-1)	Village Mixed-Use-2 Zoning District (VMU-2)	The Waterfront Zoning District (WF)
	Applicability of Building and Development Capability Design Standard		
Front building setback	See § 27-604, Subsection 6 of this chapter	See § 27-604, Subsection 6 of this chapter	See § 27-604, Subsection 6 of this chapter
Side building setback	See § 27-604, Subsection 7 of this chapter	See § 27-604, Subsection 7 of this chapter	See § 27-604, Subsection 7 of this chapter
Building height	See § 27-604, Subsection 8 of this chapter	See § 27-604, Subsection 8 of this chapter	See § 27-604, Subsection 8 of this chapter
Building orientation	See § 27-604, Subsection 9 of this chapter	See § 27-604, Subsection 9 of this chapter	See § 27-604, Subsection 9 of this chapter
Building facade	See § 27-604, Subsection 10 of this chapter	See § 27-604, Subsection 10 of this chapter	See § 27-604, Subsection 10 of this chapter
Building roof	See § 27-604, Subsection 11 of this chapter	See § 27-604, Subsection 11 of this chapter	See § 27-604, Subsection 11 of this chapter
Reuse of existing or formerly residential building	See § 27-604, Subsection 12 of this chapter	See § 27-604, Subsection 12 of this chapter	See § 27-604, Subsection 12 of this chapter
Building footprint	See § 27-604, Subsection 13 of this chapter	See § 27-604, Subsection 13 of this chapter	See § 27-604, Subsection 13 of this chapter
Fire escape	See § 27-604, Subsection 14 of this chapter	See § 27-604, Subsection 14 of this chapter	See § 27-604, Subsection 14 of this chapter
Lot access and parking	See § 27-604, Subsection 15 of this chapter	See § 27-604, Subsection 15 of this chapter	See § 27-604, Subsection 15 of this chapter
Residential garage location and design	See § 27-604, Subsection 16 of this chapter	See § 27-604, Subsection 16 of this chapter	See § 27-604, Subsection 16 of this chapter
Nonresidential uses within an enclosed building	See § 27-604, Subsection 17 of this chapter	See § 27-604, Subsection 17 of this chapter	See § 27-604, Subsection 17 of this chapter

**§ 27-404. Compliance with General Regulations and Specific Standards.
[Ord. No. 497, 1/8/2013]**

Additionally, all development activities and uses within the respective mixed-use zoning districts shall comply with all applicable general standards of this chapter, including but not limited to:

1. General regulations of Part 7 of this chapter;
2. Sign regulations of Part 8 of this chapter; and
3. Lot access, parking, and loading regulations of Part 9 of this chapter.

§ 27-405. Overlay Zoning Districts. [Ord. No. 497, 1/8/2013]

If located within or affected by the following overlay zoning districts, see Table 4-7 in this section, then development activities or uses within the respective mixed-use zoning districts shall comply with the requirements of the applicable overlay zoning district provisions set forth in Part 6 of this chapter:

Table 4-7 Overlay Zoning Districts				
Mixed-Use Zoning Districts	Overlay Zoning Districts			
	Floodplain Overlay Zoning District (FPO)	Airport Overlay Zoning District (APO)	FST Overlay Zoning District (FSTO)	Heritage Conservation Overlay Zoning District (HCO)
Village Mixed-Use-1 Zoning District (VMU-1)	See § 27-602 of this chapter	See § 27-603 of this chapter	See § 27-604 of this chapter	N/A
Village Mixed-Use-2 Zoning District (VMU-2)	See § 27-602 of this chapter	See § 27-603 of this chapter	See § 27-604 of this chapter	N/A
The Waterfront Zoning District (WF)	See § 27-602 of this chapter	See § 27-603 of this chapter	See § 27-604 of this chapter	See § 27-605 of this chapter