

**ARTICLE XXIV SUPPLEMENTAL USE REGULATIONS****Section 2400 PURPOSE**

The purpose of this Article is to establish standards for specific uses which require special design considerations. These regulations are set forth to achieve compatibility with the principal uses permitted in a zoning district. These regulations shall apply to all zoning districts in which the particular use being regulated is permitted. It is the intent of the Borough that, where these uses are permitted, they comply strictly with the standards that have been created to address their particular impacts and characteristics. The provisions for this Article shall apply in addition to any other applicable zoning regulations.

**Section 2401 ACCESSORY USES, BUILDINGS, AND STRUCTURES**

The following may be permitted as Accessory Uses in addition to a permitted principal use in a district, but must always be incidental and subordinate to the principle use and located on the same tract or lot as the principal use. The Accessory Use shall be located in the rear or side yard of the lot and shall be located no further forward than the front line of the principal building. The minimum setback for an Accessory Use shall not be less than seven (7) feet from the lot lines, and the Accessory Use shall have a maximum height of fifteen (15) feet and shall specifically be deemed accessory in accordance with the following terms:

- A. **Residential Accessory Uses, Buildings, or Structures.** Only when noncommercial and only for the use of residents of the dwelling, Accessory Uses to residential uses include, but are not limited to:
1. Garage or parking area for the parking of passenger automobiles including noncommercial trucks and vans, and driveways in accordance with this Ordinance and the Borough Subdivision and Land Development Ordinance.
  2. Structures such as, but not limited to, shelter for household pets, storage sheds, bathhouses, gazebos, decks, patios, tennis courts, and noncommercial greenhouses. Storage tanks located in areas subject to traffic shall be protected against physical damage and screened from view on all sides to the greatest extent feasible.
  3. Noncommercial Swimming Pool subject to the following:
    - a. Noncommercial Swimming Pool, including both above-ground or in-ground pools, designed with a depth of two (2) feet or more shall be for use of residents and their guests and shall not be operated commercially as to charge a fee for its use.
    - b. A permit shall be required to locate, construct or maintain a Noncommercial Swimming Pool.
    - c. Swimming pools and buildings related to the pool may be located in the rear or side yard of the lot and shall not be closer to any rear or side lot line than the minimum required building setbacks of the district in which the lot is located. Any paved areas or decks related to the pool shall be no closer than five (5) feet to a lot line.

- d. Outdoor lighting, if any, shall be shielded and/or reflected away from adjacent properties so that the lighting is neither directed nor reflected upon adjacent properties.
  - e. Noncommercial Swimming Pools shall be completely enclosed by a fence of a minimum of four (4) feet in height with no openings greater than four (4) inches in width and built to deter accidental entrance to the pool, and shall be maintained in a good, safe condition. All fence gate openings shall be equipped with self-closing and self-latching devices for keeping the gate(s) securely closed at all times.
  - f. At the time of application for a building permit, it shall be demonstrated that the drainage of the pool is adequate and will not interfere with the water supply system, with existing sewage facilities, with public streets, and shall not drain into the neighboring property.
4. Garage or yard sales shall meet the following:
    - a. Such temporary uses shall be last no more than three (3) consecutive days, and shall be limited to not more than four (4) times within one (1) calendar year. There shall be at least thirty (30) days between each occurrence.
    - b. Signs advertising garage or yard sales shall be limited to limited to two (2) square feet in size, and shall be posted no more than two (2) days prior to the sale and removed within twenty-four (24) hours after said event. No more than four (4) off-premise signs shall be placed, and the location of off-premises signs shall be approved by the property owners of the properties on which they are placed.
    - c. There shall be no more than one (1) motor vehicle for sale per residential lot, and that sale shall not exceed ninety (90) days in length.
  5. Radio and television, or microwave dish antennae subject to Section 2414.
  6. Structures such as fences or walls in accordance with Article XXIII.
  7. Signs in accordance with Article XXVI.
  8. Uses designed to serve the residents of a residential development, including areas for washing machines and dryers, lockers or storage areas, recreational facilities and lounges.
  9. Major Home Occupations in accordance with Section 2412.
  10. Minor Home Occupations in accordance with Section 2412.
  11. ~~Supplemental Dwelling Unit or Accessory Apartment.~~ This accessory use allows a smaller secondary dwelling unit within an existing single-family detached dwelling or accessory building on the same lot as the principal dwelling without substantial exterior modification to the existing building. The purpose is to protect and allow efficient use of the existing housing stock, and to provide opportunity to allow housing to meet the specific housing needs of Borough families and allow the owners to remain residents of that dwelling and the Borough. Supplemental Dwelling Units shall meet the following:
    - a. A Supplemental Dwelling Unit shall be permitted only in single-family detached dwellings and their accessory buildings.

- b. The Supplemental Dwelling Unit shall remain accessory and secondary to the principal single-family detached dwelling.
- c. The area and bulk regulations of the zoning district shall apply to the lot on which the Supplemental Dwelling Unit is located.
- d. No more than one (1) Supplemental Dwelling Unit shall be allowed on each lot.
- e. The Supplemental Dwelling Unit shall be permitted only in one (1) of the following configurations:
  - 1) Located in the existing principal dwelling and may be a conversion of an existing floor area, such as a garage or upper story of the dwelling, and designed so that to the greatest extent possible, the appearance of the principal dwelling remains that of a single-family detached dwelling.
  - 2) Entrances to the Supplemental Dwelling Unit shall be located to the rear or side of the building, and there shall be no additions permitted in conjunction with the creation of a supplemental dwelling unit, except those as may be needed for enclosed stairwells or to meet Borough and state safety codes.
  - 3) Contained within an accessory building on the same lot as the principal dwelling.
- f. Either the principal single-family dwelling or the Supplemental Dwelling Unit shall be occupied by the bona fide owner of the property on which both dwelling units are located.
- g. The Supplemental Dwelling Unit shall be no more than thirty-five (35) percent of the principal dwelling's total floor area, and shall have a minimum floor area of four hundred (400) square feet.
- h. One (1) off street parking space shall be provided for a Supplemental Dwelling Unit in addition to the parking requirements for the principal use, in accordance with Article XXV.

12. One (1) boarder shall be permitted per each residential single family detached dwelling use.

**B. Commercial, Institutional, or Industrial Accessory Uses, Buildings, or Structures.** The following uses shall be permitted when incidental and subordinate to an existing commercial or industrial use:

- 1. Off-street parking facilities in accordance with Article XXV.
- 2. Signage in accordance with Article XXVI.
- 3. Outdoor Storage or Display of materials in accordance with Section 2310.
- 4. Fences or walls in accordance with Section 2308.
- 5. Radio and television, or microwave dish antennae subject to Section 2414.