

ARTICLE III ESTABLISHMENT OF DISTRICTS

Section 300 CLASSES OF DISTRICTS

- A. Every parcel of land and every building or structure in the Borough, except as provided by this Ordinance or other applicable law, shall be subject to the provisions specified for the district in which it is located.
- B. A building or structure may be constructed or used, and a lot may be used, developed, or occupied only for the uses permitted by right, accessory uses, or conditional uses which adhere to certain standards and criteria, and uses by special exception when approved, in the zoning district in which the building or lot is located.
- C. **Base Districts.** For the purpose of this Ordinance, the Borough of Malvern is hereby divided into eighteen (18) classes of base districts which shall be designated as follows:

Article IV:	R1 - Residential District
Article V:	R2 - Residential Districts
Article VI:	R3 (R3a and R3b) - Residential Districts
Article VII:	R4 - Residential District
Article VIII:	R5 - Residential District
Article IX:	R6 - Residential District
Article X:	R7 - Residential District
Article XI	Reserved
Article XII	C1 - Commercial District
Article XIII	C2 - Adaptive Reuse Commercial District
Article XIV	C3 - Town Center Commercial District
Article XV	C4 - High Intensity Commercial District
Article XVI	I1 - Institutional District
Article XVII	I2 - Institutional District
Article XVIII	I3 - Institutional District
Article XIX	I4 - Institutional District
Article XX	LI - Limited Industrial District
Article XX-A	LI - Limited Industrial District
Article XXI	POSC - Park and Open Space Conservation District

- D. **Overlay District.** In addition, there is an overlay district, the Floodplain Overlay District, contained in Section 2201 of Article XXII, Natural Resource Protection Standards. An overlay district shall overlay and be in addition to the regulations of the base zoning districts in which the lot, building, or structure is located. The more restrictive of the district regulations shall prevail.

Section 301 DISTRICT BOUNDARIES

The boundaries between base zones are, unless otherwise indicated, either the central lines of streets, lanes, watercourses and rights-of-way of power lines, railroads and other public utilities, parcel lines, or such lines extended or lines parallel thereto. Where the boundaries of a single district are indicated as including directly opposite sides of a street, lane, lake or watercourse, or right-of-way of a power line or other public utility, for any portion of its length, the district shall be construed to include the entire bed or

such street, lane, lake or watercourse or right-of way of such power line, railroad or other public utility lying within such portion of its length. Where uncertainty exists as to the location of any said boundaries as shown on the Zoning Map, the following rules shall be used to identify the boundary:

- A. Where a district boundary is indicated as approximately following the centerline of a street, lane, lake or watercourse, or right-of-way of a power line or other public utility, such centerline shall be construed to be such boundary.
- B. Where a district boundary is indicated as approximately following a lot or other property line, such lot or property line shall be construed to be such boundary.
- C. Where a boundary divides a lot or runs through undivided property, the location of such boundary, unless otherwise specified by figures on the Zoning Map, shall be determined by the use of the scale appearing on said map.
- D. Where figures are shown on the Zoning Map between a street and a district boundary, they shall indicate that the district boundary runs parallel to the centerline of the street at a distance therefrom equivalent to the number of feet so indicated, unless otherwise specified. Where scaled distances do not agree with such figures, the figures shall be binding.
- E. In the event of a dispute as to the location of a district boundary, the Zoning Officer shall hear and decide. Appeals shall be taken to the Zoning Hearing Board, subject to the provisions of Article XXVIII.

Section 302 ZONING MAP

- A. The locations and boundaries of such districts, except the Flood Overlay District, shall be shown upon the map attached to and hereby made a part of this Ordinance, which shall be designated the "Zoning Map." The Zoning Map and all the notation, references and other data shown thereon shall be as much as part of this Ordinance as if fully described herein. The Flood Overlay District shall be treated as an overlay zone to the otherwise applicable base zones.
- B. If, and whenever, the Borough Council makes changes to the boundaries or other matters included on said Zoning Map, such changes shall be reflected on the map promptly following enactment of such amendment.

Section 303 FEDERAL AND STATE OWNED PROPERTY

Whenever federal or state owned property is included in one (1) or more zoning districts, it shall be subject to the provisions of this Ordinance to the extent permitted by the Constitution and laws of the United States of America and the Commonwealth of Pennsylvania.