

**PART 9**

**“MN/C” MIXED NEIGHBORHOOD / COMMERCIAL ZONING DISTRICT**

**Section 900. Purpose**

This zoning district is comprised of those areas where a combination of the wide variety of moderately intensive residential dwelling types permitted in the Residential Moderate Density Zoning District (R-M), including single and multi-unit housing, are predominant, well established and able to support compatible neighborhood, pedestrian oriented public and commercial services. This zoning district includes certain areas along 2<sup>nd</sup> Street, adjacent to the Central Business District Zoning District (CBD) where compatible reuse, replacement, and infill development may occur in a manner that protects and enhances the existing pattern of mixed residential areas and promotes complimentary and supporting commercial and public uses to serve those and surrounding neighborhoods.

**Section 901. Permitted Uses by Right**

A. See Table 6-2 in Section 605.

**Section 902. Uses Permitted by Conditional Use or Special Exception**

A. See Table 6-2 in Section 605.

**Section 903. Area and Design Requirements**

Use	Minimum Lot Area Per Unit	Minimum Lot Width at Lot Frontage		Maximum Permitted Impervious Lot Coverage / Minimum Vegetative Coverage	Building Setbacks			Minimum/Maximum Permitted Building Height
		Interior	Corner		Minimum/Maximum Front	Minimum Side	Minimum Rear	
Single-family detached dwelling	4,000 sq. ft.	40 ft.	55 ft.	50% Impervious / 20% Vegetative	5 ft./15 ft.	5 ft.	25 ft.	2 stories or 24 ft/40ft

Use	Minimum Lot Area Per Unit	Minimum Lot Width at Lot Frontage		Maximum Permitted Impervious Lot Coverage / Minimum Vegetative Coverage	Building Setbacks			Minimum/Maximum Permitted Building Height
		Interior	Corner		Minimum/Maximum Front	Minimum Side	Minimum Rear	
Single family semi-detached dwelling	3,000 sq. ft.	30 ft.	45 ft.	55% Impervious / 20% Vegetative	5 ft. / 15 ft.	5 ft., except 0 ft. 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.	25 ft.	2 stories or 24 ft/40ft
Two-family detached dwelling	3,500 sq. ft.	70 ft.	85 ft.	55% Impervious / 20% Vegetative	5 ft./15 ft.	5 ft.	25 ft.	2 stories or 24 ft/40ft

Use	Minimum Lot Area Per Unit	Minimum Lot Width at Lot Frontage		Maximum Permitted Impervious Lot Coverage / Minimum Vegetative Coverage	Building Setbacks			Minimum/Maximum Permitted Building Height
		Interior	Corner		Minimum/Maximum Front	Minimum Side	Minimum Rear	
Single-family attached dwelling & Multi-family dwelling/apartment	2,500 sq. ft.	25 ft.	40 ft. (also end units for SFA)	60% Impervious / 20% Vegetative	5 ft./15 ft.	5 ft. except 0 ft. 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.	25 ft.	2 stories or 24 ft/40ft
Other permitted use	2,500 sq. ft.	25 ft.	40 ft.	65% Impervious / 20% Vegetative	5 ft./15 ft.	5 ft. except 0 ft. 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.	25 ft.	2 stories or 24 ft/40ft

Use	Minimum Lot Area Per Unit	Minimum Lot Width at Lot Frontage		Maximum Permitted Impervious Lot Coverage / Minimum Vegetative Coverage	Building Setbacks			Minimum/Maximum Permitted Building Height
		Interior	Corner		Minimum/Maximum Front	Minimum Side	Minimum Rear	
Accessory use or structure	N/A	N/A	N/A	Included in above if on a permanent foundation	Not permitted to be located between the principal building and the public street	3 ft.	3 ft., except that detached garages adjacent to and having access to an alley, shall be setback five (5) feet from the right-of-way or fifteen (15) feet from the centerline of the alley, whichever is greater	20 ft. or not higher than the principal building, whichever is less

**Section 904. Additional Standards and Guidelines**

- A. All new development should generally be compatible in character, design, height, scale, setback, orientation, lot access and off-street parking with adjacent and nearby buildings/structures and development on the same shared block face (between two [2] intersecting streets) along the same side of the street. At a minimum, modifications to existing buildings and development of new buildings shall maintain an exterior appearance that resembles and is compatible with any existing residential dwellings and buildings in the neighborhood.
- B. Reuse of Existing or Former Residential Buildings
  - 1. In order to ensure modifications to existing or former residential buildings for permitted uses maintain an exterior appearance that resembles and is compatible with the existing residential dwelling and residential buildings in the neighborhood, new development that incorporates one or both of the provisions herein subsections 904.B.2.a and .b below, shall qualify for the same number of incentives as provided below:
    - a. Fifteen (15) foot reduction in minimum rear building setback; and/or

- b. Fifteen (15) percent increase in impervious lot coverage, and five (5) percent reduction in minimum vegetative cover.

2. Modification of Existing or Former Residential Buildings

- a. In addition to other standards of this Chapter, the reuse of existing or former residential buildings for all permitted non-residential and mixed use establishments, the existing building shall maintain an exterior appearance that resembles and is compatible with any existing residential dwellings and residential buildings in the neighborhood. No modifications or alternations to the external appearance of the front and street side facades of the building (except for permitted signs, fire escapes, and front porch enclosures provided for herein this subsection below) which would alter its existing or former residential character, shall be permitted.

- (1). Building modifications shall occur to the rear and/or non-public street (excluding alleys) side of the existing principal building.

- b. Covered Front Porch Enclosures

- (1). Front porch enclosures shall be provided in accordance with the following standard:

- (a). The applicant shall demonstrate that expansion to the rear and/or side of the existing principal building, including enclosing any side and rear porches, is not feasible.

- (b). Front porch enclosures shall be limited to the existing front porch footprint.

- (c). Front porch enclosures shall include the use of glass or screens that leave intact the original elements of the porch including the open space (percentage of window/door openings to solid wall space); the railings, transoms, columns, and roof.

- (2). Front porch enclosures shall include the use of materials and colors consistent and compatible with the principal building.

- (3). Multiple-story front porch enclosures shall not be permitted.

3. Building Footprint of Existing or Former Residential Buildings

- a. There shall be no limit to the total floor area, but the existing building may be expanded only to the extent that the total building footprint of the existing building plus any expansion combined shall not exceed five thousand (5,000) square feet.

C. New Buildings

- 1. In addition to the standards and provisions set forth herein Section 903 and 904.A above and elsewhere in the Chapter, new buildings shall comply with the following provisions:

- a. Blank walls on building facades facing public streets shall not be permitted.

- b. Where a new principal building with public street-side façades greater than forty-five (45) feet in width is proposed, such facades shall incorporate recesses, projections,

different façade materials, colors and/or designs, and/or different rooflines and roof pitches, as to reduce the effect of a monotonous, blank wall look that would deteriorate the appearance of the Borough.

- c. Where a new principal building is proposed, at least seventy-five (75) percent of the building's front facade shall be located on the required front setback. Covered front porches shall be permitted to fulfill this requirement.
- d. The maximum footprint of any new building shall not exceed two thousand five hundred (2,500) square feet.
- e. New buildings shall have a pitched roof with a slope of no less than 6:12, instead of a flat roof.

D. Non-Residential Uses within an Enclosed Building

1. Unless otherwise permitted elsewhere in this Chapter, all permitted principal non-residential uses shall be conducted within a completely enclosed building, except for permitted outdoor cafes/dining.

E. Residential Dwelling Unit Size

1. The minimum dwelling unit size shall be eight hundred (800) square feet.

F. Refuse Areas

1. The storage of refuse, including dumpsters, trash bins, and recycling receptacles, for non-residential, multi-family dwelling/apartment, and mixed uses shall be provided within the principal or accessory building(s) or within an outdoor area enclosed by walls or opaque fencing. Any refuse areas outside of a principal or accessory building shall be:
  - a. designed to be architecturally compatible with the principal or accessory building (including design, materials, and colors); and
  - b. located behind the rear wall of the principal building; and
  - c. entirely screened by a six (6) foot high wall/fence or other enclosure, and plantings.

G. Screening

1. In addition to the standards set forth in Part 4, screening shall be provided in accordance with the following:
  - a. All wall-mounted mechanical, electrical, communication, and service equipment, including satellite dishes (not including residential uses) and vent pipes shall be screened from public view by parapets, walls, fences, landscaping, or other approved means.
  - b. All rooftop mounted equipment and other appurtenances shall be concealed by or integrated within the roof form or screened from view at ground level of nearby streets. The following when above the roofline requires screening: stair wells, air conditioning units, large vents, heat pumps, and mechanical equipment. In no case shall fencing be used as a rooftop equipment screen.
  - c. Service and loading areas must be visually screened from the public street, sidewalks, and abutting property in the R-L and R-M zoning districts or existing residential use in

the MN/C zoning district. For new construction, service and loading areas must be behind the principal building. Loading docks shall not be located along 2<sup>nd</sup> Street.

H. Hours of Operation

For proposed non-residential and mixed use developments, the hours of operation and activities must be appropriately scheduled to protect the existing neighborhood from detrimental noise, disturbance or interruption. An hours of operations plan shall be submitted as part of any application for such use.

**Section 905. Compliance with General Regulations**

All uses shall comply with all applicable General Regulations contained within Part 4 of this Chapter, as well as:

1. Part 18 Signs
2. Part 19 Lot Access, Parking, and Loading Regulations.

**Section 906. Overlay Districts**

If located within or affected by the following overlay districts, development or uses shall meet the requirements of the applicable overlay provisions in accordance with:

1. Part 15 FP Floodplain Overlay District Regulations
2. Part 16 NCS Neighborhood Compatibility Standards Overlay District
3. Part 17 APZ Airport Zoning Overlay District Regulations.