

§ 119-27. Table of permitted uses by district.¹

A. For the purposes of this § 119-27, the following abbreviations shall have the following meanings:

P	=	Permitted by right (zoning decision by Zoning Officer).
SE	=	Special exception use (zoning decision by Zoning Hearing Board).
C	=	Conditional use (zoning decision by Board of Supervisors).
N	=	Not permitted.
(§ 119-40)	=	See additional requirements in § 119-40.
(§ 119-41)	=	See additional requirements in § 119-41.

B. Permitted uses.

- (1) Unless otherwise provided by state or federal law or specifically stated in this chapter (including § 119-6B), any land or structure shall only be used or occupied for a use specifically listed in this chapter as permitted in the zoning district where the land or structure is located. Such uses shall only be permitted if the use complies with all other requirements of this chapter.
- (2) This table is divided into two sections:
 - (a) Primarily residential districts; and
 - (b) Primarily nonresidential districts.
- (3) See § 119-6B which generally provides a process for approval of a use that is not listed, based upon similarity to permitted uses and other criteria. Except as provided in such § 119-6B, any other principal use that is not specifically listed as P or SE in the applicable district in this table is prohibited in that district.
- (4) For temporary uses, see § 119-3.
- (5) Standard subdivisions are permitted on any size parcel of land in the zoning districts

1. Editor's Note: The Table of Permitted Uses is included as an attachment to this chapter.

stipulated in this § 119-27 and in accord with the dimensional requirements of § 119-28. See the definition of "lot area" in § 119-21 which requires the deduction of certain areas of constrained land for the calculation of lot area in standard subdivisions not using conservation design. Conservation subdivisions are permitted on any parcel of land six acres or more in the zoning districts stipulated in § 119-27 and in accord with § 119-38. **[Amended 4-23-2015 by Ord. No. 2015-04]**

- C. Permitted accessory uses in all districts. An accessory use of a dwelling is only permitted if such use is customarily incidental to the residential use and is specifically permitted by this chapter. The following are permitted by right as accessory uses to a lawful principal use in all districts, within the requirements of § 119-41 and all other requirements of this chapter:
- (1) Standard antennas, including antennas used by contractors to communicate with their own vehicles. (Note: See standard in § 119-41.)
 - (2) Fence or wall. (Note: See standard in § 119-41.)
 - (3) Garage, household.
 - (4) Garage sale. (Note: See standard in § 119-41.)
 - (5) Pets, keeping of. (Note: See standard in § 119-41.)
 - (6) Parking or loading, off-street, only to serve a use that is permitted in that district.
 - (7) Recreational facilities, limited to use by residents of a development or students at a primary or secondary school or center for the care and treatment of youth, and their occasional invited guests.
 - (8) Residential accessory structure (see definition in Article II). (Note: See standard in § 119-41.)
 - (9) Signs, as permitted by Article VII.
 - (10) Swimming pool, household. (Note: See standard in § 119-41.)
 - (11) Such other accessory use or structure that the applicant proves to the satisfaction of the Zoning Officer is clearly customary and incidental to a permitted by right, special exception or conditional principal use.
 - (12) Accessory solar collectors meeting § 119-41. **[Added 5-1-2014 by Ord. No. 2014-01]**
 - (13) Accessory wind turbine generators meeting § 119-41. **[Added 5-1-2014 by Ord. No. 2014-01]**
- D. Permitted accessory uses to business and institutional uses. The following are permitted by right accessory uses only to a permitted by right, special exception or conditional commercial, industrial or institutional use, provided that all requirements of this chapter are met:
- (1) Storage of fuels for on-site use or to fuel company vehicles.

- (2) The following accessory uses, provided that the use is clearly limited to employees, patients, residents and families of employees of the use and their occasional invited guests:
 - (a) Internal cafeteria without drive-through service;
 - (b) Day-care center; or
 - (c) Recreational facilities.
 - (3) Bus shelters. [**Amended 4-23-2015 by Ord. No. 2015-04**]
 - (4) Automatic transaction machine.
 - (5) Storage sheds meeting the requirements of § 119-28A.
- E. Intermunicipal cooperation. [**Added 5-1-2014 by Ord. No. 2014-01**]
- (1) Regional Comprehensive Plan. This chapter is enacted in accord with an intergovernmental cooperation agreement adopted by Chestnuthill Township and other participating municipalities, herein referred to as the "Planning Region," to implement the Regional Comprehensive Plan. The adopted Regional Comprehensive Plan includes a Future Land Use Map which identifies what future land uses would be most appropriate throughout the region and at what density. Future land use recommendations are based on a variety of factors: the patterns of development and existing conditions within the municipalities; the anticipated path of future growth in the region; existing environmental conditions and natural resources; capacity of public facilities and infrastructure; and goals of the Monroe County Comprehensive Plan.
 - (2) Regional approach. The Zoning Ordinances and Zoning Maps adopted by the participating municipalities provide for a variety of housing types and densities and accommodate all categories of land uses within the Planning Region and are consistent with the Regional Comprehensive Plan.
 - (3) Pennsylvania Municipalities Planning Code. This is consistent with Sections 916.1, 1006-A(b.1) and 1105 of the Pennsylvania Municipalities Planning Code. Section 1006-A(b.1) states: "Where municipalities have adopted a multimunicipal comprehensive plan pursuant to Article XI but have not adopted a joint municipal ordinance pursuant to Article VIII-A and all municipalities participating in the multimunicipal comprehensive plan have adopted and are administering zoning ordinances generally consistent with the provisions of the multimunicipal comprehensive plan, and a challenge is brought to the validity of a zoning ordinance of a participating municipality involving a proposed use, then the court shall consider the availability of uses under zoning ordinances within the municipalities participating in the multimunicipal comprehensive plan within a reasonable geographic area and shall not limit its consideration to the application of the zoning ordinance on the municipality whose zoning ordinance is being challenged."
 - (4) Regional uses. The uses listed in the Regional Uses Table are available within the Planning Region as provided by the Pennsylvania Municipalities Planning Code.

[Amended 4-23-2015 by Ord. No. 2015-04]**REGIONAL USES**

Land Use	Zoning District Allowed				
	Chestnuthill	Jackson	Eldred	Ross	Polk
Adult business	Not permitted	I	Not permitted	Not permitted	Not permitted
Agriculture products processing	Not permitted	I	Not permitted	Not permitted	I
Animal shelters	Not permitted	Not permitted	Not permitted	GC	C
Bulk fuel storage facility	Not permitted	I	I	Not permitted	I
Concentrated animal feeding operation	Not permitted	Not permitted	Not permitted	RR	RR
Correctional facility	Not permitted	Not permitted	Not permitted	GC	Not permitted
Distribution center/truck terminal	Not permitted	I	Not permitted	GC	Not permitted
Flea market, outdoor	VC, GC	Not permitted	Not permitted	GC	C
Industrial wastewater treatment facility	Not permitted	I	Not permitted	Not permitted	Not permitted
Industry	Not permitted	I	I	Not permitted	I
Junkyard	Not permitted	Not permitted	Not permitted	RR	Not permitted
Kennel	Not permitted	Not permitted	RR	Not permitted	C
Mineral processing	Not permitted	I	I	Not permitted	Not permitted

REGIONAL USES

Land Use	Zoning District Allowed				
	Chestnuthill	Jackson	Eldred	Ross	Polk
Mobile home park	R-3	Not permitted	Not permitted	R-2	R-2
Pipeline compressor station, metering station or operation/maintenance facilities	LIC, GI	I	Not permitted	GC	Not permitted
Power plant	Not permitted	I	Not permitted	Not permitted	Not permitted
Racetrack	Not permitted	Not permitted	RR	GC	Not permitted
Recycling facility	GI	I	I	Not permitted	Not permitted
Resource recovery facility	Not permitted	I	Not permitted	Not permitted	Not permitted
Retail/commercial development, large-scale	VC, GC, LIC*	C	C	GC	C
Shooting range, outdoor commercial	RR	Not permitted	Not permitted	RR	Not permitted
Solid waste landfill	Not permitted	Not permitted	Not permitted	RR	Not permitted
Solid waste facility	Not permitted	I	Not permitted	Not permitted	Not permitted
Travel plaza	Not permitted	C	Not permitted	GC	Not permitted

REGIONAL USES

Land Use	Zoning District Allowed				
	Chestnuthill	Jackson	Eldred	Ross	Polk
Wind energy facility, commercial	Not permitted	Not permitted	RR	RR	Not permitted
Zoo or menagerie	Not permitted	RC	Not permitted	Not permitted	Not permitted

*See the Table of Permitted Uses (119 Attachment 2) for compliance requirements.

Chestnuthill Township	Eldred Township	Polk Township
RR - Rural Residential	RR - Rural Resource	RR - Rural Residential
R-3 - Medium High Density Residential	C - Commercial	R-1 - Rural Residential
VC - Village	I - Industrial	R-2 - Rural/Village Residential
Commercial/Residential	Jackson Township	R-3 - Village Center District
GC - General Commercial	RC - Recreation Commercial	C - Commercial District
GI - General Industrial	C - Commercial	I - Industrial District
LIC - Light Industrial/Commercial	I - Industrial	
	Ross Township	
	RR - Rural Residential	
	R-2 - Medium Density Residential	
	GC - General Commercial	

F. Developments of regional significance. **[Added 5-1-2014 by Ord. No. 2014-01]**

- (1) All subdivision and/or land development classified by intergovernmental agreement as having regional significance shall be brought before the Regional Planning Committee for review and comment. A development of regional significance shall be defined per Section 107 of the Pennsylvania Municipalities Planning Code² as "any land development that, because of its character, magnitude, or location, will have substantial effect upon the health, safety, or welfare of citizens in more than one municipality." Determination of regional significance in the Planning Region shall be based on the following guidelines: **[Amended 4-23-2015 by Ord. No. 2015-04]**

Type of Development	Threshold
Adult business	New facility or expansion of use of existing facility by 50% or more; and located within 1/2 mile of a jurisdictional boundary
Airports and heliports	Any new airport with a paved runway; or runway additions of more than 25% of existing runway length or within 1/2 mile of a jurisdictional boundary
Commercial (including retail, mixed-commercial and office centers) not classified below	Greater than 150,000 square feet; or 75,000 square feet if within 1/2 mile of a jurisdictional boundary
Concentrated animal feeding operations (CAFO)	New facility or expansion of existing facility by more than 50% or within 1/2 mile of a jurisdictional boundary
Fuel storage facilities	Storage capacity greater than 75,000 gallons if within 1,000 feet of any water supply; otherwise, storage capacity greater than 150,000 gallons; and located within 1/2 mile of a jurisdictional boundary

2. Editor's Note: See 53 P.S. § 10107.

Type of Development	Threshold
Gambling/betting facilities	New facility or expansion of existing facility by more than 50% or within 1/2 mile of a jurisdictional boundary
Hospitals and other major medical centers	New facility or expansion of use of an existing facility by 50% or more and within 1/2 mile of a jurisdictional boundary
Housing	Housing developments (single-family, two-family or multifamily) if in excess of 50 or more dwelling units, or resulting in the development of 25 dwelling units or more and within 1,000 feet of the Township boundary line.
Industrial facilities	New facility or expansion of use of an existing facility by 50% or more or within 1/2 mile of a jurisdictional boundary
Infrastructure projects	Infrastructure projects within 1/2 mile of adjoining municipal boundaries; projects outside 1/2 mile may be reviewed on a discretionary basis as desired by the host municipality
Intermodal terminals (intermodal-facility or system that transfers people, goods, or information between 2 or more transport modes or networks between an origin and destination)	New facility or expansion of existing facility by more than 50% or within 1/2 mile of a jurisdictional boundary

Type of Development	Threshold
Kennels	New facility or expansion of existing facility by more than 50% and within 1/2 mile of a jurisdictional boundary
Lodging facilities	Greater than 150 rooms and within 1/2 mile of a jurisdictional boundary
Mineral extraction or mineral processing	New facility or expansion of existing facility by more than 50% and located within 1/2 mile of a jurisdictional boundary
Mixed residential and nonresidential uses	Greater than 150,000 square feet; or 75,000 square feet if within 1/2 mile of a jurisdictional boundary
Schools/colleges	New facility with a capacity of more than 750 students, or expansion by at least 25% of capacity and within 1/2 mile of a jurisdictional boundary
Solid waste facilities	New facility or expansion of use of an existing facility by 50% or more
Sports complexes, attractions and regional recreational facilities	New facility or expansion of use of an existing facility by 50% or more; or located within 1/2 mile of a jurisdictional boundary
Truck terminals	A new facility with more than 3 diesel fuel pumps; or containing 1/2 acre of truck parking or 10 truck parking spaces; and within 1/2 mile of a jurisdictional boundary

Type of Development	Threshold
Wastewater treatment facilities	New facility or expansion of existing facility by more than 50% and located within 1 mile of a jurisdictional boundary
Water supply (quantity or quality) intakes/reservoirs	New facilities or expansion of use by 50% or more and within 1/2 mile of a jurisdictional boundary
Wholesale or distribution facilities	Greater than 100,000 square feet or expansion of an existing use by 50% or more and within 1/2 mile of a jurisdictional boundary
Any other land development types not identified above (includes parking facilities)	Generate new vehicle trips in excess of 1,000 average daily trips (ADT) or has the potential to generate adverse environmental or human impacts, stormwater runoff, wastewater collection or treatment and within 1/2 mile of a jurisdictional boundary