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# ZONING ORDINANCE

## BOROUGH OF PALMERTON

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CARBON COUNTY, PENNSYLVANIA

Ordinance No. 568

ENACTED BY THE BOROUGH OF PALMERTON BOROUGH COUNCIL

ON OCTOBER 28, 1998, WITH AN EFFECTIVE DATE OF

NOVEMBER 2, 1998.

(Includes amendments from Ordinances 582, 583, and 602)

Developed by the Palmerton Borough Zoning Ordinance Committee

Community Planning and Zoning Consultant

Urban Research and Development Corporation  
Bethlehem, Pennsylvania

**Section 306.B. - Table of Permitted Uses by District**

TYPE OF USE (See definitions in Article 2)	ZONING DISTRICTS							
	R-1	R-2	R-3	CD	CF	I/C	PD	I
<b>4. RESIDENTIAL USES</b>								
Single Family Detached Dwelling (any manufactured home shall also meet S. 402)	P	P	P	N	P	N	P*	N
Twin Dwelling, side-by-side, with each dwelling unit on its own lot	P**	P	P	N	P	N	P*	N
Townhouse/Rowhouse (S. 402)	P**	P	P	N	P	N	P*	N
Apartments (S. 402) or Two-Family Detached Dwellings (not including conversion of a one family dwelling into additional numbers of dwelling units)	N	SE	SE	P	P	N	P*	N
Manufactured/Mobile Home Park (S. 402)	N	N	N	N	N	N	C*	N
Boarding or Rooming House (S. 402)	N	N	N	SE	P	P	N	N
Group Home within a lawful existing dwelling unit, not including a Treatment Center (S. 402)	SE	SE	SE	N	N	N	P*	N
Conversion of an Existing Building into 1 or More Dwelling Units (S. 402)	N	N	SE	SE	SE	N	N	N
One Dwelling Unit within a Permitted Principal Non-Residential Building	N	N	P	P	P	N	N	N
<b>5. COMMERCIAL USES</b>								
Adult Bookstore, Adult Movie Theater, Adult Live Entertainment Use (S. 402)	N	N	N	N	N	N	N	C
After Hours Club - prohibited by State Act 219 of 1990	N	N	N	N	N	N	N	N
Auto Repair Garage or Service Station (S. 402)	N	N	N	N	P	SE	C*	N
Auto, Boat or Mobile/Manufactured Home Sales (S. 402)	N	N	N	N	P	P	C*	N
Bakery	N	N	P	P	P	P	P*	N
Bed and Breakfast Use (S. 402)	N	SE	P	P	P	P	P	N
Beverage Distributor, which may include retail and/or wholesale sales	N	N	N	P	P	P	P*	N
Campground (S. 402)	N	N	N	N	P	P	P*	N
Car Wash (S. 402)	N	N	N	N	P	P	P*	N
Commercial Indoor Recreation (S. 402) (includes bowling alley, roller or ice skating, batting practice and closely similar uses)	N	N	N	P	P	P	P*	N
Commercial Outdoor Recreation (including miniature golf course, golf driving range, amusement park, boating, fishing, and closely similar uses)	N	N	N	P	P	P	P*	N
Communications Tower/Antenna, Commercial (S. 402) See also provisions within residential districts in Section 402.	N	N	N	P	P	P	P	P

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P = Permitted by right (zoning decision by Zoning Officer)  
 SE = Special exception use (decision by Zoning Hearing Board)  
 C = Conditional Use (zoning decision by Borough Council)      N = Not Permitted  
**(S. 402) = See Additional Requirements in Section 402      (S. 403) = See Additional Requirements in Section 403**  
 \* Provided the use is within a "Planned Development" approved as a conditional use under Section 308.  
 \*\* Limited to a tract with an existing lot area of 1 acre or greater.

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TYPE OF USE (See definitions in Article 2)	ZONING DISTRICTS							
	R-1	R-2	R-3	CD	CF	I/C	PD*	I
<b>5. COMMERCIAL USES (Cont.)</b>								
Construction Company, Tradesperson's Headquarters/ Storage or Landscape Contractor (see also as Home Occupation) (SIC 15 to 17)	N	N	P**	P	P	P	P*	N
Convenience Store	N	N	SE***	P	P	P	P*	N
Crafts or Artisan's Studio (see also as Home Occupation)	N	N	N	P	P	P	P*	N
Custom Printing, Photocopying, Faxing, Mailing or Courier Service	N	N	P	P	P	P*	N	
Exercise Club	N	N	N	P	P	P	P	SE
Financial Institution (S. 402), with or without drive-thru	N	N	N	P	P	P	P*	N
Flea Market/Commercial Auction House	N	N	N	P	P	P	P*	N
Funeral Home (S. 402), not including a crematorium	N	N	P	P	P	P	P*	N
Greenhouse or Garden Center	N	N	N	P	P	P	P*	N
Kennel (S. 402)	N	N	N	SE	P	N	N	
Laundromat	N	N	P	P	P	P*	N	
Laundry, Commercial or Industrial	N	N	N	N	P	P	P*	P
Lumber Yard	N	N	N	P	P	P	P*	N
Massage Parlor (S. 402)	N	N	N	N	N	N	N	C
Motel or Hotel (S. 402)	N	N	N	P	P	P	P*	N
Office (see also "Hospital")	N	N	P	P	P	P	P*	P
Personal Services (includes tailoring, custom dress- making, haircutting/styling, drycleaning, shoe repair, tanning salon, certified massage therapy and closely similar uses) (See also as accessory use in this table)	N	N	P	P	P	P	P*	N
Repair Service, Household Appliance	N	N	P	P	P	P	P*	P
Restaurant with drive-thru service and/or that primarily involves delivery of ready-to-eat food (S. 402)	N	N	N	SE	P	P	P*	N
Restaurant, other than above	N	N	N	P	P	P	P*	N
Retail Store (not including commercial uses not individually in this table)	N	N	P***	P	P	P	P*	N
Target Range (S. 402)	N	N	N	N	N	SE	N	P
Tattoo Parlor or Body Piercing Establishment	N	N	N	N	SE	N	N	N
Tavern which may include a State-licensed micro- brewery	N	N	N	P	P	P	P*	N
Theater, Indoor, other than an Adult Use	N	N	N	P	P	P	P*	SE
Trade/ Hobby School	N	N	N	P	P	P	P*	SE
Veterinarian Office (S. 402)	N	N	N	P	P	P	P*	N
Wholesale Sales - see under Industrial Uses								

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 \* Provided the use is within a "Planned Development" approved as a conditional use under Section 308.  
 \*\* With no outdoor storage of materials visible from a street or dwelling.  
 \*\*\* With no sales of gasoline, propane or similar fuel, and with no hours open to the public between 10 p.m. and 7 a.m.

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TYPE OF USE (See definitions in Article 2)	ZONING DISTRICTS							
	R-1	R-2	R-3	CD	CF	I/C	PD*	I
<b><u>6. INDUSTRIAL USES</u></b>								
Asphalt Plant	N	N	N	N	N	SE****	N	SE****
Building Supplies and Building Materials, Wholesale Sales of (SIC 5031)	N	N	N	P	P	P	P*	P
Distribution as a principal use (other than (other Trucking Company Terminal)	N	N	N	N	N	P	N	P
Finishing of Previously Prepared Resin, Vinyl, Polymer or Rubber Products	N	N	N	N	N	P	P*	P
Industrial Equipment Sales, Rental and Service, other than vehicles primarily intended to be operated on public streets	N	N	N	N	P	P	P*	P
Junk - outdoor storage, display or processing of, other than within an approved junkyard or solid waste disposal area	N	N	N	N	N	N	N	N
Junk Yard (S. 402)	N	N	N	N	N	N	N	SE
Liquid Fuel Storage for off-site distribution and use, other than: auto service station, propane distributor, pre-packaged sales or fuel tanks for company vehicles	N	N	N	N	N	N	N	SE
Manufacture and/or bulk processing of the following, provided manufacturing occurs only indoors:								
- Apparel, Textiles, Shoes and Apparel Accessories (SIC 22 and 23)	N	N	N	P	P	P	P*	P
- Cement, Gypsum, Concrete or Plaster Products (SIC 327)	N	N	N	N	N	SE	SE*	P
- Ceramics Products (other than Crafts Studio)	N	N	N	N	N	P	P*	P
- Chemicals, Bulk Manufacture or Bulk Storage of Highly Hazardous or Toxic Chemicals (certain uses within SIC 28)	N	N	N	N	N	N	N	SE
- Chemical Products that are not highly hazardous or toxic (other than Pharmaceuticals) (certain uses within SIC 28)	N	N	N	N	N	SE	N	SE
- Electrical and Electronic Machines, Supplies and Equipment (SIC 36)	N	N	N	P	P	P	P*	P
- Fabricated Metal Products (except Ammunition or Explosives) (SIC 34, other than 348)	N	N	N	N	N	P	P*	P

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  - N = Not Permitted

**"SIC" numbers are for information purposes to assist in determining whether a specific use is permitted. See the list of SIC codes in the Appendix.**

- \* Provided the use is within a "Planned Development" approved as a conditional use under Section 308.
- \*\*\*\* Provided all such manufacturing facilities are setback a minimum of 200 feet from any existing dwelling.

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TYPE OF USE (See definitions in Article 2)	ZONING DISTRICTS							
	R-1	R-2	R-3	CD	CF	I/C	PD*	I
<b>6. INDUSTRIAL USES (cont.)</b>								
Manufacture and/or bulk processing of the following, provided that manufacturing occurs only indoors: (cont.)								
- Food and Beverage Products, at an industrial scale as opposed to a clearly retail scale (not including uses listed individually in this table) (SIC 20)	N	N	P	P	P	P*	P	
- Furniture and Wood Products (not including raw paper pulp) (SIC 24 and 25)	N	N	N	SE	P	P	P*	P
- Glass and Glass Products (other than crafts studio) (SIC 321 to 323)	N	N	N	N	P	P	P*	P
- Incineration, Reduction, Distillation, Storage or Dumping of Slaughterhouse Refuse, Rancid Fats, Garbage, Bones, Dead Animals or Offal (other than within an approved solid waste facility)	N	N	N	N	N	N	N	N
- Leather, Clay and Pottery Products (other than Custom Crafts) (SIC 31, 325, 326)	N	N	N	N	P	P	P*	P
- Machinery (SIC 35)	N	N	N	N	N	P	P*	P
- Manufactured or Modular Housing	N	N	N	N	N	P	P*	P
- Metal Products, Primary (SIC 33)	N	N	N	N	N	P	SE*	P
- Microelectronic Components	N	N	N	P	P	P	P*	P
- Miscellaneous Manufacturing as defined by SIC 39, including toys, jewelry, musical instruments, signs, writing implements, sporting goods	N	N	N	N	P	P*	P	
- Paper and Cardboard Products (not including manufacture of raw paper pulp) (SIC 26)	N	N	N	N	P	P	P*	P
- Paper - Raw Pulp (SIC 261)	N	N	N	N	N	N	N	N
- Paving or Roofing Materials, other than bulk manufacture of asphalt	N	N	N	N	N	P	SE*	P
- Pharmaceuticals (SIC 283)	N	N	N	N	P	P	P*	P
- Plastics, Polymers, Resins or Vinyl	N	N	N	N	N	P	P*	P
- Precision Instruments, Photographic, Medical, and Optical Goods and Watches (SIC 38)	N	N	N	P	P	P	P*	P
- Products from Previously Manufactured Materials, such as glass, leather, plastics, cellophane, textiles, rubber or synthetic rubber	N	N	N	P	P	P	P*	P
- Rubber, Natural or Synthetic (SIC 2822 and 30)	N	N	N	N	P	SE*	P	
- Soaps, Detergents, Paints, Varnishes or Enamels (SIC 284 & 285)	N	N	N	N	P	SE*	P	
- Transportation Equipment (SIC 37)	N	N	N	N	N	P	P*	P

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- (S. 403) = See Additional Requirements in Section 403**

\* Provided the use is within a "Planned Development" approved as a conditional use under Section 308.

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TYPE OF USE (See definitions in Article 2)	ZONING DISTRICTS							
	R-1	R-2	R-3	CD	CF	I/C	PD*	I
<b>6. INDUSTRIAL USES (cont.)</b>								
Mineral Extraction (S. 402) and related processing, stockpiling and storage (SIC 10 through 14)	N	N	N	N	N	C	N	C
Packaging	N	N	N	P	P	P	P*	P
Package Delivery Services Distribution Center	N	N	N	P	P	P	P*	P
Photo Processing, Bulk	N	N	P	P	P	P*	P	
Printing or Bookbinding (SIC 27)	N	N	N	P	P	P	P*	P
Recycling Collection Center (S. 402)	N	N	N	SE	P	P	P*	P
Recycling Center, Bulk (other than a solid waste disposal or transfer facility)	N	N	N	N	N	P	SE*	P
Research and Development, Engineering or Testing Facility or Laboratory	N	N	N	N	SE	P	P*	P
Sawmill/ Planing Mill	N	N	N	N	N	P	P*	P
Self-Storage Development (S. 402)	N	N	N	N	P	P	N	P
Slaughterhouse or Stockyard (S. 402)	N	N	N	N	N	SE	N	SE
Solid Waste Transfer Facility, Solid Waste-to-Energy Plant or Solid Waste Landfill (S. 402)	N	N	N	N	N	SE	N	SE
Trucking Company Terminal (S. 402)	N	N	N	N	N	P	N	P
Warehousing as a Principal Use (S.402) (warehousing is also permitted as an accessory use to a permitted principal business on the same lot) (SIC 42)	N	N	SE**	P	P	P	P*	P
Welding	N	N	N	N	N	P	P*	P
Wholesale Sales (SIC 50 and 51)	N	N	N	P	P	P	P*	P
<b>7. INSTITUTIONAL USES</b>								
Cemetery (see Crematorium below)	P	P	P	N	N	N	P	N
College or University - Educational and Support Buildings	N	N	P	P	P	P*	N	
Community Center or Library	N	P	P	P	P	P	P	N
Crematorium, which shall be limited to within a cemetery, and shall have a minimum lot area of 5 acres and is setback a minimum of 200 feet from all lotlines	SE	N	N	N	N	N	N	N
Cultural Center or Non-Profit Museum	N	SE	P	P	P	P	P	N
Day Care Center, Adult (S. 402)	N	N	SE	P	P	P	P	N
Day Care Center, Child (S. 402) (See also as an accessory use)	N	N	SE	P	P	P	N	

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\* Provided the use is within a "Planned Development" approved as a conditional use under Section 308.  
 \*\* Limited to warehousing that is accessory to lawful uses within the R-3 district or an immediately adjacent zoning district.

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TYPE OF USE (See definitions in Article 2)	ZONING DISTRICTS							
	R-1	R-2	R-3	CD	CF	I/C	PD*	I
<b>7. INSTITUTIONAL USES (cont.)</b>								
Hospital (S. 402), which may include accessory medical offices	N	P	N	P	P	P	P*	N
Membership Club, other than an "After Hours Club" or "Tavern"	N	SE	SE	P	P	P	P*	N
Nursing Home or Personal Care Home (S. 402)	N	SE	P	P	P	P	N	
Place of Worship (S. 402)	SE	SE	SE	P	P	P	P	N
School, Public or Private, Primary or Secondary (S.402)	P	P	P	P	P	P	P	N
Treatment Center (S. 402)	N	N	N	N	N	SE	P	N
<b>8. PUBLIC/SEMI-PUBLIC</b>								
Borough-Owned Uses (See Section 101.D.)	P	P	P	P	P	P	P	P
Government Facility, other than: offices, Borough-Owned Uses, public schools and other uses listed separately anywhere in this Section 306	N	N	N	P	P	P	P	P
Emergency Services Station, which may include a supporting social club building or facility	N	SE	SE	P	P	P	P	N
Publicly-Owned Recreation	P	P	P	P	P	P	P	N
Public Utility Facility (See also Section 101.D)	N	N	N	SE	P	P	P	N
Swimming Pool, Non-household (S. 402)	SE	N	N	P	P	P	P	N
U.S. Postal Service Facility, which may include a leased facility	N	N	P	P	P	P	P	SE
<b>9. ACCESSORY USES</b>								
See list of additional permitted uses in Section 306.C., such as "Residential Accessory Structure or Use"								
See Additional Requirements in Section 403 for Specific Accessory Uses.								
Day Care Center accessory to and on the same lot as an existing lawful Place of Worship, with a minimum lot area of 12,000 square feet	P	P	P	P	P	P	P	N
Day Care, Child (see S. 403):								
- Group Day Care Home	N	N	P	P	P	N	P	N
- Family Day Care Home		P	P	P	P	N	P	N
Home Occupation, Moderate-Scale (S. 404)	N	SE	SE	P	P	P	P	N
Home Occupation, Small-Scale (S. 404)	P	P	P	P	P	P	P	N

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**10. MISCELLANEOUS USES**

Parking Lot as the Principal Use of a Lot	N	SE	SE	P	P	P	P	P
Raising of Livestock (S. 402)	N	N	N	N	N	SE	P	N
Raising of Mushrooms (S. 402)	N	N	N	N	N	SE	P	N
Crop Farming, other than Mushrooms	P	P	P	P	P	P	P	N
All Uses that will be unable to comply with the performance standards of this ordinance, especially including the "Environmental Protection" requirements of Article V	N	N	N	N	N	N	N	N

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**(S. 403) = See Additional Requirements in Section 403**

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306. 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 Ordinance. The following are permitted by right as accessory uses to a lawful principal use in all districts, within the requirements of Section 403 and all other requirements of this Ordinance:

1. Adult or Child Day Care as an accessory use, including care of a maximum of 3 persons
2. Standard Antennae, including antennae used by contractors to communicate with their own vehicles\*
3. Fence\* or Wall\*
4. Garage, Household
5. Garage Sale\*
6. Keeping of Pets\*
7. Parking or Loading, Off-Street, only to serve a use that is permitted in that district
8. Recreational Facilities, non-commercial, 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
9. Residential accessory structure (see definition in Article 2) \*
10. Signs, as permitted by Article 7
11. Swimming Pool, Household \*
12. 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.

\* See standard for each in Section 403.

306.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 Ordinance are met:

1. Amusement machines, coin or token operated as accessory uses
2. Outdoor or indoor food, beverage and toy machines, coin operated\*
3. Outdoor or indoor newspaper sales machines, coin operated\*
4. Outdoor or indoor telephones, coin operated\*  
\* Such uses completely inside an enclosed principal building are permitted by right accessory uses to any use.
5. Storage of fuels for on-site use or to fuel company vehicles
6. 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-thru service,
  - b. Day care center or
  - c. Noncommercial recreational facilities.