

## ARTICLE III

### Designation of Districts

#### Section 301 Zones and Boundaries

- a. Establishment of Zones: The Borough of Felton is divided into zones identified below and shown on the map entitled "Zoning Map of Felton Borough" which map is part of this Ordinance.

#### Base Districts

Rural Agriculture

Commercial/Industrial

Residential

Village Center

#### Environmental Protection Overlay Districts

Floodplain District

Steep Slope District

- b. The boundaries of said base districts shall be shown upon the attached zoning map and made part of this ordinance. The provisions of the overlay district shall apply where those conditions that are regulated by the overlay district occur in the Borough. A copy of the zoning map, indicating the latest amendments, shall be displayed for the use and benefit of the public at the Felton Borough Municipal Building.
- c. Boundaries of Zones: Where uncertainty exists as to the boundaries of the zones as shown on the zoning map, the following rules shall apply:
- 1) Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.
  - 2) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

- 3) Boundaries indicated as approximately following municipality limits shall be construed as following municipality limits.
- 4) Boundaries indicated as approximately following the centerlines of streams, rivers or other bodies of water shall be construed to follow such centerlines.
- 5) Boundaries indicated as parallel to or extensions of features indicated in Sub-section (1) through (4) shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.
- 7) Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map or in circumstances not covered by Sub-section (1) through (5), the Zoning Officer shall interpret the district boundaries.

#### Section 302 Use Adjustment on District Boundaries

In unsubdivided land where a district boundary line divides a lot held in single and separate ownership, the following rules shall apply:

- a. The use in a less restricted district may extend over the portion of the lot in the more restricted district, a distance of not more than fifty (50) feet beyond the district boundary line providing such extension does not extend the frontage of the use along a street in the more restricted district.
- b. The frontage of the use in a less restricted district may extend over the portion of the lot in the more restricted district, a distance of not more than fifty (50) feet beyond the district line, providing a variance is granted by the Zoning Hearing Board.
- c. Where a district boundary divides a lot, the permitted use of either district may extend not more than 50 feet into the other district.

#### Section 303 Application of District Regulations

The regulations set by this Ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

- a. No building, structure or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected constructed, reconstructed,

moved, or structurally altered unless in conformity with all the regulations herein specified for the district in which it is located.

- b. No building or other structure shall hereafter be erected or altered except in conformance with the provisions of this Ordinance.
- c. No part of a yard or other open space or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Ordinance shall be included as part of a yard, open space or off-street parking or loading space similarly required for any other building.
- d. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein except in conformance with the provisions of this Ordinance. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

#### Section 306 Uses Not Provided For

In any district established by this ordinance, when a specific use is neither permitted nor denied, the Zoning Hearing Board shall make a determination in accordance with Article XV, Jurisdiction of the Zoning Hearing Board as to the similarity or compatibility of the use in question to the permitted uses in the district. No zoning permit shall be issued by the Zoning Officer for any unspecified use until this determination has been made.

#### Section 304 Performance Standards

No land or building in any District in the Borough shall be used or occupied in such a manner so as to create any dangerous or objectionable elements in such amount as to adversely affect the surrounding area or premises. All uses of land or building shall initially and continuously comply with all applicable performance standards established by Federal and State agencies.

#### Section 305 Use Regulations

- a. Uses Permitted: The uses permitted in the zones established by this Ordinance and the permitted extent of these uses are as shown in Articles IV, V, VI, and VII. The uses shown, as permitted and special exceptions in each zone are the only uses permitted in that zone. Unless otherwise noted, the use or dimensional standards are the requirements for each use. However,
  - 1) Additional supplemental provisions are set forth in Article X.

- 2) Standards for Special Exception are set forth in Article XIII.
- b. Accessory Buildings and Structures: Accessory uses and structures shall be permitted in conjunction with the principal uses permitted by this Ordinance and shall be further subject to the requirements for accessory uses and structures as set forth in Article IX.
  - c. No more than one principal use is permitted per lot, except in the case of permitted "mixed use" buildings.