

ARTICLE III  
**Districts**

**§ 275-25. Districts designated.**

A. For the purpose of this chapter, the Township of Bethlehem is hereby divided into the following types of zoning districts:

- RR Rural Residential District
- LDR Low-Density Residential District
- MDR Medium-Density Residential District
- MHDR Medium-High-Density Residential District
- NC Neighborhood Commercial District
- GC General Commercial District
- PC Planned Commercial District
- OB Office/Business District
- GI General Industrial District
- LI Office/Light Industrial Campus District
- AG Agricultural District
- CR Conservation and Recreation District
- IN Institutional Overlay District
- LI(P) Office/Light Industrial Campus (Phased) District
- Smart Growth Districts and Overlay Districts **[Added 12-20-2004 by Ord. No. 10-04]**
- Neighborhood Enhancement Overlay District **[Added 12-20-2004 by Ord. No. 10-04]**
- Commercial Enhancement Overlay District **[Added 12-20-2004 by Ord. No. 10-04]**
- Conservation Design Overlay District **[Added 12-20-2004 by Ord. No. 10-04]**
- Town Center District **[Added 12-20-2004 by Ord. No. 10-04]**
- Hospital Health Care Village District **[Added 12-20-2004 by Ord. No. 10-04]**
- Mixed-Use Village Overlay District **[Added 12-20-2004 by Ord. No. 10-04]**
- Streetscape Enhancement Overlay District **[Added 12-20-2004 by Ord. No. 10-04]**
- HM Highway Maintenance District **[Added 8-7-2006 by Ord. No. 06-06]**
- GU Gaming Uses Overlay District **[Added 3-5-2007 by Ord. No. 01-07]**

ARTICLE VIII  
**NC Neighborhood Commercial District**

**§ 275-63. Purpose.**

The purpose of this district is to:

- A. Provide for a carefully controlled selection of light commercial uses in locations that have a mixed commercial-residential character.
- B. Provide for commercial uses that are primarily designed to serve nearby neighborhoods.
- C. Make sure that these uses are compatible with nearby residences.
- D. Encourage the redevelopment of existing commercial uses that are not appropriate near residences.

**§ 275-64. Permitted-by-right uses.**

Only the following uses are permitted by right in the NC District, provided that the requirements for specific uses in Article XX are met:

- A. Any use permitted by right in the MDR District shall be permitted if it complies with the requirements of the MDR District, as opposed to the requirements of the NC District and provided such a lot is deed restricted to residential principal uses.
- B. The following uses are permitted within the requirements of this district:
  - (1) Greenhouse/plant nursery, which may include retail sales.
  - (2) Standard restaurant, without drive-through service and not including fast-food restaurants.
  - (3) Nursery school/day-care center.<sup>92</sup>
  - (4) Recycling collection center.<sup>93</sup>
  - (5) Adult day-care center.<sup>94</sup>
  - (6) Retail store, other than uses prohibited under § 275-67, of items similar to the following character:
    - (a) Gifts, cards and books.
    - (b) Home furnishings.
    - (c) Office or computer equipment.

---

**92.Note: See additional requirements in § 275-189.**

**93.Note: See additional requirements in § 275-189.**

**94.Note: See additional requirements in § 275-189.**

- (d) Musical instruments.
- (e) Apparel or shoes.
- (7) Business, professional, medical, dental or government offices.
- (8) Financial institution with or without drive-through service.
- (9) Bakery.
- (10) Tailoring or custom dressmaking shop.
- (11) Barber or beautician.
- (12) Laundromat.
- (13) Dry-cleaning or shoe repair.
- (14) Membership club.
- (15) No-impact home-based business.<sup>95</sup> **[Amended 12-20-2004 by Ord. No. 10-04]**
- (16) Home occupation, major or minor.<sup>96</sup> **[Amended 12-20-2004 by Ord. No. 10-04]**
- (17) Public or private primary or secondary school<sup>97</sup>
- (18) U.S. Postal Service facility.
- (19) Cultural/community center.<sup>98</sup>
- (20) Crop farming.
- (21) Golf course.<sup>99</sup>
- (22) Swimming pool, public.
- (23) Publicly owned recreation.
- (24) Wildlife sanctuary.
- (25) Place of worship.<sup>100</sup>
- (26) Cemetery.<sup>101</sup>
- (27) Township-owned use.

---

**95.Note: See additional requirements in § 275-190.**

**96.Note: See additional requirements in § 275-190.**

**97.Note: See additional requirements in § 275-189.**

**98.Note: See additional requirements in § 275-189.**

**99.Note: See additional requirements in § 275-189.**

**100Note: See additional requirements in § 275-189.**

**101Note: See additional requirements in § 275-189.**

- (28) Accessory use or structure clearly customary and incidental to a permitted by right, approved special exception or conditional use.<sup>102</sup>
- (29) Essential services.<sup>103</sup>
- (30) Accessory uses or structures permitted by § 275-190C.
- (31) Group home within any lawful dwelling unit.
- (32) Animal hospital/veterinary offices, provided that no animals shall be kept outdoors and that no outdoor runs are provided, and provided the use is located within 2,000 feet of the right-of-way of an expressway.
- (33) Co-located commercial communications antenna, subject to the requirements of § 275-189A(18), Co-located commercial communications antenna. **[Added 3-19-2001 by Ord. No. 03-01]**

#### **§ 275-65. Special exception uses.**

Only the following use is permitted by special exception in the NC District, provided that the requirements for the use in Article XX are met:

- A. Convenience store, open only between the hours of 6:00 a.m. and 12:00 midnight.
- B. Dormitory, serving college, university or primary or secondary school that is located within Bethlehem Township, set back a minimum of 60 feet from the lot line of any existing dwelling or residential district.

#### **§ 275-66. Conditional uses.**

Only the following are permitted conditional uses in the NC District, provided that the requirements for specific uses in Article XX are met:

- A. Emergency services station.<sup>104</sup>

#### **§ 275-67. Prohibited uses.**

All uses not specifically permitted are prohibited, unless their allowance is clearly implied in the determination of the Zoning Hearing Board by a very close similar use. The following uses are very specifically prohibited in the NC District as principal or accessory uses:

- A. Auto service station.
- B. Auto repair garage.
- C. Auto, boat or mobile/manufactured home sales.

---

**102**Note: See additional requirements in § 275-190.

**103**Note: See additional requirements in § 275-190.

**104**Note: See additional requirements in § 275-189.

- D. Commercial uses involving drive-through service, other than a financial institution.
- E. Car wash.
- F. Taxi terminal or bus station.
- G. Hotel or motel.
- H. Fast-food restaurant.
- I. Tavern or nightclub.
- J. Adult bookstore, cabaret, adult movie theater or massage parlor.
- K. Motor vehicle race track.
- L. Uses primarily involving delivery of products off of the site.
- M. Trucking company terminal.
- N. Supermarket, with greater than 8,000 square feet of total floor area.
- O. Junkyard.
- P. Funeral home.
- Q. Commercial indoor or outdoor recreation.
- R. Animal hospital, large or small.
- S. Building contractor's storage.
- T. Commercial or industrial outdoor storage or display.
- U. Manufacturing.

**§ 275-68. Lot and setback regulations.**

The following lot and setback regulations shall apply to uses in the NC District, unless a more restrictive requirement is stated in Article XX (for a particular use) or elsewhere in this chapter.

- A. Lot area: 15,000 square feet minimum for each business establishment or each principal use, whichever is more restrictive.
- B. Number of uses. No lot may include more than two individual principal uses or establishments, whichever is more restrictive, unless such lot was previously approved to include more than two such uses or establishments.
- C. Minimum lot width: 75 feet, except 150 feet for any lot with its own driveway entering onto an arterial street for any lot created after the adoption of this chapter.
- D. Minimum lot depth: 60 feet.

- E. Maximum lot coverage: 50% for buildings, 80% for total impervious surfaces. The remaining 20% shall be covered by landscaping and an all-season ground cover.
- F. Minimum front yard setback.
  - (1) Thirty feet from the future street right-of-way.
  - (2) See definition of "right-of-way, future" in Article II.
- G. Minimum side yard setback: 15 feet per side, except 30 feet for a side abutting an existing dwelling or residential district.
- H. Minimum rear yard setback: 15 feet, except 30 feet along areas abutting an existing dwelling or residential district.
- I. Maximum height: 2 1/2 stories or 35 feet, whichever is less.
- J. Shared parking and driveways. Sharing of parking and driveways by adjoining uses is strongly encouraged. See § 275-142B for possible reduction of parking requirements.

**§ 275-69. Additional requirements.**

- A. Off-street parking. See Article XVII.
- B. Signs. See Article XVIII.
- C. Site plan review. See § 275-178, which requires site plan review by the Planning Commission for nonresidential principal buildings.
- D. Buffer yard and evergreen screening. See § 275-171.

ARTICLE XXV  
**Smart Growth Districts and Overlay Districts**  
**[Added 12-20-2004 by Ord. No. 10-04]**

**§ 275-216. Purposes.**

The Smart Growth Districts and Overlay Districts are intended to help implement the following smart growth principles:

- A. Compatible mixed land use.
- B. Compact building design.
- C. A range of housing opportunities and choices.
- D. Walkable neighborhoods and nonresidential development.
- E. Distinctive, attractive development with a strong sense of place.
- F. Open space and preservation of natural beauty and critical environmental areas.
- G. Development that strengthens and ties into existing land use.
- H. Transportation choices.
- I. Tools to allow for predictable, fair and cost-effective development decisions.
- J. Community and stakeholder collaboration in development decisions.

**§ 275-217. Legislative authority for overlay districts.**

The legislative authority for the Smart Growth Overlay Districts is based upon Section 605, Classifications, of the Pennsylvania Municipalities Planning Code.<sup>283</sup> Section 605 enables additional classifications within districts for the regulation or restriction of uses and structures at, along or near: major thoroughfares, transportation arteries and expressways, public grounds, places having unique historic or patriotic interest or value, and places having a special character affected by their surroundings.

**§ 275-218. Establishment of districts.**

The following Smart Growth Districts and Overlay Districts are hereby established:

- A. Neighborhood Enhancement Overlay District.
- B. Commercial Enhancement Overlay District.
- C. Conservation Design Overlay District.

---

**283**Editor's Note: See 53 P.S. § 10605.

- D. Town Center District.
- E. Hospital Health Care Village District.
- F. Mixed-Use Village Overlay Districts.
- G. Streetscape Enhancement Overlay District.

**§ 275-219. District and overlay district provisions.**

- A. The Smart Growth Zoning District/Overlay District provisions shall be as set forth in Articles XXVI, XXVII, XVIII, XXIX, XXX, XXXI, and XXXII.
- B. The Smart Growth Zoning Districts/Overlay Districts shall generally comply with the Key Design Elements for Traditional Towns and Traditional Neighborhoods as set forth in Exhibit A.<sup>284</sup>
- C. The Smart Growth Zoning Districts/Overlay Districts and the development thereof shall be consistent with the Bethlehem Township Comprehensive Plan Update 2004.
- D. The Smart Growth Zoning Districts and Overlay Districts shall be subject to Articles XVI, XVII, XVIII, XIX, and XX, except as may be modified in Articles XXVI, XXVII, XXVIII, XXIX, XXX, XXXI or XXXII.
- E. Where required by § 275-178, a site plan submission shall be required for uses within the Smart Growth Zoning Districts and Overlay Districts. Further, where required by Chapter 230, Subdivision and Land Development, subdivision and/or land development plan applications shall be required.

**§ 275-220. District and Overlay District Map.**

- A. The "Smart Growth Zoning District and Overlay Districts" map, Exhibit B, depicts the location of the Districts and Overlay Districts.<sup>285</sup>
- B. The depth of the Neighborhood Enhancement Overlay District shall be set forth in Article XXVI.

---

**284**Editor's Note: Exhibit A is on file in the Township offices.

**285**Editor's Note: Exhibit B is on file in the Township offices.



ARTICLE XXVI  
**Neighborhood Enhancement Overlay District**  
**[Added 12-20-2004 by Ord. No. 10-04]**

**§ 275-221. Purpose.**

The purpose of this district is to:

- A. Maintain, conserve, and enhance existing neighborhood character with smaller residential and commercial lots and uses.
- B. Promote low-impact infill development, low-intensity redevelopment, and the adaptive reuse of existing buildings, especially on corner lots.
- C. Beautify and enhance streetscape conditions including sidewalks, streets, and streetlights.
- D. Maintain and improve bus service as a means of public transportation and add bus shelters.
- E. Promote walkability to parks, cafes, small stores, small restaurants, small offices, and small specialty shops and services.
- F. Promote no-impact home-based businesses to lower traffic congestion problems.
- G. Maintain and improve safe access along roads and streets.

**§ 275-222. Applicability.**

The Overlay District shall be as shown on the Smart Growth Zoning District and Overlay Districts map in Article XXV, except that the depth of the Overlay District shall be limited to the depth of the properties shown on the map, or 500 feet as measured from the center line of the abutting arterial road, whichever is less.

**§ 275-223. Use regulations.**

- A. Permitted-by-right uses.
  - (1) All uses permitted by right in the underlying zoning districts.
  - (2) On a corner lot, subject to provisions of Subsection C and § 275-225J:
    - (a) All uses permitted by right in the underlying zoning districts.
    - (b) All uses permitted in § 275-64B, except for recycling collection center, public or private primary or secondary school, and golf course uses.
    - (c) Conversions of residential buildings and uses to lawful nonresidential buildings and uses, subject to § 275-225I.

- (3) Home occupation, major, subject to Article XX.
- (4) Bed-and-breakfast, subject to § 275-190D(3).
- B. Accessory uses.
  - (1) Parking.
  - (2) Other uses customarily incidental to the permitted-by-right uses in Subsection A.
- C. Conditional uses (subject to the provisions of §§ 275-20 and 275-226 and §§ 275-198 and 275-199 where applicable).
  - (1) Any permitted-by-right use in a building of 10,000 square feet or greater on the ground floor, subject to § 275-226A.
  - (2) One-story buildings, subject to § 275-226B.
- D. Prohibited uses.
  - (1) Any uses prohibited in the underlying zoning district(s).

**§ 275-224. Area, bulk, yard and height regulations.**

- A. Minimum lot area: 10% less than the underlying zoning district minimum, provided all of the required parking is built and maintained.
- B. Number of uses: one use, unless the lot is a corner lot in which case it may have two uses, subject to § 275-225J.
- C. Maximum building coverage: 5% above the underlying zoning district maximum.
- D. Maximum impervious surface coverage: 10% above the underlying zoning district maximum.
- E. Maximum building footprint: No individual building shall exceed 10,000 square feet on the ground floor, unless in compliance with § 275-226A.
- F. Maximum building height: 3 1/2 stories or 35 feet, whichever is less.
- G. Minimum principal building height: two stories or 24 feet, subject to the provisions of § 275-226.
- H. Minimum yard areas: five feet less than underlying zoning districts.

**§ 275-225. Development requirements.**

- A. The Neighborhood Enhancement Overlay District shall be consistent with the smart growth principles and key design elements adopted as part of the Comprehensive Plan Update 2004, and included in Article XXV.

- B. The Neighborhood Enhancement Overlay District shall be built and maintained in accordance with the Streetscape Enhancement Overlay District, Article XXXII.
- C. Building plan.
  - (1) A separate plan sheet shall be submitted to depict the proposed building program. Said plan shall indicate the proposed principal and accessory uses, the gross square footages of all uses, and the building heights. The building plan shall also indicate the total tract building coverage, existing and proposed, and the total tract impervious surface coverage, existing and proposed.
  - (2) The plan shall depict all proposed building development in accordance with Article XXXII, the Streetscape Enhancement Overlay District.
  - (3) New buildings shall be located close to sidewalks, and new parking shall be located to the side or rear of buildings and not in front of buildings.
- D. Street, alley, service drive, and streetscape plan.
  - (1) A separate plan sheet shall be submitted to depict the proposed interconnected street, alley, and service drive network. Such plan shall indicate all widths of vehicular accessways.
  - (2) The plan shall meet the requirements of Article XXXII, Streetscape Enhancement Overlay District.
  - (3) Alleys and service drives shall be provided throughout the Neighborhood Enhancement Overlay District in order to avoid new midblock curb cuts, except that corner lots may be accessed by a side street curb cut if there is no alley to the rear of the lot.
  - (4) An alley shall be a minimum paved width of 12 feet for one-way alleys, and 16 feet for two-way alleys.
- E. Pedestrian access plan.
  - (1) A separate plan sheet shall be submitted to depict the proposed interconnected network for pedestrian access including sidewalks and other pathways.
  - (2) The pedestrian access plan shall meet the requirements of Article XXXII, Streetscape Enhancement Overlay District.
  - (3) Sidewalks shall be provided on both sides of all streets.
- F. Landscape and buffering plan.
  - (1) A separate plan sheet shall be submitted to depict all proposed landscaping and buffering.

- (2) The plan shall be consistent with the requirements of Article XXXII, Streetscape Enhancement Overlay District.
  - (3) Street trees shall be planted on both sides of all streets.
  - (4) The provisions of § 275-171D shall apply.
- G. Parking plan.
- (1) A separate plan sheet shall be submitted to depict proposed surface parking. Such plan shall list the number of parking spaces proposed in relation to the proposed use(s).
  - (2) The plan shall be consistent with the requirements of Article XXXII, Streetscape Enhancement Overlay District.
  - (3) Parking shall be located to the side or rear of buildings.
  - (4) The provisions of Article XVII shall apply.
- H. Residential and commercial uses in the neighborhood enhancement overlay district.
- (1) Any residential use above first-floor/ground-floor retail shall have a separate means of ingress and egress, except for live-work units where the property owner or tenant occupies the entire building.
- I. Conversions.
- (1) Conversions of uses from existing residential use to lawful commercial uses except for adult bookstore, adult movie theater, and adult use, shall only take place in accordance with the provisions set forth in Subsections E, F, and G.
  - (2) Any such conversions shall not create any additional curb cut on an arterial street so as to minimize traffic congestion.
  - (3) When unifying adjacent properties, only one driveway/curb cut onto an arterial roadway may be retained and/or created for any proposed lot regardless of the number of existing driveways on said arterial roadway. Any existing driveway/curb cut onto the arterial roadway beyond the one permitted shall be abandoned.
- J. Corner lot development or redevelopment.
- (1) All lots that are not on corner lots on an arterial road shall be used in accordance with the underlying district regulations.
  - (2) All corner lots may be developed in accordance with the incentives set forth in this article.
  - (3) When unifying adjacent properties, only one driveway/curb cut onto an arterial roadway may be retained and/or created for any proposed lot regardless of the number of existing driveways on said

arterial roadway. Any existing driveway/curb cut onto the arterial roadway beyond the one permitted shall be abandoned.

**§ 275-226. Conditional use standards and criteria.**

- A. Buildings of 10,000 square feet or greater on the ground floor.
- (1) The maximum building length shall be 100 feet.
  - (2) The length of the facade of any new building which exceeds 24 feet in length shall have vertical design elements such as pilasters, columns, piers, or recesses or projections of one to four feet, so that no new vertical bay or section of a building facade exceeds 24 continuous feet in length.
  - (3) Building windows and openings shall constitute no less than 30% of all frontage walls on the ground floor/first floor.
  - (4) No building shall have opaque windows on the ground floor/first floor of the primary facade.
  - (5) No residential building shall have a flat roof. If a nonresidential building has a flat roof, it shall have a parapet wall screening all mechanical equipment.
  - (6) No single building shall exceed 10,000 square feet on the ground floor.
- B. One-story buildings.
- (1) Accessory buildings may be one story in height.
  - (2) No one-story building shall have a flat roof.