

**R-3**

**Residence District**

**Section 701. Use.** In this district, the land and structures may be used, and structures may be erected, altered, enlarged, for the following uses only:

- a. Any use permitted in the R-2 district.
- b. Fraternity or Sorority House.
- c. Multiple Dwelling, except a row dwelling exceeding 6 units in length in any one direction.
- d. Special Exceptions, as prescribed in Section 706 of this Chapter, including:
  - (1) Child Day Care Center
  - (2)<sup>80</sup>
  - (3) Family Day Care Home
  - (4) Private Academic School and Religious School
  - (5) Bed and Breakfast Establishments
- e. Group Dwelling Project, as prescribed in Section 501.l(1) of this Chapter.
- f. Personal Care Home for Adults.
- g. Student Home

(Ordinance 559, June 20, 1959, Section 601, as amended by Ordinance 577, June 7, 1960, Section 1, Ordinance 578, June 10, 1960, Article VII, Ordinance 844, February 4, 1974, Ordinance 850, May 6, 1974, Ordinance 1010, August 4, 1980, Ordinance 1034, December 10, 1982, Section 2, Ordinance 1450, September 8, 1994, Section 2, Ordinance 1463, February 23, 1995, Section 1, Ordinance 1529, May 5, 1997, Section 4, Ordinance 1537, August 27, 1997, Section 2, and by Ordinance 1788, July 14, 2004, Section 4.)

**Section 702. Lot Area, Width and Yards.** Each lot in this district shall comply with the following minimum requirements, except as otherwise provided:

- a. **Lot Area.**
  - 1-family Dwelling .....6,000 square feet
  - 2-family Dwelling .....9,000 square feet
  - Multiple-family Dwelling (per unit) .....2,000 square feet
  - Personal Care Home for Adults

|                                |                   |
|--------------------------------|-------------------|
| Large (per unit) .....         | 1,200 square feet |
| Small .....                    | 6,000 square feet |
| Private Academic Schools ..... | 1 acre            |

**b. Lot Width.**

|                                |          |
|--------------------------------|----------|
| 1-Family Dwelling .....        | 50 feet  |
| 2-Family Dwelling .....        | 75 feet  |
| Multiple-Family Dwelling ..... | 100 feet |
| Personal Care Home for Adults: |          |
| Large .....                    | 100 feet |
| Small .....                    | 50 feet  |
| Private Academic Schools ..... | 150 feet |

**c. Front Yard Depth.**

|                                |         |
|--------------------------------|---------|
| 1-Family Dwelling .....        | 25 feet |
| 2-Family Dwelling .....        | 25 feet |
| Multiple-Family Dwelling ..... | 30 feet |
| Fraternity/Sorority House..... | 30 feet |
| Personal Care Home for Adults: |         |
| Large .....                    | 30 feet |
| Small .....                    | 25 feet |

**d. Side Yard Width.**

|                                |         |
|--------------------------------|---------|
| 1-Family Dwelling .....        | 6 feet  |
| 2-Family Dwelling .....        | 6 feet  |
| Accessory Building .....       | 6 feet  |
| Multiple-Family Dwelling ..... | 10 feet |
| Fraternity/Sorority House..... | 10 feet |
| Non-Dwelling .....             | 20 feet |
| Personal Care Home for Adults: |         |
| Large .....                    | 10 feet |
| Small .....                    | 6 feet  |

When a Multi-Family Dwelling or a Personal Care Home for Adults (Large) is located on a corner lot, the interior side yard shall be .....30 feet

(Ordinance 559, June 20, 1959, Section 602, as amended by Ordinance 677, October 6, 1965, Section 1, Ordinance 878, September 9, 1975, Ordinance 932, March 7, 1978, Section 1, Ordinance 961, September 11, 1979, Section 1(B), Ordinance 1034, December 10, 1982, Section 3, Ordinance 1177, May 27, 1987, Sections 2 and 3, and by Ordinance 1537, August 27, 1997, Section 3.)

e. **Rear Yard Depth.** The rear yard shall be 20 percent of the depth of the lot measured from the front building line to the nearest point of the rear lot line, but in no case shall this be less than 15 feet. (Ordinance 559, June 20, 1959, Section 602,<sup>90</sup> as amended by Ordinance 1450, September 8, 1994, Section 9.)

**f. Lot Coverage.**

All 1- and 2-family dwellings and accessory buildings (including detached garages) appurtenant thereto.....30%

Driveways and off-street parking areas at 1- and 2-family dwellings, as follows:

Lot area <10,000 square feet.....12%

Lot area 10,000 to 20,000 square feet.....12% minus .4% per 1,000 square feet of lot area above 10,000 square feet.

Lot coverage for lots with square foot area between any two 1,000 square foot points shall be calculated on the basis of the lower 1,000 square foot area.

[Example: Lot area 16,500 square feet; Lot coverage:  $((.12 - (6 \times .004)) \times 16,500 \text{ square feet} = .096 \times 16,500 \text{ square feet} = 1,584 \text{ square feet}]$

Lot area >20,000 .....8%

(Ordinance 1396, December 10, 1992, Section 3.)

**g. Minimum Open Space** (all uses).....50%

(Ordinance 1841, April 4, 2006, Section 9.)

**Section 703. Height.** The maximum heights of structures in this district, except as otherwise provided, shall be:

- a. Dwelling .....35 feet  
(not exceeding 2 stories)
- b. Accessory Building.....15 feet  
(not exceeding 1 story)
- c. Non-Dwelling.....40 feet  
(except as provided in Section 503.d of this Chapter)

(Ordinance 559, June 20, 1959, Section 603, as amended by Ordinance 878, September 9, 1975.)<sup>100</sup>

**Section 704. Parking Requirements.** As specified in Part H of this Chapter.

**Section 705.**<sup>110</sup>

**Section 706. Special Exceptions.** Under powers as set forth in this Section, the Zoning Hearing Board, after referral to the Planning Commission for review and submittal of a report within 15 days and after public hearing, may authorize a permit as a special exception, subject to the conditions set forth and any further conditions the Board may deem best suited to insure safety and general welfare, minimize traffic and to safeguard adjacent properties, for the following:

**a. Child Day Care Center.** Day care centers for children are permitted in R-3 districts, provided that:

In addition to the parking requirements of residential uses located on the premises, there shall be 1 off-street parking space for each employee not living on the premises plus 1 off-street parking space for each 10 children based on the enrollment.

The gross floor area shall comply with the standard regulations set forth by the State of Pennsylvania.

There shall be an outdoor play area of at least 100 square feet per child enclosed by a minimum 4-foot high fence.

(Ordinance 559, June 20, 1959, Section 1501, as amended by Ordinance 578, June 10, 1960, Section 6, Ordinance 753, October 13, 1969, Section 3, Ordinance 932, March 7, 1978, Section 1, Ordinance 941, September 11, 1978, Section 128, Ordinance 961, September 11, 1979, Section 1(G), and by Ordinance 1010, August 4, 1981, Section 1.)

**b.**<sup>120</sup>

**c. Family Day Care Homes.** Family day care homes are permitted in R-3 districts, provided:

The standards of lot size, setbacks, off-street parking and signs shall conform to the regulations set forth for that type of residential use within the district that the use is located.

There shall be no more than 1 employee who is not a member of the family.

The gross floor area shall comply with the standard regulations set by the State of Pennsylvania.

The outdoor play area shall comply with the standard regulations set forth by the State of Pennsylvania and shall be adequately fenced or screened to protect the children, unless the home has received State approval to use a park or other similar public area to meet outdoor play area requirements.

(Ordinance 850, May 6, 1974, Section 14.)

**d. Private Academic Schools and Religious Schools.** Private academic schools and religious schools are permitted in the R-3 district, provided:

That a minimum of 1 off-street parking space for each employee be provided. Where there are more than 2 employees, there shall be 1 additional off-street parking space for each 5 children based on the enrollment.

The gross floor area shall comply with the standard regulations set forth by the State of Pennsylvania.

The outdoor play area shall comply with the standard regulations set forth by the State of Pennsylvania and shall be adequately fenced or screened to protect the children, unless the school has received State approval to use a park or other similar public area to meet outdoor play area requirements.

(Ordinance 850, May 6, 1974, Section 16, as amended by Ordinance 941, September 11, 1978, Section 123, and by Ordinance 1788, July 14, 2004, Section 5.)

**e. Elderly Housing Development.** Housing projects for the elderly, as specified below, may be permitted as a special exception in the R-3, R-3B and R-4 Residence Districts, subject to the following criteria:

(1) Purpose And Concept. This provision is intended to help meet the growing demand for elderly housing in the Borough through the creation of planned elderly housing developments. It modifies use, lot area, width, and yard requirements otherwise applicable to the district, establishes additional design controls, requires unified planning and management of each development and provides for Zoning Hearing Board approval as a special exception following site plan review. Elderly housing developments shall be planned, designed and managed as integrated projects.

(2) Use. In addition to the uses permitted in Section 701 of this Chapter, elderly housing developments may consist of the following: multiple-family dwellings, including row dwellings not exceeding 6 units in any one direction; and medical clinics, nursing and convalescent homes for use by residents of the development only. Personal care and congregate meals may be provided within the building types permitted above.

(3) Lot Area, Width And Yards.

(a) Lot Area. Each elderly housing development shall have a minimum square feet of lot area per dwelling unit as follows:

|      |       |                   |
|------|-------|-------------------|
| R-3  | ..... | 1,200 square feet |
| R-3B | ..... | 2,000 square feet |
| R-4  | ..... | 500 square feet   |

The amount of land used for medical clinics, nursing and convalescent homes may not be used for purposes of calculating maximum residential densities.

(b) Minimum Lot Width. Minimum lot width shall be as required for multiple-family dwellings in the respective district.

(c) Minimum Yard Depth. Minimum front, side and rear yard depths shall be as required for multiple-family dwellings in the respective district, except that yard depths for medical clinics, nursing and convalescent homes shall be as follows:

|                  |       |         |
|------------------|-------|---------|
| Front Yard Depth | ..... | 40 feet |
| Side Yard Depth  | ..... | 40 feet |
| Rear Yard Depth  | ..... | 40 feet |

All structures in excess of 25 feet in height shall be set back a minimum distance of 80 feet from all property lines which abut R-1 and R-2 zoning districts.

(4) Height. The maximum height of structures permitted for elderly housing developments shall be as specified for multiple-family dwellings in the zoning district in which the elderly housing development is proposed to be located.

(5) Parking Requirements. Parking requirements shall be as specified in Section H of this Chapter.

(6) Additional Requirements:

(a) Management. All dwelling units, medical clinics, nursing and convalescent homes within the elderly housing development shall be under common ownership by an individual, firm, partnership or corporate entity. All owners of elderly housing developments under the provisions of this ordinance shall designate a person in charge. Residents of the Centre Region may designate a person in charge or they may act as their own person in charge. The

person in charge shall reside or have a place of business in the Centre Region and shall be available on a 24-hour basis. The State College Planning Department shall be notified, in writing, whenever there is a change in the person in charge. The person in charge shall have charge, care, control or management of the elderly housing development.

(b) Age Restrictions. Residence in the elderly housing development shall be limited to those persons aged 62 and over and their spouses and non-elderly handicapped and disabled persons.

(c) Buffer Yards. Buffer screening, consisting of plantings, earth mounds and/or decorative fences and walls shall be planted, installed and maintained near the boundary lines of the elderly housing development to form a sight restrictive screen of all structures from adjacent R-1 or R-2 zoning.

(d) Vehicular Access. Irrespective of provisions specified in Section 2406 of this Chapter, vehicular access shall be designed to avoid directing traffic through adjacent residential areas.

(e) Nuisances. Additional requirements may be imposed by the Zoning Hearing Board to minimize nuisances caused by excessive noise, glare, smoke or vibration, or to promote pedestrian or traffic safety.

(7) Administrative Review. All applications for a zoning permit under provisions of this option must receive approval by the Zoning Hearing Board as a special exception following procedures specified in Section 606 of this Chapter, except that site plan requirements shall be those specified in Section 305 of this Chapter. Construction of dwelling units in an elderly housing development may be phased over time in accordance with an overall plan and timetable approved by the Zoning Hearing Board, provided that at least half of all dwelling units shall be constructed prior to or concurrent with other uses permitted within elderly housing developments. All proposed changes to an approved site plan shall comply with the review procedures established herein as though such changes were a new site plan.

(Ordinance 1322, April 4, 1991.)

**f. Bed and Breakfast Establishments**. Bed and Break-fast Establishments are permitted as a special exception in the R-3 zoning district, subject to the following criteria:

- (1) The number of guest rooms shall not exceed 6 on any individual lot;
- (2) Accessory buildings and detached garages used as one or more of the allowed guest rooms shall not contain cooking facilities;
- (3) The length of stay per guest shall be limited to 14 days per 60-day period;
- (4) Off-street parking shall conform to the following:

(i) parking area and driveway location, design and construction shall comply with the standards specified in Part H of this Chapter;

(ii) subject to the lot coverage limitation contained herein and in Section 2401.b(6), the number of spaces provided shall equal or exceed the minimums for 1- and 2-family dwellings, specified in Section 2403 of this Chapter;

(iii) lot coverage for off-street parking areas and driveways may not exceed that permitted at 1- and 2-family dwellings located in the R-3 zoning district; and

(iv) driveways may be used as off-street parking areas, except for that portion of a driveway located between the back edge of the sidewalk and the curb.

(5) If the building proposed for use as a Bed and Breakfast Establishment is located in a National Register Historic District, all external maintenance, repair, alterations or additions shall follow the Secretary of the Interior's guidelines on altering or rehabilitating historic buildings and structures.

(6) One sign, permitted on each lot used for a Bed and Breakfast Establishment, shall:

- (i) not exceed 3 square feet per sign face;
- (ii) have no internal illumination;
- (iii) be constructed of wood, stone, brass, ceramic or wrought iron; and

(iv) if configured as a ground pole sign, not exceed 6 feet in height at its highest point, including all parts, braces and supports.

(7) Meals for compensation may be provided only to guests of the Bed and Breakfast establishment. If meals other than breakfast or complimentary snacks are served, the owner must obtain any necessary permits from the State College Health Department.

(8) Lot area, lot width, setbacks, lot coverage and height shall comply with the standards for a 1-family dwelling, except that any structure in existence at the effective date of this ordinance which does not conform to minimum setback and height requirements may be used for a Bed and Breakfast Establishment provided all other requirements are met.

(9) The owner or manager shall maintain his or her primary residence on the premises.

**Section 707. Notice Prior to Demolition, Removal or Razing.** All owners of structures included in the *Historic Resources of the Centre Region*, prepared in 1982 by the Centre Regional Planning Commission, listed on the National Register of Historic Buildings or included as a contributing structure in an existing or formally proposed National Historic Register District must give public notice prior to the demolition, removal or razing of such building or any portion

thereof. This notice shall be given no less than 90 days prior to issuance of the zoning permit for demolition. The notice of demolition shall be made to the adjacent property owners by U.S. certified mail, posted on the property on which the structure is located (using a sign provided by the Borough) and on the public bulletin board at the State College Municipal Building, and placed in a paper of general circulation within the Borough. The applicant, before starting notice procedure, must schedule a meeting with the Zoning Officer to review the applicant's plans for the notice and provide a copy of the notice to the Zoning Officer. Following is a sample notice to be used:

NOTICE OF DEMOLITION OF A HISTORIC STRUCTURE

Public Notice is hereby given that this property has a building that is listed or eligible for listing on the National Register of Historic Places, is a contributing structure in a National Register Historic District, or is listed in the Historic Resources of the Centre Region prepared in 1982 by the Centre Regional Planning Commission and is proposed to be demolished in whole or in part. The property in which the Historic Structure is located is at \_\_\_\_\_, Tax Parcel Number \_\_\_\_\_. The type of structure, or part thereof, to be demolished is \_\_\_\_\_. The purpose of this notice is to give the residents an opportunity to contact the owner and to point out other options to possibly prevent the demolition of a historic resource of the Borough of State College. It is the owner's intent to start demolition of this structure on \_\_\_\_\_. For more information on this demolition, you can contact the Borough Zoning Officer at 118 South Fraser Street, State College, PA 16801 or by telephone (814) 234-7193, TDD (814) 234-7110. The owner's name and address are: \_\_\_\_\_.

(Ordinance 1516, December 23, 1996, Section 2, as amended by Ordinance 1574, August 20, 1998, Section 2.)