

Final Environmental Assessment for the Proposed U.S. Courthouse Harrisburg, Pennsylvania

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19107-3191

July 14, 2006



Appendix D

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CITY OF HARRISBURG

Planning & Zoning Code

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Mayor

each required side yard is increased in width by two (2) feet for every unit of ten (10) feet of additional height above forty (40) feet and each lot has front, side and rear yards of not less than the depth or width indicated below:

- (A) **front yard:** depth, fifteen (15) feet or conform to existing setbacks;
- (B) **side yards:**
 - (i) width, ten percent (10%) of the lot width;
 - (ii) width of a side yard abutting a major street shall equal the required depth of the front yard;
- (C) **rear yard:** depth, ten (10) feet or ten percent (10%) of the lot depth, whichever is greater.

(Ord. 79-1965.)

7-309.4 RESIDENCE ZONE NO. 4 (R-4)

(a) Principal Uses. In an R-4 Zone, only the following buildings, structures and uses shall be permitted:

- (1) all buildings, structures and uses permitted in an R-3 Zone;
- (2) attached single-family dwellings;
- (3) group dwellings;
- (4) detached or semi-detached buildings used for central offices or headquarters of a regional nature for public, quasi-public, civic, fraternal, financial or business agencies, involving no manufacture, buying or selling of goods or manual services other than supplies incidental to such permitted principal uses and involving no street or window display;
- (5) detached or semi-detached lodging or boarding houses, rooming houses, fraternities, or sororities;
- (6) banks, insurance agencies, realty offices, building and loan societies, and other like uses housed in detached or semi-detached buildings.

(Ord. 79-1965.)

(b) No Conversion. In an R-4 Zone, no existing single-family dwelling shall be converted into two (2) or more dwelling units or an institutional use. (Ord. 23-1994.)

(c) Dimensional Requirements. In an R-4 Zone, no building or structure shall exceed forty-five (45) feet in height, unless each required side yard is increased in width by one and one half (1½) feet for every unit of ten (10) feet of additional height above forty (40) feet and each lot has front, side, and rear yards of not less than the depth or width indicated below:

- (A) **front yard:** depth, ten (10) feet or conform to existing setback within the block;
- (B) **side yards:**
 - (i) width, ten percent (10%) of the lot width;
 - (ii) width of a side yard abutting a major street shall equal the required depth of the front yard.
- (C) **rear yard:** depth, ten (10) feet or ten percent (10%) of the lot depth, whichever is greater.

(Ord. 79-1965.)

(d) Signage. In an RMV Zone, all signs shall conform to the provisions of the Residential Professional Office Zone as set forth at Subsection 7-309.17(d) and (e). (Ord. 26-1977.)

7-309.16 RESIDENTIAL LIMITED ZONE B (RLB)

(a) In an RLB Zone, only the following buildings, structures and uses shall be permitted:

- (1) all uses, buildings and structures permitted in an RLA Zone;
- (2) home occupations as defined and regulated in this Code.

(Ord. 26-1977.)

(b) No Conversion. In an RLB Zone, no existing single-family shall be converted into two (2) or more dwelling units or an institutional use. (Ord. 23-1994.)

(c) Dimensional Requirements.

- (1) No new building, structure, expansion, or enlargement in an RLB Zone shall exceed forty-five (45) feet in height, and no new principal building or structure shall be less than twenty (20) feet in height; provided, however, that within these limitations no new principal building or structure shall vary by more than fifteen percent (15%) from the average height of the principal buildings on all abutting properties.
- (2) In an RLB Zone, each lot shall have front, side and rear yard setbacks of not less than the depth or width indicated below:
 - (A) **front yards:** a depth of at least five (5) feet or conforming to the existing setback within the block;
 - (B) **side yards:**
 - (i) a width of at least ten percent (10%) of the lot width, except in the case of permitted structures sharing a party wall where no side yard is required;
 - (ii) the width of a side yard abutting a major street shall be at least five (5) feet;
 - (C) **rear yard:** depth of at least ten (10) feet.

(Ord. 26-1977.)

(d) Signage. In an RLB Zone only one wall sign shall be permitted on any building, as follows:

- (1) no other sign shall be permitted;
- (2) no sign shall exceed thirty-six (36) square inches in area;
- (3) no sign shall be illuminated in any manner;
- (4) no portion thereof shall be elevated higher than the first story window lintel line or, if no first story lintels exist, not higher than ten (10) feet above grade;
- (5) no portion thereof shall extend beyond the perimeter of a signable wall area;
- (6) the content of any sign shall be limited to information regarding the name of the person residing therein and the home occupation conducted therein, if any.

(Ord. 26-1977.)

7-309.17 RESIDENTIAL PROFESSIONAL OFFICE ZONE (RPO)

(a) In an RPO Zone, only the following buildings, structures and uses shall be permitted:

- (1) all buildings, structures and uses permitted in an RMV Zone, including designated mixed vertical uses subject to the provisions of that section specifying and regulating such uses;
- (2) professional office, study, studio, or gallery for a physician or surgeon, optometrist, chiropractor, chiropodist, osteopath, podiatrist, dentist, artist, musician, attorney-at-law, accountant, engineer, architect, city planner, landscape architect or other like professional person. This primary use shall be permitted subject to the following use regulations:
 - (A) **floor area:** professional office, study, studio, or gallery uses are permitted to occupy only the first floor and basement of any existing structure. In new construction the total floor area devoted to such uses shall not exceed fifty percent (50%) of the total usable floor area of the structure, or

- two (2) times the total lot area, whichever is less;
- (B) **hours of operation:** professional office, study, studio, or gallery uses may be open to the public Monday through Saturday only between the hours of 7:00 a.m. and 9:00 p.m.;
 - (C) **number of employees:** the total number of paid employees or assistants permitted on the premises shall be determined by the existing or proposed net floor area allocated to a permitted professional office, study, studio or gallery use, on the ratio of two hundred fifteen (215) square feet per each paid employee or assistant; (Ord. 26-1977.)
- (3) specialty boutique use in detached or semi-detached structures may be permitted only if authorized as a special exception by the Zoning Hearing Board pursuant to the provisions of Chapter 7-305 and, in each such case, subject to the following requirements:
- (A) as a condition precedent to the authorization of a special exception for any specialty boutique use, the Board shall find that the proposed use by reason of its nature and operational characteristics will be compatible with the preservation of the residential character of the zone in which located and the general character of the neighborhood involved; and
 - (B) any such use, if authorized, shall conform at a minimum to the regulations regarding floor area, hours of operation and number of employees for professional office use in an RPO zone specified herein; and
 - (C) any such use, if authorized, shall conform at a minimum to the off-street parking requirements for a permitted mixed vertical use specified in Chapter 7-319, regardless of the place of residence of the principal operator of the use; and
 - (D) any such use, if authorized, shall further conform to such additional requirements and conditions as the Board deems necessary to preserve the residential character of the zone in which located and the general character of the neighborhood involved.

(Ord. 26-1977.)

- (4) Group Child Care Home, subject to Section 7-327.8(b).
- (5) Child Care Center, allowed only if authorized by the Zoning Hearing Board pursuant to the provisions of Chapter 7-305 and the criteria of Section 7-327.8(c)(2).

(Ord. 37-1994.)

- (6) No Conversion. In an RPO Zone no existing single-family dwelling shall be converted into two (2) or more dwelling units or converted into office, retail, institutional or any commercial use, with the exception of mixed vertical uses subject to the provisions of Section 7-309.15. (Ord. 23-1994.)
- (7) Accessory Uses.
 - (A) home occupations as defined and regulated in Chapter 7-323;
 - (B) Group Child Care Home, subject to Section 7-327.8(b).
- (8) Uses by Special Exception.
The following use may be permitted only if authorized as a special exception by the Zoning Hearing Board pursuant to the provisions of Chapter 7-305: Child Care Center, subject to Section 7-327.8(c)(2).

(Ord. 37-1994.)

(b) Dimensional Requirements.

- (1) No new building, structure, expansion or enlargement in an RPO Zone shall exceed forty-five (45) feet in height, and no new principal building or structure shall be less than twenty (20) feet in height; provided, however, that within these limitations no new principal building or structure shall vary by more than fifteen percent (15%) from the average height of the principal buildings on all abutting properties.
- (2) In an RPO Zone, each lot shall have front, side and rear yard setbacks of not less than the depth or width indicated below:

- (A) **front yards:** depth of at least five (5) feet or conform to existing setback within the block.
- (B) **side and rear yards:** as determined by an approved building site plan indicating a total building coverage not exceeding seventy-five percent (75%) of the total lot area; provided, however, that the width of a side yard abutting a major street shall be at least five (5) feet.

(c) Signage. In an RPO Zone, only the following types of signs, subject to the restrictions attached thereto, shall be permitted:

- (1) Wall signs having a maximum area of four (4) square feet or thirty percent (30%) of the signable wall area, whichever is less; no portion thereof shall be elevated higher than the first-story window lintel line or, if no first-story window lintels exist, no higher than ten (10) feet above grade; no portion thereof shall extend beyond the perimeter of said signable wall area.
- (2) Permanent window and door signs having a maximum area not greater than twenty-five percent (25%) of the glass area of any one window or door.
- (3) Only one (1) wall sign shall be permitted on any sign frontage or lot having a width of one hundred (100) feet or less abutting any public street.
- (4) There shall be no limit to the number of permanent window and door signs installed in accordance with the provisions stated herein.
- (5) Signs may be lighted by direct or indirect white light illumination only during the hours of operation of the advertising use; no portion of any sign shall be luminous; in no case shall any flashing or pulsating light(s) be permitted in, on or about any sign which is visible from any public way, whether or not said light(s) are used for purposes of illumination or for purposes incidental to the communication content of the sign; all illumination sources shall be so constructed and located that no portion of an adjacent property shall be illuminated and so that no glare shall be visible to pedestrian or vehicular traffic upon any public right-of-way.

- (6) Except for temporary real estate signs, all signs may contain information regarding the property address, identification of building, use or service offered therein, and the names of persons or firms occupying the building only; no other advertising or communication content shall be permitted.

(Ord. 26-1977.)

7-309.18 RESIDENTIAL PLANNED CONVERSION ZONE (RPC)

(a) In an RPC Zone, only the following buildings, structures, and uses shall be permitted:

- (1) all uses, buildings and structures permitted in an RSF Zone;
- (2) planned residential development approved pursuant to the provisions of Chapter 7-321;
- (3) one and two-family dwellings;
- (4) home occupations as defined and regulated in this Code;
- (5) professional offices, studies, studios, or galleries for a physician or surgeon, optometrist, chiropractor, chiropodist, osteopath, podiatrist, dentist, artist, musician, attorney-at-law, accountant, engineer, architect, city planner, landscape architect or other like professional person. These primary uses shall be permitted subject to the following use regulations:
 - (A) **floor area:** professional office, study, studio or gallery uses are permitted to occupy only the first floor and basement of any existing structure. In new construction the total floor area devoted to such use shall not exceed fifty percent (50%) of the total usable floor area of the structure, or two (2) times the total lot area, whichever is less;
 - (B) **hours of operation:** professional offices, studies, studios, or galleries uses may be open to the public Monday through Saturday only between 7:00a.m. and 9:00 p.m.;
 - (C) **number of employees:** the total number

of paid employees or assistants permitted on the premises shall be determined by the existing or proposed net floor area allocated to a permitted professional office, study or gallery uses on the ratio of two hundred fifteen (215) square feet per each paid employee or assistant.

(Ord. 33-1980.)

- (6) Uses that may be permitted by special exception, pursuant to the provisions of Chapter 7-305, including the following:
- (A) professional office, study, studio, or gallery uses when contained partially or wholly within a new building or an expansion or extension of an existing building. In no case, however, shall the floor area ratio devoted to such use exceed two to one (2.0:1.0.);
 - (B) commercial and vocational schools when contained partially or wholly within a new building or an expansion or extension of an existing building.

(Ord. 5-1981.)

- (7) Group Child Care Homes, subject to Section 7-327.8(b). (Ord. 37-1994.)

(b) No Conversion. In an RPC Zone, no existing single-family dwelling shall be converted into two (2) or more dwelling units, or converted into office, institutional or any commercial use with the exception of home occupations as defined and regulated herein. (Ord. 23-1994.)

(c) Uses that may be permitted by special exception, pursuant to the provisions of Chapter 7-305, include the following:

- (1) professional office, study, studio, or gallery uses when contained partially or wholly within a new building or an expansion or extension of an existing building. In no case, however, shall the floor area ratio devoted to such use exceed two to one (2.0:1.0.); (Ord. 26-1977.)
- (2) Child Care Centers subject to Section 7-327.8(c)(2). (Ord. 37-1994.)

(d) In an RPC Zone no new building, structure, expansion or enlargement shall exceed forty-five (45) feet in height with the exception of any new building, structure, expansion or enlargement authorized pursuant to either Chapter 7-321 or Chapter 7-333, in which case a new building, structure, expansion or enlargement may be erected to the maximum height allowable under each of those specified chapters.

(e) In an RPC Zone, each lot shall have front, side and rear yard setbacks of not less than the depth or width indicated below:

- (A) **front yard:** depth of at least fifteen (15) feet or conform to existing setback within the block;
- (B) **side yards:**
 - (i) width of not less than ten percent (10%) of the lot width;
 - (ii) the width of a side yard abutting a major street shall be at least fifteen (15) feet;
- (C) **rear yard:** depth of ten (10) feet or ten percent (10%) of the lot depth, whichever is greater.

(f) In an RPC Zone, all signs shall conform to the provisions of the Residential Professional Office Zone as set forth at Section 7-309.17(d) herein. (Ord. 26-1977.)

(f) The following provisions shall apply to any lot or development which abuts the right-of-way of Front Street or any side street between Front and Second Streets:

- (1) No building, structure or use located within a SPD District shall be permitted under any circumstances to be extended, expanded or enlarged onto any land zoned residential pursuant to Chapter 7-309 of this Code, whether by application for Special Exception pursuant to the provisions of Chapter 7-305 or otherwise; provided, however, that this exclusion shall not apply to any residential use expressly permitted by right in both the SPD District and the adjoining residential zone.
- (2) The foregoing prohibition shall apply equally and completely to all buildings, structures and uses which are accessory or appurtenant to any building, structure or use located within the SPD District, including but not limited to accessory parking and driveways.

(Ord. 21-1991.)

7-311.7 COMMUNITY COMMERCIAL LIMITED ZONE (CCL)

(a) Principal Uses. In a CCL Zone, only the following buildings, structures and uses shall be permitted:

- (1) bakeries;
- (2) barber and beauty shops;
- (3) confectionery stores with fountain;
- (4) dairy product stores;
- (5) delicatessens;
- (6) dry cleaners (no on-site cleaning plant);
- (7) florist shops;
- (8) grocery stores;
- (9) laundromats;
- (10) pharmacy or drug stores;

- (11) professional offices for the following: accountant, attorney, physician, osteopath, dentist, optometrist, optician, chiropractor, engineer, city planner, registered lobbyist, architect, landscape architect or surveyor, or other like professional person;
- (12) studios for the following: interior designer, photographer, artist, tailor or dressmaker, or specialty boutique;
- (13) one-and two-family dwellings;
- (14) Planned Residential Development approved pursuant to the provisions of Chapter 7-321.

(Ord. 26-1977.)

(b) Special Exception. Uses that may be permitted by special exception, pursuant to the provisions of Chapter 7-305, include the following:

- (1) restaurants;
- (2) cocktail lounges and bars;

(Ord. 19-1985.)

- (3) public parking structures, private off-site accessory parking structures and commercial parking structures, except that commercial parking structures are not permitted by special exception in Special Intensity Districts governed by the provisions of Chapter 7-333. (Ord. 4-1993.)

(c) Dimensional Requirements.

- (1) In a CCL Zone, no new building, structure, expansion, or enlargement shall exceed fifty (50) feet in height, with the exception of any new building, structure, expansion or enlargement authorized pursuant to either Chapter 7-321 or Chapter 7-333, in which case a new building, structure, expansion or enlargement may be erected to the maximum height allowable under each of those specified chapters.
- (2) In a CCL Zone, each lot shall have front, side and rear yard setbacks of not less than the depth or width indicated below:

- (A) **front yard:** depth of at least five (5) feet or conform to existing setback on the block;
- (B) **side yards:** width of at least five (5) feet each side, except, where commercial properties adjoin, no side yard is required provided there is a written agreement between owners of said adjoining properties permitting the structures to abut. In no case, however, shall party walls be permitted between properties under separate ownership. The width of a side yard abutting a major street shall be at least five (5) feet.
- (C) **rear yard:** depth of at least five (5) feet. In the case of commercial uses where loading or docking space is required, space designed to accommodate such activities must be set aside and provided for on the property. Adequate off-street parking shall also be provided in accordance with the provisions of Chapter 7-319.

(Ord. 26-1977.)

(d) Signage. In a CCL Zone, only the following types of signs, subject to the restrictions attached thereto, shall be permitted:

- (1) Wall signs having a maximum area not greater than thirty-five percent (35%) of the signable wall area, but in no case greater than fifty (50) square feet; no portion thereof shall be elevated higher than the second-story windowsill line or, if no second-story windows exist, not higher than thirteen (13) feet above grade; no portion thereof shall extend beyond the perimeter of said signable wall area.
- (2) Projecting signs having a maximum area of six (6) square feet; no portion thereof shall extend farther than four (4) feet from the wall surface to which it is attached or not farther than one-third (1/3) the width of the public sidewalk below, whichever is less; no portion thereof shall be elevated less than ten (10) feet above grade nor higher than the second-story windowsill line or, if no second-story windows exist, not higher than thirteen (13) feet above grade.
- (3) Permanent window and door signs having a maximum area not greater than twenty-five percent (25%) of the total glass area of any one window or door.

- (4) Parking signs on commercial parking lots and parking structures, except that entrance and exit signs and legal warning signs not greater than two (2) square feet in area each shall be permitted on both commercial and noncommercial parking lots, as follows:
 - (A) free standing parking signs on commercial parking lots only and having a maximum area of twelve (12) square feet; no portion thereof shall be elevated less than ten (10) feet above grade nor higher than fifteen (15) feet above grade; no portion thereof shall extend farther than four (4) feet over a public sidewalk or no further than one-third (1/3) the width of the public sidewalk below, whichever is less;
 - (B) projecting parking signs mounted on parking structures only and having a maximum area of twelve (12) square feet; no portion thereof shall be elevated less than ten (10) feet above grade nor higher than fifteen (15) feet above grade; no portion thereof shall extend farther than four (4) feet over a public sidewalk or no further than one-third (1/3) the width of the public sidewalk below, whichever is less.
- (5) Free standing signs not advertising parking and having a maximum area of four (4) square feet; no portion thereof shall be elevated higher than six (6) feet above grade; all portions thereof shall conform to the setbacks established in this zone for all structures.
- (6) Only one (1) wall sign, projecting sign or free standing sign shall be permitted on any sign frontage or lot having a width of one hundred (100) feet or less abutting any public street.
- (7) Only one (1) parking sign shall be permitted on any commercial parking lot or parking structure abutting any major street.
- (8) There shall be no limit to the number of permanent window and door signs installed in accordance with the provisions stated herein.
- (9) Signs may be lighted by direct illumination or indirect illumination; in lieu of direct or

indirect illumination, a wall sign may consist of a body and background surface which shall not be luminous but which may display or have applied to them individual letters, words, symbols, trademarks or designs which are luminous, and the luminous area of which in the aggregate does not exceed fifty percent (50%) of the total sign area; in no case shall any flashing or pulsating light(s) be permitted in, on or about any sign which is visible from any public way, whether or not said light(s) are used for purposes of illumination or for purposes incidental to the communication or advertising content of the sign; all illumination sources shall be so constructed and located that no portion of an adjacent property shall be illuminated and so that no glare shall be visible to pedestrian or vehicular traffic upon any public right-of-way.

(Ord. 26-1977.)

(e) No use pursuant to Section 7-327.6 shall be permitted in a CCL Zone. (Ord. 31-1980.)