

§14-601 Use Categories

(1) General.

This section contains a description of the use categorization system used to classify principal uses in this Zoning Code.

(a) Use Categories.

This Zoning Code classifies principal land uses into 10 major groupings (described in § 14-601(2) through § 14-601(11)), which are referred to as use categories:

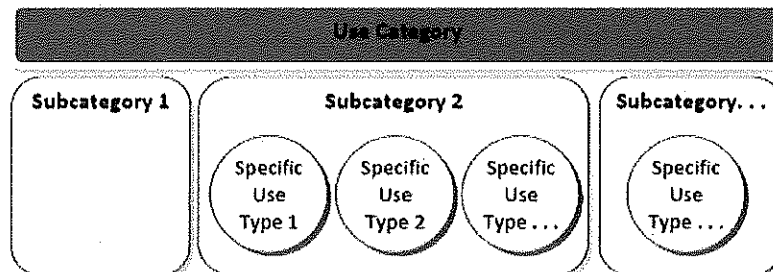
- (1) Residential. See § 14-601(2).
- (2) Parks and Open Space. See § 14-601(3).
- (3) Public, Civic, and Institutional. See § 14-601(4).
- (4) Office. See § 14-601(5).
- (5) Retail Sales. See § 14-601(6).
- (6) Commercial Services. See § 14-601(7).
- (7) Vehicle and Vehicular Equipment Sales and Services. See § 14-601(8).
- (8) Wholesale, Distribution, and Storage. See § 14-601(9).
- (9) Industrial. See § 14-601(10).
- (10) Urban Agricultural. See § 14-601(11).

(b) Use Subcategories.

Each use category is further divided into more specific "subcategories." Use subcategories classify principal land uses and activities based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions.

(c) Specific Use Types.

Some use subcategories are further broken down to identify specific use types that are regulated differently than the subcategory.



(d) Use Tables.

A series of use tables identify allowed land uses in Residential, Commercial, Industrial, and Special Purpose districts. See § 14-602(3) (Residential Districts); § 14-602(4) (Commercial Districts); § 14-602(5) (Industrial Districts); and § 14-602(6) (Special Purpose Districts) respectively. The structure of the use tables (see Sample Use Table below) reflects the hierarchical nature of the use categorization described in this section. See § 14-602(2) (Understanding the Use Tables) for a further explanation of the use table structure.

Sample Use Table

	District	District	District	District	District	District	Use-Specific Standards
<p>Y = Yes, use is permitted as of right S = Special exception approval required N = Not allowed (use expressly prohibited) Uses not listed are also prohibited Bracketed numbers refer to notes immediately preceding the table</p>							
Use Category							
Use Subcategory							
Specific Use Type	Y[1]	Y[1]	Y	Y	Y	Y	Use-specific standards column contains cross-reference to any applicable regulation that applies to use in all districts
Specific Use Type	N	N	N	Y	Y	Y	
Specific Use Type	N	N	N	N	Y	Y	

(e) **Determination of Use Categories and Subcategories.**

- (1) L&I is authorized to classify uses on the basis of the use category, subcategory, and specific use type descriptions of this § 14-601 (Use Categories).
- (2) When a use cannot be readily classified into a use category, subcategory, or specific use type, or appears to fit into multiple categories, subcategories, or specific use types, L&I is authorized to determine the most similar, and thus most appropriate, use category, subcategory, or specific use type based on the actual or projected characteristics of the principal use or activity in relationship to the use category, subcategory, and specific use type descriptions provided in this section. In making such determinations, L&I may consider:
 - (a) the types of activities that will occur in conjunction with the use;
 - (b) the types of equipment and processes to be used;
 - (c) the existence, number, and frequency of residents, customers, or employees;
 - (d) parking demands associated with the use; and
 - (e) other factors deemed relevant to a use determination.
- (3) If a use can reasonably be classified in multiple categories, subcategories, or specific use types, L&I shall categorize the use in the category, subcategory, or specific use type that provides the most exact, narrowest, and appropriate "fit."
- (4) If L&I is unable to determine the appropriate use category for a proposed use, L&I shall deny the zoning permit request. This decision may be appealed to the Zoning Board in accordance with § 14-303(15) (Appeals).

(2) **Residential Use Category.**

This category includes uses that provide living accommodations for one or more persons. The residential subcategories are:

- (a) **Household Living.**

Residential occupancy of a building or any portion thereof by one or more families. When a household living use is rented, tenancy is arranged on a month-to-month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered a form of lodging. The following are household living specific use types:

(1) **Single-Family.**

The use of a lot as a residence for one family.

(2) **Two-Family.**

The use of a lot as a residence for two families with each family occupying a single dwelling unit.

(3) **Multi-Family.**

The use of a lot as a residence for three or more families with each family occupying a single dwelling unit.

(4) **Caretaker Quarters.**

A single dwelling unit that is accessory to an allowed industrial use in an Industrial zoning district and that is occupied by an individual who is responsible for maintenance or security in association with the principal industrial use of the property.

(b) **Group Living.**

Residential occupancy of a building or any portion thereof that is not categorized as a household living use (see § 14-601(2)(a)) and that typically provides communal kitchen/dining facilities. Examples of group living uses include, but are not limited to, fraternities, sororities, group homes, and temporary overnight shelters. The following are group living specific use types:

(1) **Personal Care Home.**

Any premises in which food, shelter, and personal assistance or supervision are provided for a period exceeding 24 hours for four or more adults who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility, but who do require assistance or supervision in such matters as dressing, bathing, diet, financial management, evacuation from the residence in the event of an emergency, or medication prescribed for self-administration.

(2) **Single-Room Residence.**

A building containing rooms rented as living quarters without private bathrooms. Examples include dormitories, rooming houses, and supported independent living.

(3) **Parks and Open Space Use Category.**

This category includes uses that may occur on land that has been identified for parks and recreation uses open to the public or to be left in a generally natural state. The parks and open space subcategories are:

(a) **Natural Resources Preservation.**

Undeveloped land left in a natural state for specific use as visual open space or environmental purposes.

(b) **Passive Recreation.**

Recreational facilities associated with pastimes that are incidental to natural open space. These facilities require minor land development, require minimal maintenance, and have little impact on natural open space.

(c) **Active Recreation.**

Recreational facilities that require major land development, structure construction, and a moderate- to high-level of maintenance and can accommodate large groups of people.

(4) **Public, Civic, and Institutional Use Category.**

This category includes public, quasi-public, and private uses that provide unique services that are of benefit to the public as a whole. The public, civic, and institutional subcategories are:

(a) **Airport-Related Facilities.**

Any of the following:

- (1) Air terminals;
- (2) Airport administration buildings, including airline offices, and related uses;
- (3) Ancillary retail sales and commercial services uses located within an airport;
- (4) Fixed base operators;
- (5) Air hangars;
- (6) General aviation operations;
- (7) Airport maintenance, rescue and firefighting buildings, and public safety uses, including security and immigration processing;
- (8) Airport operational facilities including, but not limited to, air traffic control towers, communication facilities, weather service offices, equipment and instrument landing systems, and other related navigational equipment;
- (9) Air cargo and related ground transportation facilities;
- (10) Flight schools, flying clubs, and other schools or training facilities relating to aviation or air-related transportation;
- (11) Fuel and fuel waste containment storage systems and pumps;
- (12) Aircraft related sales, manufacturing, assembly testing, and repair of aircraft, aircraft parts, avionics, instruments, or other aircraft equipment;
- (13) Runways;
- (14) Taxiways;
- (15) Glycol and related aircraft deicing fluid storage and processing systems;
- (16) Emergency (outpatient) medical facilities;
- (17) Ground transportation facilities commonly associated with airports, such as rail, car rental facilities, taxi cabs, buses and limousines, including associated maintenance, fueling, storage and administration;
- (18) Accessory uses customarily incidental to any of the above permitted uses, including, where appropriate, security barriers, boat launches, storage facilities, including outdoor storage of vehicles and equipment, airport-related lighting, and chapels; and
- (19) Other uses determined to be airport-related by the regulations of the Department of Commerce.

(b) **Cemetery.**

Land used for burial of dead bodies or cremated remains. Cemeteries are allowed only if approved by ordinance. See § 14-603(4) (Cemetery).

(c) **Day Care.**

Uses providing care, protection, and supervision for children or adults for a fee on a regular basis away from their primary residence for less than 24 hours per day. Examples include preschools, nursery schools, Head Start programs, latch key programs, and adult daycare programs. The following are not regulated as day care uses: (i) care given by guardians, relatives or Life Partners of the children or adults, or (ii) care given away from the primary residence of the children or adults by babysitters or caregivers for fewer than 10 hours per week. For the purposes of the day care use subcategory, the term "relative" shall mean a spouse, parent, child, stepparent, stepchild, grandparent, grandchild, brother, sister, half brother, half sister, aunt, uncle, niece, or nephew. The following are day care specific use types:

(1) **Family Day Care.**

The provision of care within the day care provider's primary residence for children who are not relatives of the provider. See also the family day care use-specific standards of § 14-603(5) (Day Care).

(2) **Group Day Care.**

The provision of care in a facility that is not the day care provider's primary residence for up to 12 children or up to 12 adults who are not relatives of the provider. See also the group day care use-specific standards of § 14-603(5) (Day Care).

(3) **Day Care Center.**

The provision of care in a facility that is not the day care provider's primary residence for 13 or more adults or 13 or more children who are not relatives of the provider. See also the day care center use-specific standards of § 14-603(5) (Day Care).

(d) **Detention and Correctional Facilities.**

An institution operated by the City, the Commonwealth, the federal government, or a private party under contract with the City, the Commonwealth, or the federal government for the confinement and punishment and treatment or rehabilitation of offenders under the jurisdiction of a court.

(e) **Educational Facilities.**

- (1) Public and private schools at the primary, elementary, junior high, or high school level that provide basic education.
- (2) Colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree.

(f) **Fraternal Organization.**

The use of a building or lot by a not-for-profit organization that restricts access to its facility to bona fide, annual dues-paying members and their occasional guests. Banquet rooms and the preparation and serving of food and beverages and occasional live entertainment are uses and activities in association with fraternal organizations.

(g) **Hospital.**

Uses providing medical or surgical care to patients and offering inpatient (overnight) care.

(h) **Libraries and Cultural Exhibits.**

Museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art, or library collection of books, manuscripts, and similar materials for study and reading.

(i) **Re-Entry Facility.**

A facility used for the rehabilitation and overnight accommodations of 25 or more individuals, including staff, who are (a) under the jurisdiction of a court, but not under confinement, or (b) individuals recently released from the jurisdiction of a court. Such facility shall be operated by the City, the Commonwealth, the federal government, or a private party under contract with the City, the Commonwealth, or the federal government for the purpose of providing treatment or rehabilitation intended to assist such individuals with their re-entry into the community.

(j) **Religious Assembly.**

Religious services involving public assembly that customarily occur in synagogues, temples, mosques, churches, and other facilities used for religious worship.

(k) **Safety Services.**

Establishments that provide fire, police or life protection, together with the incidental storage and maintenance of necessary vehicles.

(l) **Transit Station.**

Stations, off-street passenger waiting areas, and loading/unloading areas for local and regional transit service. Street-side boarding locations, such as bus and trolley stops, are not regulated as transit station uses.

(m) **Utilities and Services, Basic.**

Public and quasi-public facilities and services that need to be located in the area where the service is to be provided, such as water and sewer pump stations; electrical transforming substations; wind energy conversion systems; solar collector systems; water conveyance systems; gas regulating stations; stormwater facilities and conveyance systems; telephone switching equipment; emergency communication warning/broadcast facilities; and central heating facilities.

(n) **Utilities and Services, Major.**

Infrastructure services that have substantial land use impacts on surrounding areas. Typical uses include but are not limited to water and wastewater treatment facilities, major water storage facilities and electric generation plants.

(o) **Wireless Service Facility.**

Towers, antennas, equipment, equipment buildings, and other facilities used in the provision of wireless communication services. The following are wireless service facility specific use types:

(1) **Freestanding Towers.**

A structure intended to support equipment that is used to transmit and/or receive telecommunications signals including monopoles and guyed and lattice construction steel structures.

(2) **Building or Tower-Mounted Antennas.**

The physical device that is attached to a freestanding tower, building, or other structure, through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received.

(p) **Community Center.**

A space used for cultural, educational, recreational, or civic engagement purposes; owned and operated by a public agency or not for profit organization; and open to the general public; but not including any Special Assembly Occupancy as defined in § 9-703(1)(a).

(5) **Office Use Category.**

This category includes uses in an enclosed building, customarily performed in an office, that focus on providing executive, management, administrative, government, professional, or medical services. The office subcategories are:

(a) **Business and Professional.**

Office uses for companies and non-governmental organizations. Examples include corporate office, law offices, architectural firms, insurance companies, and other executive, management, or administrative offices for businesses and corporations.

(b) **Medical, Dental, and Health Practitioner.**

Office uses related to diagnosis and treatment of human patients' illnesses, injuries, and physical malfunctions by a State-licensed medical, dental or health practitioner that can be performed in an office setting with no overnight care. Surgical, rehabilitation, and other medical centers that do not involve overnight patient stays are included in this subcategory, as are medical and dental laboratories, unless otherwise indicated. The following are medical, dental, and health practitioner specific use types:

(1) **Sole Medical, Dental, and Health Practitioner.**

An office exclusively operated by one medical, dental, or health practitioner and having no more than one assistant regularly-employed therein.

(2) **Group Medical, Dental, and Health Practitioner.**

A medical, dental, or health practitioner office that does not meet the definition of a sole medical, dental, and health practitioner.

(c) **Government.**

Office uses related to the administration of local, state, or federal government services or functions.

(6) **Retail Sales Use Category.**

This category includes uses involving the sale, lease, or rental of new or used goods to the ultimate consumer within an enclosed structure, unless otherwise specified. The retail sales subcategories are:

(a) **Adult-Oriented Merchandise.**

Any retail sales use or establishment having as 20% or more of its floor area or its stock-in-trade:

- (1) Books, magazines, videos, CD-ROMs, or other periodicals or visual production materials that are distinguished or characterized by their emphasis on matter depicting, describing, or related to "specified sexual activities," or "specified anatomical areas;" or
- (2) Any devices, commonly known as sex toys, designed or marketed as useful primarily for the stimulation of human genital organs.

(b) Building Supplies and Equipment.

Uses that sell or otherwise provide goods to repair, maintain, or visually enhance a structure or premises, including, but not limited to, hardware stores, paint and wallpaper supply stores, and garden supply stores.

(c) Consumer Goods.

Uses that sell or otherwise provide furniture, appliances, equipment, and similar consumer goods, large and small, functional and decorative, for use, entertainment, comfort, or aesthetics. This use subcategory shall include establishments that sell cigarettes and other lawful smoking tobacco products. The following are consumer goods specific use types:

(1) Drug Paraphernalia Stores.

Any retail store selling paraphernalia commonly related to the use of any drug or narcotic, the sale, use or possession of which drug or narcotic is subject to the provisions of "The Controlled Substance, Drug, Device and Cosmetic Act," 1972, April 14, P.L. 233, No. 64, 51 et seq., 35 P.S. §§ 780-101 et seq., including, but not limited to, water pipes, pipe "screens," hashish pipes, "roach" clips, "coke" spoons, "bongs," and cigarette rolling paper, except that this term does not include the sale of cigarette rolling paper by a store that also sells loose tobacco or the sale by prescription of implements needed for the use of prescribed drugs or narcotics.

(2) Gun Shop.

Any retail sales business engaged in selling, leasing, purchasing, or lending of guns, firearms, or ammunition.

(3) Medical Marijuana Dispensary.

A person who holds a permit issued by the Department of Health of the Commonwealth pursuant to the Act of April 17, 2016, P.L. 84, No. 16, to dispense medical marijuana.

(d) Food, Beverages, and Groceries.

Uses that sell or otherwise provide food or beverages for off-premise consumption, including grocery stores and similar uses that provide incidental and accessory food and beverage service as part of their primary retail sales business. The following are food, beverage, and groceries specific use types:

(1) Fresh Food Market.

Either of the following:

- (a) An establishment in which the sale of fresh fruits and vegetables to the general public occupies at least 50% of the display area; or
- (b) An establishment primarily engaged in the sale of grocery products and that provides all of the following:
 - (i) at least 5,000 sq. ft. of customer-accessible floor area used for display and sales of a general line of food and nonfood grocery products such as dairy, canned and frozen foods, fresh fruits and vegetables, and fresh and prepared meats, fish, and poultry, intended for home preparation, consumption, and use;
 - (ii) at least 50% of such customer-accessible sales and display area is used for the sale of a general line of food products intended for home preparation and consumption;
 - (iii) at least 25% of such customer-accessible sales and display area is used for the sale of perishable goods, which must include dairy, fresh fruits and vegetables, and frozen foods and that may include fresh meats, poultry, and fish; and

- (iv) at least 750 sq. ft. of such customer-accessible sales and display area is used for the sale of fresh fruits and vegetables.

(2) **Farmer's Market.**

An area for the sale of food crops and non-food crops (e.g., flowers) directly to consumers within an enclosed structure or outdoors on a lot.

(e) **Pets and Pet Supplies.**

Uses that sell or otherwise provide household pets and pet supplies.

(f) **Sundries, Pharmaceuticals, and Convenience Sales.**

Uses that sell or otherwise provide goods for personal grooming and for the day-to-day maintenance of personal health and well-being.

(g) **Wearing Apparel and Accessories.**

Uses that sell or otherwise provide goods to cover, protect, or visually enhance the human form. This use subcategory shall include establishments that sell jewelry, watches, and other related goods and may provide repair, custom fabrication, and cleaning, provided that such activity is clearly incidental to the principal use of the establishment.

(7) **Commercial Services Use Category.**

This category includes uses that provide for consumer or business services, for the repair and maintenance of a wide variety of products, and for entertainment. The commercial services subcategories are:

(a) **Adult-Oriented Service.**

Any of the following:

(1) **Adult Cabaret.**

An adult club, eating and drinking establishment, theater, hall or similar place that may or may not serve alcoholic beverages and features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators or similar entertainers exhibiting specified anatomical areas or performing specified sexual activities, or dancing, performing or acting in a lewd, sexually erotic, exciting, or stimulating manner for patrons or viewers.

(2) **Adult Modeling or Photography Studio.**

An establishment having 20% or more of its floor area or business distinguished or characterized by its emphasis on the drawing or photographing of persons exhibiting "specified anatomical areas" or performing "specified sexual activities."

(3) **Adult Motion Picture Theater.**

An enclosed building primarily used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.

(4) **Adult Spa or Health Club.**

A spa or health club having 20% or more of its floor area or business distinguished or characterized by its emphasis on persons exhibiting "specified anatomical areas" or performing "specified sexual activities."

(5) **Adult Massage Shop.**

An establishment having a source of income or compensation derived from the practice of any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulation of, external parts of the human body with the hands or with the aid of any mechanical, electric apparatus or appliances with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotion, ointment, or other similar preparations commonly used in the practice of massage, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his or her behalf will pay money or give any other consideration or gratuity. The term "massage shop" does not include any establishment operated by a medical practitioner, professional physical therapist, or

massage therapist licensed by the state.

(b) **Animal Services.**

Uses that provide for the treatment, care, maintenance, or keeping of animals. The following is an animal services specific use type:

(1) **Boarding and Other Services.**

Boarding facilities for horses and similar animals, including public and commercial stables as defined by § 10-100 of The Philadelphia Code (Animals); animal shelters; kennel services for dogs, cats and small animals, including boarding kennels, and pet resorts/hotels; dog training centers; animal hospitals; household pet crematory services; or taxidermy services.

(c) **Assembly and Entertainment.**

Uses that provide gathering places for participant or spectator recreation, entertainment, or other assembly activities. Assembly and entertainment uses may provide incidental food or beverage service for on- or off-premise consumption. The following are assembly and entertainment specific use types:

(1) **Amusement Arcades.**

An establishment that offers to patrons four or more mechanical or electrical devices or games, such as pinball machines, ping pong, darts, shooting galleries or similar devices or games, excluding juke boxes and amusement devices in the establishments regulated by the Liquor Control Board of the Commonwealth and vending machines for the dispensing of goods.

(2) **Casino.**

A licensed gaming facility as authorized by the Commonwealth of Pennsylvania, pursuant to 4 Pa. C.S. Part II, the "Pennsylvania Race Horse Development and Gaming Act" (the "Act"). A "casino" may also be referred to as a "licensed gaming facility."

(3) **Nightclubs and Private Clubs.**

An establishment where 50 or more people regularly congregate primarily for entertainment purposes in the form of dancing or live or recorded music. The establishment may serve food or beverages to patrons for on- or off-premise consumption or may have one or more temporary or permanent area(s) set aside for the purpose of dancing by the patrons of the establishment. Such establishments may include, but are not limited to, discotheques, cabarets, private clubs, banquet halls, and similar places of assembly.

(4) **Pool or Billiards Room.**

An establishment that provides three or more tables for the playing of pool or billiards.

(5) **Movie Theater.**

An enclosed building where patrons gather to view motion pictures. This specific use type shall not include adult motion picture theaters.

(d) **Building Services.**

Uses that provide maintenance and repair services for all structural and mechanical elements of structures, as well as the exterior spaces of a premise. Typical uses include janitorial, landscape maintenance, exterminator, plumbing, electrical, HVAC, window cleaning, and similar services.

(e) **Business Support.**

Uses that provide personnel services, printing, copying, photographic services, or communication services to businesses or consumers. Typical uses include employment agencies, copy and print shops, telephone answering services, and photo developing labs.

(f) **Eating and Drinking Establishments.**

Uses that prepare or serve food or beverages for on- or off-premise consumption. Establishments that meet the definition of a use classified in the eating and drinking establishments use subcategory and that also include occasional live entertainment

may be classified as eating and drinking establishment uses, provided that any establishment that meets the definition of a nightclub and private club use must be classified and regulated as a nightclub and private club (See § 14-601(7)(c)(3) (Nightclubs and Private Clubs)). The following are eating and drinking establishment specific use types:

(1) **Prepared Food Shop.**

An establishment that does not meet the definition of a take-out restaurant (see § 14-601(7)(f)(2)), that offers seating and carry out food and beverage service, and that is primarily engaged in the sale of prepared food, non-alcoholic beverages, cold refreshments, or frozen desserts. Prepared food shops include establishments known as sandwich shops, delis, coffee shops, and ice cream shops. A prepared food shop has all of the following characteristics:

- (a) Includes customer seating on the lot. The number of seats shall be greater than 3 but shall not exceed 20 seats; and
- (b) Does not utilize commercial cooking appliances that have requirements for exhausting air contaminants.

(2) **Take-Out Restaurant.**

An eating and drinking establishment that has any one or more of the following characteristics:

- (a) a drive-through or walk-up window;
- (b) a service counter where all customers pay for their ordered items before consumption and all food and beverages are served on disposable ware for consumption, except that cafeterias primarily engaged in serving food and beverages for on-premise consumption are considered sit-down restaurants if take-out service is clearly incidental to the principal use;
- (c) fewer than 4 seats; or
- (d) no public restrooms.

(3) **Sit-Down Restaurant.**

An eating and drinking establishment that does not meet the definition of a take-out restaurant (see § 14-601(7)(f)(2)) or prepared food shop (see § 14-601(7)(f)(1)), including establishments that primarily engage in cooking food on the premises and selling it to customers primarily for on-premise consumption.

(g) **Financial Services.**

Uses related to the exchange, lending, borrowing, and safe-keeping of money. The following specific use type is sometimes regulated differently than the financial services use subcategory:

(1) **Personal Credit Establishment.**

Any one or more of the following:

(a) **Check Cashing Establishment.**

An establishment that (1) is not a bank or financial institution subject to federal or state regulation; and (2) that charges either a flat fee or a fee based on a percentage of the face value of a check to be cashed or processed by such establishment; and (3) provides such services to the public.

(b) **Pawnshop.**

An establishment that is engaged to any extent in any of the following business or activities:

- (i) the lending of money on the deposit or pledge of personal property, other than chosen in action, securities or written evidence of indebtedness;
- (ii) the purchase of personal property either from an individual, another pawn business or any other business with an expressed or implied agreement or understanding to offer the property for sale to the public, and if that sale is unsuccessful, then to sell it back to the previous owner at a subsequent time at a stipulated price or negotiated price;
- (iii) the purchase of precious metals with the intent to melt down, provided that such activity is not clearly incidental to the principal use of the establishment; or

- (iv) the lending of money upon personal property, goods, wares, or merchandise pledge, stored or deposited as collateral security.

(c) **Payday Lender.**

Any person or entity that is substantially in the business of negotiating, arranging, aiding, or assisting a consumer in procuring payday loans.

(h) **Funeral and Mortuary Services.**

Uses that provide services related to the death of a human, including funeral homes, mortuaries, crematoriums, and similar uses.

(i) **Maintenance and Repair of Consumer Goods.**

Uses that provide maintenance, cleaning, and repair services for consumer goods. Typical uses include dry cleaning shops, tailors, shoe repair, vacuum repair shops, electronics repair shops, and similar establishments. The following are maintenance and repair of consumer goods specific use type.

(j) **Marina.**

Facilities that provide moorage, launching, storage, supplies, and a variety of services for recreational and commercial watercraft. Marinas are differentiated from docks and moorages by their larger scale, the provision of significant landside services, or the use of a solid breakwater.

(k) **Parking, Non-Accessory.**

Parking that is not provided to comply with minimum off-street parking requirements and that is not provided exclusively to serve occupants of or visitors to a particular use, but rather is available to the public at-large. A parking facility that provides both accessory and non-accessory parking shall be classified as non-accessory parking if it leases 25% or more of its spaces to non-occupants of or persons other than visitors to a particular use. The following are non-accessory parking specific use types:

(1) **Surface Parking, Non-Accessory.**

A non-accessory parking lot.

(2) **Structured Parking, Non-Accessory.**

A non-accessory parking garage.

(l) **Personal Services.**

Uses that provide a variety of services associated with grooming, instruction, and the maintenance of fitness, health, and well-being. The following are personal services specific use types:

(1) **Body Art Service.**

Provision of any of the following procedures: body piercing, tattooing, branding, or scarification. This definition does not include practices that are considered medical procedures by the Pennsylvania Medical Board.

(2) **Fortune Telling Service.**

An establishment engaged in or that professes to foretell future or past events or that is engaged in the practice of palmistry (the art or practice of reading a person's character or future from the lines on the palms of hands).

(m) **Radio, Television, and Recording Services.**

Uses that provide for audio or video production, recording, or broadcasting.

(n) **Visitor Accommodations.**

Uses that provide temporary lodging for fewer than 30 days where rents are charged by the day or by the week or portion thereof and may also provide food or entertainment primarily to visitors and tourists.

(o) **Commissaries and Catering Services.**

Uses that prepare food only to be sold or served off-site, provided the use does not meet the definition of an industrial use.

(8) **Vehicle and Vehicular Equipment Sales and Services Use Category.**

This category includes uses that provide for the sale, rental, maintenance, or repair of new or used vehicles and equipment. The vehicle and vehicular equipment sales and services subcategories are:

(a) **Commercial Vehicle Repair and Maintenance.**

Uses, excluding vehicle paint finishing shops, that repair, install, or maintain the mechanical components or the bodies of large trucks, mass transit vehicles, large construction or agricultural equipment, aircraft, or commercial boats. Truck stops and fueling facilities are included in this commercial vehicle repair and maintenance use category.

(b) **Commercial Vehicle Sales and Rentals.**

Uses that provide for the sale or rental of large trucks, mass transit vehicles, large construction or agricultural equipment, aircraft, commercial boats, or other similar vehicles.

(c) **Vehicle Fueling Station.**

Uses engaged in retail sales of personal or commercial vehicle fuels.

(d) **Personal Vehicle Repair and Maintenance.**

Uses, excluding vehicle paint finishing shops, that repair, install, or maintain the mechanical components or the bodies of autos, small trucks or vans, motorcycles, motor homes, or recreational vehicles including recreational boats or that wash, clean, or otherwise protect the exterior or interior surfaces of these vehicles.

(e) **Personal Vehicle Sales and Rentals.**

Uses that provide for the sale or rental of new or used autos, small trucks or vans, trailers, motorcycles, motor homes, or recreational vehicles including recreational boats. Typical examples include automobile dealers, auto malls, car rental agencies, and moving equipment rental establishments (e.g., U-haul).

(f) **Vehicle Equipment and Supplies Sales and Rentals.**

Uses related to the sale, lease, or rental of new or used parts, tools, or supplies for the purpose of repairing or maintaining vehicles, including distribution of products from the same premises that sells, leases, or rents vehicles.

(g) **Vehicle Paint Finishing Shop.**

Uses that apply paint to the exterior or interior surfaces of vehicles by spraying, dipping, flow-coating, or other similar means.

(9) **Wholesale, Distribution, and Storage Use Category.**

This category includes uses that provide and distribute goods in large quantities, principally to retail sales, commercial services, or industrial establishments. Long-term and short-term storage of supplies, equipment, commercial goods, recyclable materials and personal items is included. The wholesale, distribution, storage subcategories are:

(a) **Equipment and Materials Storage Yards and Buildings.**

Uses related to outdoor or indoor bulk storage of equipment, products, or materials, whether or not stored in containers.

(b) **Moving and Storage Facilities.**

Uses engaged in the moving of household or office furniture, appliances, and equipment from one location to another, including the temporary storage of those same items. Typical uses include moving companies and self-service and mini-storage warehouses.

(c) **Warehouse.**

Uses that do not meet the definition of a moving and storage facility but that are engaged in long-term and short-term storage of goods, typically in containers such as boxes, barrels, or drums, within a completely-enclosed building.

(d) **Wholesale Sales and Distribution.**

Uses engaged in the wholesale sales, bulk storage and distribution of goods. Such uses may also include incidental retail sales. Wholesale showrooms are also included in this use subcategory. The following is a wholesale sales and distribution specific use type:

(1) **Distributor of Malt or Brewed Beverages.**

An establishment engaged in the purchase and resale of malt or brewed beverages in originally-sealed containers, as prepared for the market by the manufacturer at the place of manufacture, in quantities of not less than a case or original containers containing 128 ounces or more (which may be sold separately) for off-premise consumption.

(10) **Industrial Use Category.**

This category includes uses that produce goods from extracted and raw materials or from recyclable or previously prepared materials, including the design, storage, and handling of these products and the materials from which they are produced. The industrial subcategories are:

(a) **Artist Studios and Artisan Industrial.**

Spaces used by artists for the creation of art or the practice of their artistic endeavors, as well as uses that produce consumer goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment in a completely enclosed building with no outdoor operations, storage or regular commercial truck parking/loading.

(b) **Limited Industrial.**

Uses that process, fabricate, assemble, treat, or package finished parts or products without the use of explosive or petroleum materials. This subcategory does not include the assembly of large equipment and machinery and has very limited external impacts in terms of noise, vibration, odor, hours of operation, and traffic.

(c) **General Industrial.**

Uses that process, fabricate, assemble, or treat materials for the production of large equipment and machines as well as industrial uses that because of their scale or method of operation regularly produce odors, dust, noise, vibration, truck traffic or other external impacts that are detectable beyond the property lines of the subject property.

(d) **Intensive Industrial.**

Industrial uses that regularly use hazardous chemicals or procedures or produce hazardous byproducts, including the following: manufacturing of acetylene, cement, lime, gypsum or plaster-of-paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, and radioactive materials. This subcategory also includes petrochemical tank farms, gasification plants, smelting, animal slaughtering, oil refining, asphalt and concrete plants, and tanneries. Intensive industrial uses have high potential for external impacts on the surrounding area in terms of noise, vibration, odor, hours of operation, and traffic.

(e) **Junk and Salvage Yards and Buildings.**

An area or building where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled for reclamation, disposal or other like purposes, including but not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. A junk or salvage yard or building includes an auto wrecking yard or building.

(f) **Marine-Related Industrial.**

Uses such as docks, wharves, piers, and related facilities, used in connection with the transfer, storage-in-transit and incidental processing of commercial cargo from or to waterborne craft, including, but not limited to, pipelines and conveyors that transfer equipment or materials to or from the Delaware River or the Schuylkill River.

(g) **Mining/Quarrying.**

The extraction of mineral or aggregate resources from the ground for off-site use. Examples include quarrying or dredging for sand, gravel or other aggregate materials; and mining.

(h) **Research and Development.**

Uses engaged in scientific research and testing leading to the development of new products and processes.

(i) **Trucking and Transportation Terminals.**

Uses engaged in the dispatching and long-term or short-term storage of large vehicles. Minor repair and maintenance of

vehicles stored on the premises is also included.

(j) **Medical Marijuana Growing/Processing Facility.**

A person who holds a permit issued by the Department of Health of the Commonwealth pursuant to the Act of April 17, 2016, P.L. 84, No. 16, to grow and process medical marijuana.

(11) **Urban Agricultural Use Category.**

This category includes uses such as gardens, farms, and orchards that involve the raising and harvesting of food and non-food crops and the raising of farm animals. The urban agriculture subcategories are:

(a) **Animal Husbandry.**

Uses that involve the feeding, housing, and care of farm animals for private or commercial purposes, subject to applicable Philadelphia Code regulations on farm animals (§ 10-101 and § 10-112).

(b) **Community Garden.**

An area managed and maintained by a group of individuals to grow and harvest food crops or non-food crops (e.g., flowers) for personal or group consumption, for donation, or for sale that is incidental in nature. A community garden area may be divided into separate garden plots or orchard areas for cultivation by one or more individuals or may be farmed collectively by members of the group. A community garden may include common areas (e.g., hand tool storage sheds) maintained and used by the group. Community gardens may be principal or accessory uses and may be located on a roof or within a building.

(c) **Market or Community-Supported Farm.**

An area managed and maintained by an individual or group of individuals to grow and harvest food crops or non-food crops (e.g., flowers) for sale or distribution that is not incidental in nature. Market farms may be principal or accessory uses and may be located on a roof or within a building.

(d) **Horticulture Nurseries and Greenhouses.**

A principal use involving propagation and growth of plants in containers or in the ground for wholesale or retail sales and distribution.

UpCodes note: This section was amended by the following:

Bill No. 120654 (approved December 11, 2012)

Bill No. 130804 (approved December 18, 2013)

Bill No. 120774-A (approved January 14, 2013)

Bill No. 120917-AA (approved April 2, 2013)

Bill No. 130224 (approved May 8, 2013)

Bill No. 130764 (approved December 18, 2013)

Bill No. 130804 (approved December 18, 2013)

Bill No. 150264 (approved June 16, 2015)

Bill No. 160919 (approved December 20, 2016)

Bill No. 161003-A (approved May 8, 2017)

Bill No. 170402 (approved June 27, 2017)

Bill No. 180346-A (approved July 18, 2018)